A Pathogen Astride the Minds of Men:
The Epidemiological History of Pseudolaw

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Abstract

Pseudolaw is a collection of legal-sounding but false rules that purport to be law. Pseudolaw has independently emerged in different countries and communities on multiple occasions. Despite that, modern pseudolaw world-wide is remarkably similar, despite that pseudolaw host populations have extremely different political, cultural, and historical profiles. What is common among groups that endorse pseudolaw is: 1) an anti-government and anti-institutional orientation, and 2) a conspiratorial world perspective.

Modern pseudolaw has spread, starting from the US Sovereign Citizen population, and then infected a succession of other communities. This progression was facilitated by key individuals and can be tracked, host group to host group.

Modern pseudolaw was introduced into Canada by one individual, Eldon Warman, who reframed its concepts to better suit a Commonwealth rather than US context. Warman's pseudolaw variation spread into several Canadian communities with very different social objectives. The leftist anti-government Freemen-on-the-Land then seeded pseudolaw into the UK, the Republic of Ireland, New Zealand, South Africa, and several European countries. Some of the resulting groups were stillborn, but in the UK pseudolaw has thrived, but principally as mechanism to attack debt collection, rather than to challenge government authority.

US Sovereign Citizen pseudolaw has also directly spread into the culturally distinct urban black Moorish community, and the German and Austrian right-wing Reichsbürger groups. Australia is unique in that its pseudolaw culture incorporates US Sovereign Citizen, Canadian Freeman, and domestic

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concepts. In other countries, the appearance of modern pseudolaw drove other pre-existing variant law schemes into extinction.

I. Introduction

Pseudolaw are legal-sounding rules which purport to govern the operation of governments, corporations, individuals, and courts. Two characteristics distinguish pseudolaw from 'real law': pseudolaw leads to different results than 'conventional' law, and governments and courts do not recognize pseudolaw as valid.

That has not, however, dissuaded a substantial world-wide community from deploying pseudolaw during their interactions with government, police, courts, and institutions.[2] A perhaps counter-intuitive aspect of pseudolaw is that the pseudolaw encountered in different countries is unexpectedly similar. The explanation for those parallels is simple. In the late 1990s, a matrix of pseudolaw concepts, false history, and conspiratorial narratives coalesced within the US Sovereign Citizen community to form the Sovereign Citizen Pseudolaw Memeplex [Pseudolaw Memeplex]. Those ideas then spread into other jurisdictions and host communities.

This paper's companion (Netolitzky 2018d) describes the Pseudolaw Memeplex, its foundation, rules, and function. The Pseudolaw Memeplex is a distinct legal system that shifts the balance of authority and obligation in favour of individuals and away from government and institutional actors. The Pseudolaw Memeplex has six key elements:

1. Everything Is A Contract,
2. Silence Means Agreement,
3. No Injured Party,
4. Defective Or Limited State Authority,
5. the "Strawman" Duality, and
6. Fiscal Misconceptions.

Most of these concepts remain constant. Defective Or Limited State Authority is the exception and varies to match the history and characteristics of the host population (Netolitzky 2018d:II(B)(4)).

The Pseudolaw Memeplex is also a fundamentally conspiratorial construct. It asserts that much or all government authority is illegitimate, but that fact is concealed from

[2] Pseudolaw is only rarely used in interpersonal disputes (Netolitzky 2017:984-988; Slater 2016:45-46).

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the public for nefarious reasons. The real "Common Law"[3] is allegedly hidden to enslave the masses.

This paper traces the transmission of the Pseudolaw Memeplex from the Sovereign Citizen community and into different countries and populations. These ideas spread much like a disease, from host-to-host, accumulating adaptations that then facilitated new cycles of infection. During this process the Pseudolaw Memeplex encountered other pre-existing regional or community-specific pseudolaw, which had various consequences.

II. The Sovereign Citizen Incubator

The mature Pseudolaw Memeplex emerged from the US Sovereign Citizen community. The Memeplex was tied together by the invention of the "Strawman" concept around 1998-1999 (Netolitzky 2018b:III(C)(2)).

This paper does not investigate the 'prehistory' of the Pseudolaw Memeplex. US pseudolaw ideas date back decades, and plausibly into the 1800s (Berger 2016:7-13). Pseudolaw incubated in a succession of marginal, right-wing, white, and often racist communities, including the Christian Identity churches, the Posse Comitatus movement, Militia groups, the Montana Freemen, and Tax Protestors (Bell 2016; Berger 2016; Kent 2015; Mallek 2016).

Legal academics investigated the state of pseudolaw in the 1990s (for example: Koniak 1996; Jackson 1996; Smith 1997; Vaché and DeForrest 1997; Sullivan 1999). Little attention was apparently placed on pseudolaw's mechanics and theory prior to that point, though pseudolaw's host populations were sometimes described (for example: Corcoran 1990; Barkun 1994).

The Sovereign Citizen Defective Or Limited State Authority explanation was that US Federal government authority could be rejected by opting out of US citizenship, which allegedly was imposed by the 1868 14th Amendment (Netolitzky 2018d:II(B)(4)). Individuals then revert to state citizen status, which purportedly is only governed by "Common Law". The US citizen vs state citizen distinction is explicitly racist; only whites may 'opt out' of US citizenship.

The Sovereign Citizen movement remains active to the present. Some observers suggest its host population has expanded beyond its rural, conservative, and racist roots (Bell 2016; Mallek 2016). This community receives surprisingly little public, government, or media attention (Slater 2017:4-11). Most reporting is from the Anti-Defamation League and Southern Poverty Law Centre, which is sometimes of questionable value. For example, the widely reported population estimate of 300,000 is, at best, dubious (Mallek 2016:61-68).

