

A Guide to Sovereign Citizens and Pseudolaw

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**Marbury Chambers
10 Point CPD 2026 Conference
29 March 2026**



**UNSW
SYDNEY**



Acknowledgement of Country

I would like to begin by acknowledging the Gadigal people of the Eora Nation, the traditional owners of this land and pay my respects to the Elders both past and present. I also extend that respect to any Aboriginal or Torres Strait Islander people here today.



Australian Prudential Regulation Authority v Garrett [2023] FCA 956 (14 August 2023)

12. As will already be evident, Mr Garrett's claims are not legally compelling. Indeed, to borrow an expression from a case involving claims not dissimilar to those in the present case, they resemble a "jumble of gobbledygook": see *Bradley v The Queen* [2020] QCA 252 (Sofronoff P, with whom Mullins JA and Boddice J agreed). This is self-evident and I do not propose to waste time dealing with the allegation I am a bankrupt, nor explain why I consider the better view is that I should not be imprisoned in Outer Mongolia or some such place.

DEPUTY COMMISSIONER OF TAXATION -v- CASLEY [2017] WASC 161

An affidavit filed by Arthur Casley contains similar statements. This appears to be a variant of the strange pseudo-legal straw man theory. The theory holds that an individual has two personas, one of himself as a real flesh and blood human being and the other, a separate legal personality who is the straw man. The idea is that an individual's debts, liabilities, taxes and legal responsibilities belong to the straw man rather than the physical individual who incurred those obligations, conveniently allowing one to escape their debts and responsibilities. It is all gobbledygook.

Meads v. Meads, 2012 ABQB 571 (CanLII)

If I believed that Mr. Meads acted sincerely (which I do not), I would conclude Mr. Meads misapprehended the scope of the responsibility and authority of a case management justice. However, this, instead, seems to be a kind of OPCA document that purports to unilaterally foist a particularly impressive sounding string of gibberish obligations upon me.

“

Superficially appears to be law, or related to law, and usually uses legal or legal-sounding language, but is otherwise spurious.

Donald Netolitzky, 'Lawyers and Court Representation of Organized Pseudolegal Commercial Argument [OPCA] Litigants in Canada' (2018) 51(2) *UBC Law Review* 419, 420

”



01

What is pseudolaw?