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[3] Common Law (without quotes) identifies the UK-derived legal tradition, while "Common Law" (in quotes) indicates the mythical pseudolegal natural law based on Christian and/or medieval traditions (Netolitzky 2018d).

Arguably, the powerful anti-government perspective espoused by the Sovereign Citizen movement is no longer even all that unusual. Slatter (2016:61-65) observes that regardless of the dominant party in power, the recent broad disillusionment with US government as a whole validates theories that the current regime is a conspiracy-produced aberration.

III. The Pathogen Spreads - The First Wave of Infections

The Pseudolaw Memeplex almost immediately spread into several new communities and jurisdictions.

A. United States - The Moorish Law Phenomenon

In a curious development which epidemiologists would call an "interspecies leap", racist and white-supremacist Sovereign Citizen pseudolaw translocated into a foreign and unlikely host: a largely urban African-American population. A much smaller spinoff community exists in Canada (Perry et al 2017:32). This Moorish Law Phenomenon [MLP], has been the subject of only limited academic investigation to date (Slatter 2016:11). The following description should be viewed with caution.

The MLP teaches that African-American populations have special extralegal rights. MLP pseudolaw's primary divergence from the Sovereign Citizen Pseudolaw Memeplex is several unique Defective Or Limited State Authority motifs. Most are fanciful.

One explanation for immunity to government authority is that African-Americans were pre-European contact inhabitants of North and South America. Indians, Inuit and other aboriginal populations are sometimes characterized as second-wave interlopers. A keystone to this concept are the allegedly African features of the Mesoamerican Olmec colossal stone heads (Hypnotique Olmec Punch 2016; Anonymous n.d.). Other purported evidence are colonial-era records that allegedly identify pre-contact black populations. Dwight York's Nuwaubians argued they were a sovereign Indian community from at least the early 1990s (Palmer 2016:68, 71-72, 116, 146-147). A Canadian follower of York, Sean Henry (a.k.a. Chief Nanya-Shaabu: El), continues to promote this concept (*Meads v Meads* 2012:paras. 189-193).

A related MLP concept is some African-Americans are the descendants and rightful owners of traditional Washitaw Native American lands in the Louisiana area (Netolitzky 2018d:II(B)(4)).

A third explanation used by an offshoot of the Moorish Science Temple relies on the 1787 Moorish American Peace and Friendship Treaty between the US and the Barbary pirate states as a basis to claim immunity (Netolitzky 2018d:II(B)(4)). Though it makes little sense, some MLP advocates simply use the Sovereign Citizen 14th Amendment concept for African-American persons (Netolitzky 2018d:II(B)(4)).

Exactly how Sovereign Citizen ideas were imported into the MLP's host populations is unclear. Palmer reports collaboration in 1999 between the Nuwaubians and "Montana Freemen" (2016:80, 101-105), including a self-proclaimed "common law judge" Everett Leon Stout. Stout clearly is a Sovereign Citizen (Morlin 2016; *US v Stout* 2001), but how this ideologically unnatural alignment occurred is difficult to understand.

Like the Sovereign Citizens, the MLP remains highly active at present, and may actually represent the majority of pseudolaw affiliates in the US. Unfortunately, many commentators combine these two socially distinct communities under the Sovereign Citizen label.

B. Canada

The history and status of the pseudolaw phenomenon in Canada is increasingly well documented by academic commentary (Netolitzky 2016a; Netolitzky 2016b; Netolitzky 2017; Netolitzky 2018a; Perry et al 2017), detailed judgments (for example *Meads v Meads* 2012), and impressive research activities by 'hobbyist critics' on the Quatloos forum (Quatloos).

Canadian pseudolaw had two sources: Canada-specific concepts developed from the 1950s onward in the PreDetaxer community, and Sovereign Citizen motifs introduced into Canada around 2000 (Netolitzky 2016a). This hybridization resulted in two distinct and separate pseudolaw movements: the Detaxers and the Freemen-on-the-Land.

1. PreDetaxer Pseudolaw and Early US Influences

The PreDetaxer period traces from the 1950s to the late 1990s. Entry of the modern US Pseudolaw Memeplex into Canada around 1999-2000 is a useful waypoint to mark the end of this period in Canadian pseudolaw.

During the PreDetaxer phase, Canadian pseudolaw mainly attempted to avoid income tax (Netolitzky 2016a:613-616). Arguments included 'gaming' income tax returns, 'loophole' strategies, and that government lacked a constitutional authority to demand payment of income tax (Netolitzky 2016a:613-616, 619-623; Netolitzky 2018a:V(B-C)).

The first two concept groups had no associated historical mythos or overarching element of conspiracy. However, the constitutional arguments grew increasingly sophisticated over time and built on a deeper narrative, that British authorities had intentionally concealed the supposedly independent Canada still remained a colony (Netolitzky 2016a:615-616; *R v Meikle* 2003:paras. 23-26).

Some US pseudolaw did enter into Canada during the PreDetaxer period. Saskatchewan Social Credit politician Joseph A. Thauberger introduced US fractional banking Fiscal Misconception conspiracy theory in the 1990s 'Canadianized' version (Thauberger n.d.) of the Christian Identity pamphlet *Billions for the Bankers, Debts for the People* (Barkun 1994:205). These same ideas were promoted as early as the

mid-1980s in newsletters published by Ontario pseudolaw guru Thomas Joseph Kennedy (a.k.a. "Tommy UsuryFree Kennedy").

"Travelling" concepts (*d'Abadie v Her Majesty the Queen* 2018:paras 71-86) also entered into Canada independently, probably in the late 1990s, via Ernst Kybruz, David Kevin Lindsay, and Eldon Warman (Netolitzky 2016a:620-621; *R v Lindsay* 1999; Lindsay 1999). These concepts were immediately 'localized'. Lindsay explicitly warned US authorities are potentially influential but not binding (Lindsay 1999:130-134). Warman cited a 1909 British Columbia case that allegedly provides the legal authority in Canada for unrestricted motor vehicle use.[4]

2. Patient Zero - Eldon Gerald Warman

A specific single individual, Eldon Gerald Warman (Netolitzky 2016a:617-618), introduced the US Pseudolaw Memeplex into Canada. Warman's first exposure to pseudolaw concepts was in the US working as an airline pilot. His wife committed suicide during a dispute with the US Internal Revenue Service. Warman fled to Canada.

Though Warman is best known as a Detaxer guru, his only reported court judgments document Warman's 1999 trial for assaulting a police officer after Warman was stopped while driving a busload of Taiwanese tourists (*R v Warman* 2000). This case reached the British Columbia Court of Appeal, which characterized Warman's arguments as a global rejection of court and state authority (*R v Warman* 2001). Warman described himself as a student of "Roger Elvick, Inns of Law of Wisconsin".

When Warman first began teaching Pseudolaw Memeplex concepts in Canada is unclear. In 1999-2000 Warman claimed his Detaxing system had been used successfully for 14 years (Muljiana 2000:13), but the first court decision that reports Warman's ideas responded to 1999-2000 anti-tax activities (*R v Proteau* 2000). Warman was touring and giving seminars in 2000 (Lethbridge 2000). His Detaxer website operated from at least late 1998.

Warman's early concepts circa 2000 were reconstructed from the archived Detax Canada website (Detax Canada) and *Becoming Free of the Canada Income Tax Act* (Muljiani 2000), a book authored by Warman's collaborator "Rev. Alex Muljini, the "Untaxman"" (Netolitzky 2016a:618), though Muljiani indicates Warman personally wrote most of the text.

All six of the key Pseudolaw Memeplex motifs are present in these sources.

Government authority comes from contract (*R v Warman* 2001:para. 6), filing an income tax return, which is an "assumpsit contract" Invisible Contract trap that can be avoided with a disclaimer (Muljiani 2000:16-17, 21, 25, 41, 50, 58). No statute can (allegedly) impose a contract that mandates "the forfeiture of Common Law

[4] *R v Chong* 1909. This case actually addressed whether a municipal bylaw could prohibit a food peddler from selling his products outside certain hours. How this relates to Travelling is unclear.

rights of a natural person", including purported unlimited rights to property and freedom to travel (Muljiani 2000:19, 41, 52-54). One must "void" or not accept correspondence from the Canada Revenue Agency (Muljiani 2000:22). Never cite the Canadian Constitution or *Charter* in court, but instead deny the "Strawman" "nom de guerre", claim "Common Law" status, and say "I Stand Mute" and nothing more (Muljiani 2000:42-45, 60).

An individual's true rights and liberties are defined by "Common Law (God's Law or Natural Law)", "Anglo-Saxon Common Law", and the *Magna Carta*, which have supraconstitutional status (Muljiani 2000:41-43, 52-55, 58; *R v Warman* 2000:paras. 4-6; *R v Warman* 2001:para. 6). Warman explains:

> The governments of Canada and the USA were convinced by the international bankers (as part of the plans for the United Nations One-World government scheme) to do an "end run" around the "Law of the Land," the Saxon Common Law, by imposing a form of Admiralty Law as an obligation of contract ... (Muljiani 2000:58)

Warman broadly denounced Canadian governments as invalid due to alleged Constitutional defects, most of which are PreDetaxer concepts, or combine PreDetaxer and US schemes, for example that the "Federal parliament of Canada" is a "pseudo-Roman corporation", that was ""decommissioned" by the Statute of Westminster (1931)." (Muljiani 2000:41-45, 54, 60). Warman instead proposed a new constitution, the Magna Carta Kanata.

Warman's "Strawman", a "legal entity (artificial person)" called a "taxpayer", is "hypothecated" onto natural men (human beings) via a "presumption" (Muljiani 2000:14, 17-18). Escape from the "hypothecated slave position" requires a "trespass warning", which voids "the supposed contract that made you a taxpayer" (Muljiani 2000:14, 21, 47-49). Upper case letter names indicate a "fictional or legal entity", or "fictitious person"; a "Common Law" name uses the dash-colon structure, e.g. "John-Fitzgerald: Kennedy" (Muljiani 2000:25-26, 45-46, 50; *R v Warman* 2001:para. 6). State authority is limited to "fictitious persons", and the Crown cannot charge "a natural person of commoner status" (Muljiani 2000:41-45; *R v Warman* 2001:paras 6-7).

Warman describes a "Common Law" court proceeding where a published newspaper notice creates a default judgment via Silence Means Agreement, without ever involving a judge (Muljiani 2000:31-32).

The Pseudolaw Memeplex No Injured Party rule receives less attention, but is present in Warman's Detax Canada discussion of "Travelling" and because "You are protected by the Common Law, which requires proof of "probable cause" - damage to a person or property, to put you on trial." (Muljiani 2000:31-32, 41, 52-53).

Warman's anti-tax methodology and narrative includes all the key elements of the Pseudolaw Memeplex, but Warman has extensively adapted the US-specific aspects to Canada's particular background. He identifies parallels between how Americans and Canadians have both been denied their "Common Law" status and liberties, but the mechanisms for that oppression are distinct. Warman explains the US

"Strawman" motif and upper-case letter name, but distinguishes Canada from the US, since (allegedly) in the US a Social Security Number is what creates government authority and 'attaches' the "Strawman", but in Canada a birth certificate has that function. Warman identifies US/Canada parallels in fractional banking conspiracy theories, foisted unilateral agreements, and the (allegedly) despotic imposition of non-"Common Law" authority (Muljiani 2000:20, 32, 54, 58).