Towards a Definition of Pseudolaw

Three key elements

Co-opts form of law

**Alternative
legal narrative**

Internalised Beliefs

Underlying narrative

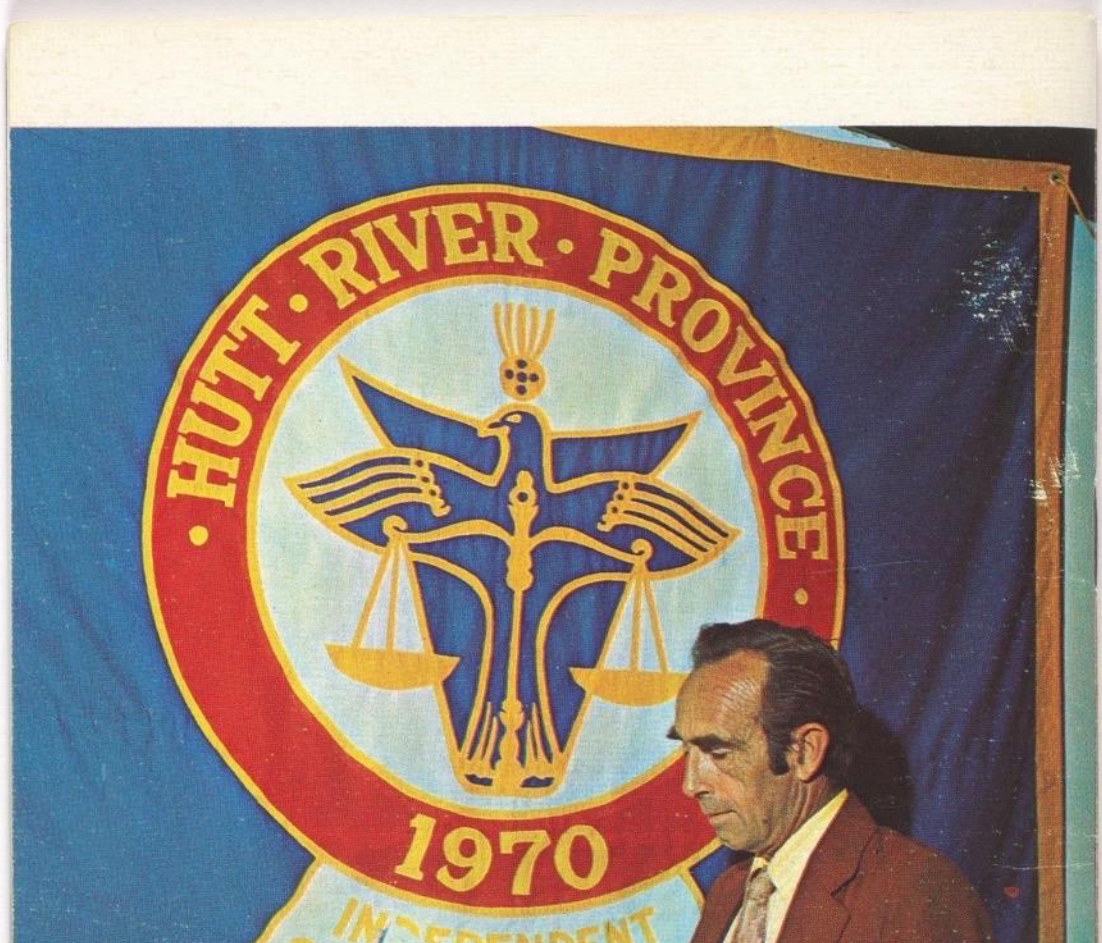
- Pseudolaw has a nostalgic vision
- Best understood as a “duel of laws”
- Adherents want authorities to recognise that state law is illegitimate and that the “good law” still persists





02

Where did it come from?



End of an empire: Hutt River to rejoin Australia after 50 years

Kate Hedley
August 3, 2020 – 11.38am

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Fifty years since declaring its sovereignty from the rest of the country, one of Australia's most well-known micronations is to be dissolved.



THOUGHT-PROVOKING AND ENTERTAINING. PETER FITZSIMONS

How To Rule Your Own Country

THE WEIRD AND WONDERFUL
WORLD OF MICRONATIONS

HARRY HOBBS & GEORGE WILLIAMS



Origins



Arose out of several extremist groups in the United States in the 1980s and 1990s