Warman's ideas dramatically affected Canadian pseudolaw, 'localizing' the Pseudolaw Memeplex for a new jurisdiction. He (correctly) saw his knowledge and approach as radically different from PreDetaxer gurus, and criticized their techniques as worthless, hinting those programs were sponsored by the Canada Revenue Agency itself (Muljiani 2000:15, 19). Warman, nevertheless, accepted and employed the PreDetaxer defective constitution narrative.

One commonplace US concept is missing: A4V, then called "Redemption". Warman was almost certainly aware of Elvick's A4V theories, so why then did he not also teach those? Perhaps Warman saw no need to invoke that concept. His objective was to avoid paying income tax, and thus he was not, ultimately, concerned with how the Canadian government (allegedly) monetized itself.

3. Post-Pseudolaw Memeplex Detaxers

While Warman is a critical vector in the international spread of pseudolaw into Canada and then other Commonwealth countries, he appears to have had limited marketplace success, and repeatedly threatened to take his knowledge and services offline. His Detax Canada website remained available until Warman's death in 2017.

Warman's Detaxer acolyte Alex Muljiani had a comparatively short guru career, from 1999-2002 (Netolitzky 2016a:618). A written notice of Muljiani's "retirement" observed people in the "detax and freedom movement were angry and/or broke", so Muljiani was moving on to a "Matrix Master Program" of "comprehensive financial and wealth strategy" (Muljiani 2002).

Muljiani's direct successor, Russell Porisky of the Paradigm Education Group, operated a sophisticated multi-level marketed "Strawman"-based anti-tax scam until 2008 (Netolitzky 2016:622-23; Netolitzky 2018a:IV(C)). Paradigm Education Group Pseudolaw Memeplex concepts were all but entirely 'localized' to match Canadian law and legislation. The Paradigm Education Group represented the high-point of the Detaxer phenomenon in Canada, but was followed by one more major Detaxer scam, "Fiscal Arbitrators", that operated from 2008-2010 (Netolitzky 2018:IV(A)). Fiscal arbitrators applied "Strawman" theory in an unsophisticated manner. Promoters prepared tax returns where the 'human' half claimed the "Strawman" doppelganger as a business expense. Many persons who subscribed to the Fiscal Arbitrators scheme said it never made any sense to them. They were in it for the money alone.

The Detaxer movement appears dead. It's last guru, David Kevin Lindsay (Netolitzky 2016:621-622), recently complained that Canadian pseudolaw affiliates and gurus incorrectly use US legal (and pseudolegal) concepts, are ignorant of the real law, and

file “garbage materials” that are invalid and meaningless (Freedom Free For All 2016). That has led to unfavourable and binding judgments against pseudolaw concepts.

4. Robert Arthur Menard and the Freemen-on-the-Land

The Pseudolaw Memeplex also entered into a second, distinct Canadian pseudolaw community: the Freemen-on-the-Land (Netolitzky 2016:624-627; Netolitzky 2018a:IV(A); Perry et al 2017). Unlike the Detaxers, who were comparatively apolitical, Freemanism is hosted by an anti-government population with a politically-leftist, “Green”, anti-globalization, social activist, and marijuana-advocacy orientation.

The Freeman-on-the-Land movement was the product of a single key guru: Robert Arthur Menard. Menard’s mature version of pseudolaw includes all the components of the Pseudolaw Memeplex (Menard 2004; Menard 2011). The “Strawman” “person” is linked to birth documentation, and Menard taught a human may deny consent to that Invisible Contract and state authority via Silence Means Agreement of a “Notice of Understanding, Intent, and Claim of Right”. That, purportedly, leaves the Freeman only subject to “Common Law”.

Recent investigation has clarified the origin of Menard’s pseudolaw. Menard in 2000 on the Cannabis Culture forum recites Detaxer Pseudolaw Memeplex concepts with language that is unique to Warman’s theories (Cannabis Culture 2000). Menand says “Common Law” and the “Magne Carta” are superior law. He identifies Muljiani and Warman as sources. This discussion contrasts 2000-era US Sovereign Citizen “Strawman” and Montana Freeman theory to what Menard was taught by Detaxer sources.

Menard therefore entered pseudolaw as a student of right-wing and racist Detaxer teachers, but his deeper commitment to pseudolaw developed in the next several years during a dispute between Menard and child welfare authorities over access to and custody of a child of a teenaged partner, Megan. Menard’s initial guru activity focused on how birth documentation allegedly authorizes state control of children (Menard n.d.a.; Menard n.d.b.). Menard soon expanded his claims; he could immunize persons from Canadian law as a whole. The result is ‘Freeloader-on-the-Land’ status. The Freeman ignores their social and legal obligations, but still takes advantage of Canadian services and infrastructure (Netolitzky 2018b:III(C)(3)).

Menardian Freemanism has little intellectual or documentary foundation; Menard simply restates pseudolaw propositions as fact. For example, Canadian Freemanism never developed a sophisticated Defective Or Limited State Authority theory. In his final book, *With Lawful Excuse*, Menard makes a bald claim that when Queen Victoria died Canada was salvaged as a corporation operated by bankers in London (2011:23). Later he claims Canada is a US corporation (Menard 2011:39, 97), provincial governments are a “legal fiction” (Menard 2011:45-48), and finally Menard references PreDetaxer theories that Canada’s constitutional process was defective (Menard 2011:136-140).

Menard's effective use of social media (Netolitzky 2016:626; Perry et al 2017:15-16) is probably a major factor why Freeman-on-the-Land ideology became widely distributed despite it being a superficial and 'dumbed down' variation of the Pseudolaw Memeplex. Though Perry et al (2017:34-44) report a complex mixed host population, the main courtroom application of Freeman pseudolaw is to legitimize illegal activity; arguably, Canadian Freemanism is chiefly a criminal culture (Netolitzky 2018a:14-18).

Post-2010, the Freeman phenomenon in Canada has undergone a marked decline, likely due to the persistent failure of its concepts (Netolitzky 2016:626-627; Perry et al 2017:16-18). New emergent gurus attempting to replace the now largely absent Menard have met with little success. The most promising candidate, "John Spirit", used ideas from actual Canadian legal resources to develop pseudolaw concepts far more sophisticated than those propagated by Menard, but that proved a two-edged sword when Spirit's concepts were refuted in court (Netolitzky 2018c:III(C)).

The future of Freemanism in Canada is, at best, uncertain (Netolitzky 2018c:III(C-E)).

III. Tertiary Infections

A. The UK and Ireland

Canadian Freeman pseudolaw reached the UK and Republic of Ireland in the late 2000s (Kent 2015:8-11). Warman's reframing of the Pseudolaw Memeplex into a Commonwealth-compatible form meant less adaptation and evolution was required to employ these ideas in UK and Irish contexts. Early local promoters cite Menard but also Mary Elizabeth Croft, a Canadian Freeman pseudolaw guru who promoted a combination of Fiscal Misconception and "Strawman" concepts in a chatty but unfocussed 2007 text with a strong New Age component (Croft 2007).

1. The Republic of Ireland

Unlike many other jurisdictions, pseudolaw in the Republic of Ireland is documented by substantial academic and professional commentary (Rooney 2011; Keys 2014a; Keys 2014b; Sammon 2015; Barry and ÓDrisceoil 2017). That may be attributed to the emergence of what are stereotypically marginalized ideas into mainstream Irish politics and communities.

The "Tir na Saor" website (Tir na Saor n.d.a.), which operated from 2009-2016, was a major community hub for the pseudolaw phenomenon. The website's resources show a clear Canadian Freeman-on-the-Land influence, citing key Freeman authorities Menard and Croft, but also early UK guru John Harris and prominent US A4V theorist Winston Shrout.

Tir na Saor published a 23-page *Freeman Guide* (Tir na Saor n.d.b.), which is a brief but surprisingly comprehensive overview of the Pseudolaw Memeplex, including:

1. "Strawman" theory, which is identified as "the Person" or "the Straw Man" (Tir na Saor n.d.b.:6-9, 11, 18-19);
2. Silence Means Agreement, and Invisible Contracts (Tir na Saor n.d.b.:9-12, 20-21);
3. the No Injured Party rule (Tir na Saor n.d.b.:4, 11-12), and
4. the Banks Create Money Fiscal Misconception conspiracy theory (Tir na Saor n.d.b.:13-14).

Government authority via the "Strawman" is countered by a Canadian Freeman-on-the-Land style "Notice of Understanding and Intent and Claim of Right" (Tir na Saor n.d.b.:20-22).

Interestingly, even by this early point, the Pseudolaw Memeplex had adapted to its new locus with Ireland-specific Defective Or Limited State Authority motifs referencing the 1937 constitution (Bunreacht na hÉireann) (Sammon 2015:93) and traditional "Brehon" law. The *Freeman Guide* (Tir na Saor n.d.b.:4) stresses that Brehon Law, and not "Common Law", is the ancient and original 'underlying' law of Ireland:

> During the Brehon Law system there was No Police Force, No Capital Punishment and No Judicial System as we know it today. These were 'unnecessary' institutions to the Peaceful inhabitants of the Land. Brehon Law is the Law of Man and is in many ways superior to Common Law. Common Law is in actuality a *foreign jurisdiction* and you have a Right to claim Brehon Law! ... [Emphasis in original.]

Note the description of Brehon Law parallels the ahistorical "Common Law" as antecedent and superior law.

Other Irish pseudolaw sources challenged residential and property taxes and utility charges (Attack the Tax; Keys 2014a:232; Keys 2014b:256-257, 261), or purported to offer protection against state and institutional actors by copyright and/or trademark of one's personal name (Copyright Your Name; Keys 2014b:261; *Gleeson v Tazbell Services Group* 2015).

The first known instances of pseudolaw in Irish courts are circa 2010, with "Stephen of the Family Sutton" and "Bobby of the Family Sludds" challenging motor vehicle prosecutions with unremarkable Travelling arguments (Rooney 2011:12-13; Sammon 2015:91; Keys 2014a:232; *lreland & the Attorney General* 2016).

However, most reported Irish cases and media commentary indicates a different litigation focus. After a period of intense real property speculation, distressed property owners faced a "real-estate bubble" which drastically reduced property values. Between 2007 and 2010 house prices dropped 35%, with the sharpest drop in 2009. 31% of these properties were worth less than the mortgage debt owed (Kennedy and Calder 2011).

This sudden stress led to broad-based application of pseudolaw concepts, and the emergence of pseudolaw promoters who focused specifically on mortgage issues

(for example: Common Law Society). Borrowers reneged on their mortgages, arguing the fractional reserve banking Fiscal Misconception, purported formal contract defects, and a novel tort: "reckless lending" (Sammon 2015:92-93; Keys 2014a:233-235; Keys 2014b:257-259; Barry and ÓDrisceoil 2017:44-45). Substantial litigation followed: over 100 cases argued on that basis in 2012-2013 (Barry and ÓDrisceoil 2017:46).