- Posse Comitatus
- Common Law movement
- Patriot Militias
- Tax Protesters

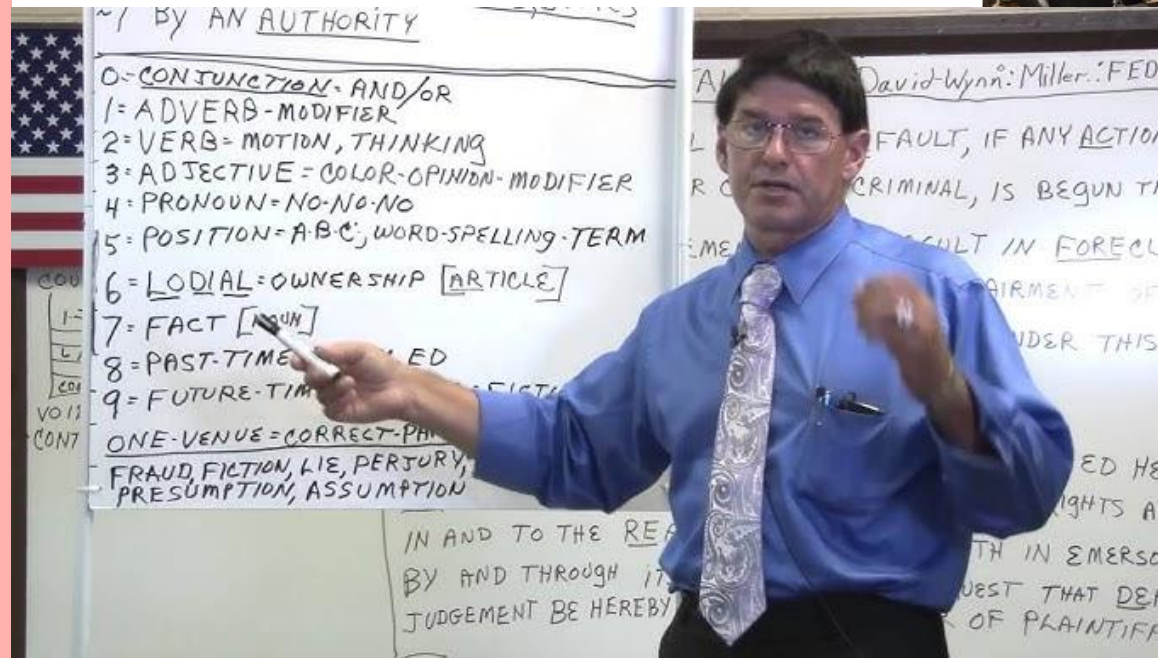
Growth in Australia

- Limited empirical data available
 - Judicial officers report **regular appearances in court**
- 2024 SA study provides key insight
 - Evidence of **significant increase** in pseudolaw matters
- COVID-19 pandemic acted as an “**accelerant**”
 - Activity remains **elevated post-pandemic**
 - Likely **underreported**
 - More common in lower courts
 - Many matters not captured in published judgments

Endurance

Why does it spread if it does not work?

1. Crises
2. Alienation
3. Empowerment
4. Commercial enterprise





What does this look like in Court?

Typical presentation in court

- Usually self-represented litigants
- Rely on pre-prepared scripts and templates
- Provide lengthy, unconventional documents
 - stamps, thumbprints, unusual formatting
- Use recognisable phrases
 - “I do not consent”
 - “I am not the person named”
- Challenge jurisdiction and authority of the court
- Often repetitive and resistant to direction



Impact

- Disproportionate use of court time
- Increased burden on:
 - Judicial officers (case management complexity)
 - Registry staff (volume + difficult interactions)
 - Practitioners (responding to meritless material)
- Can shift focus from legal issues → behaviour management
- Risk of escalation and confrontation

Four Types of Pseudolegal Adherents

1. Genuine but confused
2. Mercenaries
3. True believers
4. Gurus



Major Arguments

1. Strawman argument
2. The consent argument
3. State law is defective



The Strawman Argument

- People have inalienable rights
- Law applies to 'artificial' or corporate persons, not real or natural people
- Governments (which are corporate forms) restrict rights and create legal people with ID cards, birth certificates, bank accounts, etc. to assert jurisdiction over them
- You can reclaim your natural rights, as a living man or women by asserting your status.



The Consent Argument

- The claimant has not consented to the contract or the authority of state law, so they are not subject to state law.
- May overlap with strawman argument.
- Perhaps a literal view of the social contract.



DEFECTIVE

Three prominent ones

Magna Carta

Australian Independence

- Versailles Treaty
- Decimal Currency
- Royal Title and Styles Act 1973
- Australia Acts

The Currency Argument

- Section 115 and Alan Skyring

Bunnings Karen' condemn
ing to wear mask

Sat 28 Nov 2020 at 12:01am

04

How to respond?

WATCH
3m 19s



Be aware of potential for violence

'Moving towards violence': Authorities alert to radicalised sovereign citizens



Clare Sibthorpe

December 22, 2023 – 11.30am

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A sovereign citizen group is using a fake court to justify child kidnapping and extortion

Exclusive by Kevin Nguyen and Michael Workman

ABC Investigations

Crime

Wed 17 Jul

'Violence, fixation and harassment': Internal AFP briefing reveals sovereign citizen concern

'The threat is real': Lone wolf danger on the rise as ASIO targets sovereign citizens movement

A key report on a national firearms registry will be delivered this year, after three extremists killed two police officers and a neighbour in December.



Tips

Key insight: Pseudolaw is a Performance

1. Don't Engage on their Terms
2. Break the Script Early
3. Control the Hearing
4. Be Alert to Escalation

Key takeaway: Keep control, minimise disruption, support the court

**Conclusion and Thank
you**



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