Another unusual phenomenon was the appearance in 2013 of the "Rodolphus Allen Family Private Trust" (Sammon 2015:91; Keys 2014b:259-260), a pseudolaw-based entity, with as many as 2000 subscribers, which promised distressed mortgage holders immunity to foreclosure (Ryan 2013). Charlie Allen, its promoter, was arrested after making property claims based on "Strawman" concepts (Costello 2015). Unsurprisingly, this defence proved ineffective: "utterly meaningless in law but whose purpose was not to impress a court or a lawyer." (*Reynolds v McDermott* 2014).

The most striking development was the appearance of a Freeman-on-the-Land political party, Direct Democracy Ireland, led by Ben Gilroy. In 2013 Gilroy was promoting anti-foreclosure pseudolaw concepts, including the Rodolphus Allen Family Private Trust. Direct Democracy Ireland and Gilroy organized public protests and confrontations at properties being seized. Gilroy was ultimately convicted for those activities (*Reynolds v McDermott* 2014). While Direct Democracy Ireland has never elected a candidate, Gilroy in 2013 did personally attract a substantial number of votes (6.5%) and placed fourth. 2013 was the high point for Gilroy and his party, which now has a marginal presence. Gilroy resigned as leader, but his hostility and rejection of the court apparatus continued. In 2017 Gilroy was convicted of criminal contempt, "nothing short of a direct attack on the court and the administration of justice", for his criticism of judges as criminals and members of a "semi-secretive society" (*Allied Irish Banks plc v McQuaid* 2017).

The transient appearance of pseudolaw in mainstream Irish politics was the high-water mark for pseudolaw concepts. The Freeman phenomenon in the Republic of Ireland appears to be in decline, with little activity on its social media websites, and the Tir na Saor, Attack the Tax, and Copyright Your Name websites offline.[5] Nevertheless, pseudolaw-based attempts to evade debts and foreclosure continue in Irish courts with depressing frequency, much to the irritation of the judiciary (for example *Bank of Ireland Mortgage Bank v Martin* 2017).

2. The UK

The state of the pseudolaw phenomenon in the UK is difficult to evaluate. Academic commentary is limited (Kent 2015), and lower UK courts only rarely issue reported decisions. That said, there is clear evidence of an active pseudolaw community using concepts chiefly derived from Canadian Freeman-on-the-Land sources.

[5] Last archived websites November 1, 2016, January 19, 2016, July 29, 2017, respectively.

"The People's United Community" [TPUC] appeared in 2007 as a group opposed to taxation, European integration, and the Conservative government, but soon after advanced Menardian Freeman pseudolaw. The interests and concerns exhibited by the TPUC membership strongly resemble those of the Canadian Freeman population. Freeman ideas also spilled into the UK Occupy movement (Kent 2015:8-11).

TPUC's dominant personality, John Harris, popularized "Strawman" theory via seminars and recorded videos. Harris also introduced a new UK-specific Defective Or Limited State Authority concept: "Lawful Rebellion". Allegedly, a Freeman could write the Queen and invoke Clause 61 of the *Magna Carta* to negate Royal (and government) authority. The defect with this theory is Clause 61 empowers *25 Barons* to restrict the monarch, but nowhere mentions "lawful rebellion" (British Library 2014). Harris committed suicide in June 2015 after having apparently abandoned his pseudolaw beliefs, which he indicated had alienated him from and harmed his family (Harris n.d.).

Other UK gurus combine the Lawful Rebellion Defective Or Limited State Authority motif with Three/Five Letters procedures (Netolitzky 2018d:II(B)(2)) which use Everything Is A Contract and Silence Means Agreement (for example: A Lawful Rebel 2015; British Constitution Group; Lawful Rebellion; People's Coalition). Members of the British Constitution Group even attempted to arrest a judge (Keys 2014a).

Curiously, two prominent UK Freeman gurus are transsexuals: Veronica Chapman (FMOTL.com) and Keith Thompson a.k.a. "Kate of Gaia" (losethename.com; kateofgaia.net). Chapman openly acknowledges the Canadian Freeman origin of her concepts (Chapman 2009:60), while Thompson is an expatriate Canadian Freeman who now advances a unique New Age flavoured variation on "Strawman" theories (Netolitzky 2018b:IV(B)(3)).

Unlike Canada where Freemen primarily use pseudolaw to justify illegal and criminal activity, money is the main focus of UK Freeman-derived pseudolaw: avoiding council tax, motor vehicle registration and insurance, television licencing fees, mortgages, and other debts.

For example, the Get Out Of Debt Free website (Getoutofdebtfree) operated by John Witterick and Mark "Ceylon" Haining between 2008-2017[6] promised to eliminate debts via Three/Five Letters, A4V, and promissory note processes. This unusually professional website, which identified Canadian guru Croft as its key inspiration, offered 'localized' national textbooks and paperwork, and also was a social locus for pseudolaw in the UK. The WeReBank is another unique UK pseudolaw institution responding to economic stress, offering subscribers blank cheques to pay off large sums via promissory note Financial Misconception theories (Netolitzky 2018d:II(B)(6)).

[6] Witterick sold the website in 2017 to a more conventional debt-related service.

Pseudolaw appears entrenched in the UK as a purported mechanism to address financial stresses, and perceived government excess and intrusions. UK Freemen now have a social and political perspective that is more comparable to the US Sovereign Citizens than their Canadian Freemen-on-the-Land precursors. For example, a comparatively new UK group, "The White Pendragons" (Take Back Control; The People's Bailiffs), combine pseudolaw with broad-based anti-government, bank, immigrant, and Islam rhetoric. This group recently attempted a citizen's arrest of London Mayor Sadiq Khan (Selk 2018).

The economic, social, and political stresses in the UK as it exits the EU and faces immigration issues suggests the Pseudolaw Memeplex will likely remain popular in this jurisdiction, given its conspiratorial narrative and promised (pseudo)legal benefits.

B. Africa

The Pseudolaw Memeplex has a branch in South Africa, however the size and nature of its host population is apparently undocumented. The Giftoftruth website initially showed Canadian and UK influences, but its more recent sources are American (Giftoftruth).

South African Michael Tellinger (Netolitzky 2016a:631) toured world-wide and promoted "Ubuntu Contributionism", which included Fiscal Misconception 'money for nothing' theories. Tellinger's UBUNTU political party participated in the 2014 and 2016 South African elections, but its current status is unclear.

C. Europe

The Freeman phenomenon has also spread into Europe, though there is little evidence of any success. In Norway, a clearly Canada-derived Freeman group has apparently already gone extinct (Netolitzky 2018c). Websites for Freeman groups in the Netherlands (Sovereignfreeman.com; Ikclaimmingnaam.nl; Dereunie.info) and Belgium (Ikclaimmijnaam.be) show little or no recent activity. The apparently low viability of these branches of Freemanism is plausibly due to their not having developed an appropriate Defective Or Limited State Authority argument suitable to these Civil Law jurisdictions.

IV. Germany and Austria

The Reichsbürger community in Germany emerged in the 1980s and developed a wealth of pseudolegal Defective Or Limited State Authority theories that challenge conventional state authority (Netolitzky 2018d:II(B)(4)). Reichsbürgers typically set up an alternative government apparatus, issued ID and documentation, reinstating what the Reichsbürgers argue is the true surviving state authority, and in the process rejecting their 'conventional' social and legal obligations (Wilking 2015). Gurus teach concepts on a commercial basis, and vigilante police and courts are known (Wilking 2015:217; Reisinger 2016).

The Pseudolaw Memeplex was only introduced into Germany decades later, but exactly how is unclear. A Reichsbürger scheme to 'opt out' of state authority via self-government and international law first appeared in 2009 (Wilking 2015:118-120). The One People's Public Trust [OPPT] is a vector that introduced US-style Pseudolaw Memeplex concepts into Germany (Wilking 2015:127-129; Reisinger 2016). The OPPT, founded in 2012, combined Sovereign Citizen pseudolaw with New Age perspectives, and promised vast wealth for subscribers after it (allegedly) seized governments and banks (Netolitzky 2018c:II(A)(3)). An Austrian OPPT-affiliated vigilante police and court group appeared in 2014 (Bundesstelle für Sektenfragen 2014:69-95).

The WeReBank has also garnered substantial German interest. Reichsbürgers now reference Pseudolaw Memeplex gurus from the US, Canada, and the UK (Wilking 2015:222; Reisinger 2016).

In Germany pseudolaw serves its usual functions. Everything Is A Contract and the "Strawman" "legal persons" imposed on "Reich Citizens" explains the authority of the Federal German Republic government (Casper and Neubauer 2012:534; Wilking 2015:122-125). Name structures and capitalization differentiate these entities (Wilking 2015:215). Silence Means Agreement is used to foist results against government actors (Wilking 2015:100-101), an attractive strategy since the *German Commercial Code* in law dictates that Silence Means Agreement in certain circumstances (Wilking 2015:211).

Estimates of the Reichsbürger and German/Austrian Freeman populations range up to 15,000 (DW 2017a; DW 2017b). Pseudolaw users are 'freeloaders' who avoid state obligation (Wilking 2015:95-96). These groups exhibit several ideologies (Wilking 2015). Some are marginalized persons dislocated by German re-unification and social change. These Reichsbürgers are dogmatic, right-wing, anti-government, xenophobic, and racist. Others have a more esoteric or utopian focus. Deep conspiratorial belief is universal. At present, pseudolaw appears to be gaining strength in Germany and Austria, which has triggered a substantial government and police response (DW 2017a; DW 2017b).

V. Australia and New Zealand

A complete review of the history and kinds of pseudolaw in Australia and New Zealand is beyond the scope of this paper. No substantive academic review has occurred, but courts in these jurisdictions have published a wealth of reported decisions (Australia: 146; New Zealand: 35). That case law and other resources indicate that pseudolaw in these jurisdictions has multiple sources, both domestic and foreign, and that foreign pseudolaw has repeatedly been introduced into these nations.

Unlike Canada, Australia never developed large-scale pseudolaw movements organized around a key personality. Instead, Australian pseudolaw culture involves numerous, often flamboyant, but eccentric, personalities, who either appear to be

solo actors, or are the focus of small, often short-lived groups. Their litigation is more a personal crusade, than organized social activity, for example:

- Alan Skyring since the 1980s advanced a unique Australian theory that Australian law is inoperative because the only valid currency is gold and silver coins (*Jones v Skyring* 1992).
- Ex-police officer Wayne Glew, "The Talking Bulldog", engaged in extensive personal litigation that flowed from conflicts with local authorities and an invention dispute.[7] He alleged constitutional defects, said he is a Freeman-on-the-Land, and had not contracted with the "corporation of Australia".
- Starting in 2008, Frank O'Collins built UCADIA, a massive website that is free-standing alternative infrastructure for law, natural and human history, and political and cultural organization (Netolitzky 2018c:III(C)).
- Brenden Lee O'Connell was convicted of anti-Semitic hate activities, despite his claim that he was a "free man" and the Australian government had no authority over him because it was a corporation (*O'Connell v The State of Western Australia* 2012).

Some Australian pseudolaw is clearly 'local', for example Australia-specific constitutional arguments to defeat government authority.[8] Other pseudolaw encountered in Australian litigation are parts of the Pseudolaw Memeplex which entered Australia from the US, Canada, and the UK.

The Sovereign Citizen-sourced fractional banking Fiscal Misconception appeared in Australia in the 1990s, prior to the maturation of the Pseudolaw Memeplex, and was promoted by Australian guru Lawrence Hoins (*Crossroads-DMD Mortgage Investment Corporation v Gauthier* 2015). Sovereign Citizen guru David Wynn Miller (Netolitzky 2016a:630; Netolitzky 2018a:III(B)(1)(b)) appeared in Australian courts personally circa 2009-2010, unsuccessfully arguing his bizarre grammar-based theories.

Some Australian pseudolaw litigants self-identify as "Freemen-on-the-Land", or use Canadian-style Freeman documents and Pseudolaw Memeplex language.[9] Others use language and concepts with a US Sovereign Citizen flavor, for example citing the US *Uniform Commercial Code* as an authority. [10] Many Australian court decisions respond to Pseudolaw Memeplex concepts whose exact pedigree is not obvious.

Australia has a collection of unique gurus. From 1998 to 2010 Malcolm McClure

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[7] For example: *Glew v Frank Jasper Pty Ltd* 2010.
[8] For example: *Baker v New South Wales Police* 2013; *Krysiak v Carruthers* 2012.
[9] For example: *Australian Competition & Consumer Commission v Rana* 2008; *Anderson v Kerslake* 2013.
[10] For example: *ACM Group Ltd v Jenner* 2014; *Pengelly v Serpentine Jarrahdale Shire* 2014.

operated U.P.M.A.R.T. and provided "common law" legal solutions, issued fake licence plates and motor vehicle documentation, and sold a purported GST exemption kit (U.P.M.A.R.T. Common Law Courts). Marc McMurtrie's "Truthology" (Truthology) taught Three/Five Letters Silence Means Agreement debt elimination, and a Freeman-style "Notice of Rebuttal of Claim to Title to Land and Claim of Right" used by aborigines to assert extraordinary land claims.[11]

Certain more recent Australian gurus exhibit a clear foreign influence. For example, Santos Bonacci, a prominent pseudolaw community figure, promotes "AstroTheology", a combination of religious, pseudoscientific, occult, New Age, and pseudolegal concepts. He adapted his ideas from Kate of Gaia. Bonacci ended up in legal trouble after he accumulated over $132,000.00 in unpaid toll and speeding fines, and contempt convictions for attempting to intimidate court actors (*The Queen v Bonnaci* 2015; *The Queen v Bonacci (No 2)* 2015). The Reclaim Australia (Reclaim Australia) website includes books by Sovereign Citizen George Mercier and Canadian Freeman Croft.

Australian pseudolaw has no focus outside the usual objectives for these concepts (Netolitzky 2016d:II(A)(1)). That said, sociologist Judy Lattas identifies a particular Australian phenomenon: individuals or family groups declaring themselves independent nations on an pseudolaw basis (2005a; 2005b).

New Zealand also appears to have received pseudolaw from multiple foreign sources, including the US (Sovereign Citizens, OPPT), Canada (Freemen-on-the-Land), and the UK (Get Out Of Debt Free). Two things distinguish the New Zealand pseudolaw phenomenon from its Australian neighbor. First, to date there is little evidence of New Zealand-specific pseudolaw theory, in contrast to Australia's rich variety of local concepts. Second, many New Zealand pseudolaw litigants are Maori, and their ethnic status is often identified in their claims to be outside conventional legal control.[12]

Pseudolaw appears have developed a firm presence in Australia and New Zealand, with a steady stream of reported decisions appearing in both jurisdictions. However, these concepts are apparently sequestered in a diverse collection of dissident groups and individuals. Currently, there is no basis to expect these ideas will expand outside this marginal host population base.

VI. Conclusion

Since it first crystallized two decades ago, the Pseudolaw Memeplex has spread broadly across the globe. Its concepts proved acceptable to a diverse and in many ways incompatible range of counterculture and marginal groups. The same pseudolaw is practiced by white (Sovereign Citizen, Reichsbürger) and black (MLP)

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[11] For example: *Anderson v Kerslake* 2013; *R v Anning* 2013.
[12] For example: *APD Property Developments Ltd v Papakura District Council* 2009.

supremacists, and by criminals (Canadian Freemen-on-the-Land) and those who claim to uphold the true law and Constitution (UK Freemen, Sovereign Citizens).

The Pseudolaw Memeplex does not alter the communities it infects, but rather provides a promised means to end: free money, immunity to perceived state oppression, a right to recapture traditional values and social structures. Like a virus, the Pseudolaw Memeplex's potential host range is defined by a specific vulnerability - what do these people want? The Pseudolaw Memeplex's function is to subvert state and institutional authority, so that sets the limit of where these ideas will encounter vulnerable potential hosts.

So far, that has been the outskirts of society. Could that change? Perhaps. The Pseudolaw Memeplex is a tool of (pseudo)legal revolt. Would these ideas become more broadly acceptable if the public concludes government and its institutions are illegitimate? There is evidence that has happened in the past (Kent 2015).

This disease of ideas is obviously potent and adaptable. This paper has illustrated paths of infection, but now a new process is underway: hybridization. Formerly isolated regional pseudolaw strains are increasingly shared as a common language of pseudolaw permeates online communities. Will this intermingling provide new adaptive motifs, or solidify pseudolaw as a monolith, a third global system of law? Only time will tell.

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