

The Sovereign Citizen Movement



By Paul Engel

February 28, 2023

- What is a sovereign citizen and what is the sovereign citizen movement?
- Is the United States a corporation?
- If you become a “sovereign citizen”, what happens to your U.S citizenship?

Over the past few weeks I’ve been asked several questions about the “Sovereign Citizen Movement”. What is a “sovereign citizen” or a “national citizen”? What do those in the sovereign citizen movement believe, what is their belief based on, and does the evidence support their assumptions? What are the consequences of following the recommendations from the movement? I thought it was time to not only dive into the facts of this movement, but to bring my findings to everyone here at The Constitution Study.

I am not an expert on the Sovereign Citizen Movement, but I have had plenty of people ask me about it. Many of them point me to different resources to prove the validity of their claims. In this article, I will be reviewing the evidence that I have been provided so far, along with my research into that evidence. Let’s start by answering the question: What is the “Sovereign Citizen Movement”?

Sovereign Citizen Movement

From what I’ve found, the Sovereign Citizen Movement is more

of a loose association of different activists with one common objection: That the laws of the United States are illegitimate. Their claim of sovereignty appears to be the rationale behind their claims to not be subject to certain laws, either because they do not fit their interpretation of common law or because they did not consent to them.

While there is no document that defines the Sovereign Citizen Movement, there are two almost universal beliefs I have found among its adherents: The government and its taxes are illegitimate.

Government or Corporation

The most common claim I hear from “sovereign citizens” is that the United States was turned into a corporation in 1871, and is therefore illegitimate. The “sovereign citizens” are not the only one to make such a claim; I even wrote a previous article about it [293 – USA, Inc.?](#) Since then more people have provided more evidence, so I think it prudent to go through this argument again. I will take the “sovereign citizens’” claims the United States is incorporated argument in the order of their popularity .

District of Columbia Organic Act of 1871

While frequently referred to by “sovereign citizens” as the *Incorporation Act of 1871*, the proper name of the law they are referring to is the [District of Columbia Act of 1871](#). The claim is that this legislation incorporated the United States and established the federal government as the government of the corporation of the United States, not the republic of the United States. But is that what the [District of Columbia Act of 1871](#) actually did?

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same

is hereby, created into a government by the name of the District of Columbia, by which name it is constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this act.

[District of Columbia Act of 1871](#)

All that the District of Columbia Act of 1871 did was create a municipal corporation by the name of the District of Columbia, and establish a government for it. Some might point out that I've only quoted section 1 of the act. While that is true, read the rest of the act and all you'll see are details of the government the act created. Far from the smoking gun some seem to think it is, the District of Columbia Act of 1871 did not create a corporation named the United States of America.

Stoutenburgh v. Hennick

After I published [293 – USA, Inc.?](#) people reached out and said the proof that the United States is a corporation can be found in the case Stoutenburgh v. Hennrick. This case, which involved the District collecting license taxes, was supposed to prove their case, but when I read it, guess what I found? It quoted the District of Columbia Act of 1871. Since Stoutenburgh v. Hennrick merely repeated the District of Columbia Act, there's nothing new here.

28 USC §3002

Probably the most compelling argument for the claim that the United States is a corporation comes from Title 28, §3002 of the United States Code:

(15) "United States" means—

(A) a Federal corporation;

[28 USC §3002](#)

There it is, in black and white. The “United States” means a federal corporation. Or does it?

▪ *3002. Definitions*

As used in this chapter: ...

(15) “United States” means-

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

[28 USC §3002](#)

- *3002 is a list of definitions for a single chapter of Title 28. If we’re talking definitions, then let’s look up some definitions. And the most important definition in this conversion is the definition of a corporation.*

an organization formed with state governmental approval to act as an artificial person to carry on business (or other activities), which can sue or be sued, and (unless it is non-profit) can issue shares of stock to raise funds with which to start a business or increase its capital. One benefit is that a corporation’s liability for damages or debts is limited to its assets, so the share holders and officers are protected from personal claims, unless they commit fraud.

[Corporation – The Free Legal Dictionary](#)

A corporation is nothing more than an organization that acts as an artificial person for legal purposes. That means you can sue them, or be sued by them, because they are a legal entity. There are many different types of corporations, but they divided into two types:

- Private Corporations
- Public Corporation

What are the differences between these two types of corporations?

[I]f the corporation is not created for the administration of political or municipal power, the corporation is private. ...

[I]f the stock is owned by private persons, it is a private corporation

[Corporation – The Free Legal Dictionary](#)

Simple enough. Private corporations are created for purposes other than the administration of political or municipal powers, and is owned by private persons.

Public corporations, which are also called political, and sometimes municipal corporations, are those which have for their object the government of a portion of the state; ...

Nations or states, are denominated by publicists, bodies politic, and are said to have their affairs and interests, and to deliberate and resolve, in common. They thus become as moral persons, having an understanding and will peculiar to themselves, and are susceptible of obligations and laws. ... In this extensive sense the United States may be termed a corporation; and so may each state singly.

[Corporation – The Free Legal Dictionary](#)

So yes, in its most expansive definition, the United States is a public corporation. As a public corporation though, it is not run by a board or owned by shareholders. Rather, the corporation is a legal entity, allowing the United States to sue or be sued.

With this definition in mind, let's go back to 28 USC §3002.

▪ *3002. Definitions*

As used in this chapter: ...

(15) “United States” means-

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

[28 USC §3002](#)

In the chapter of the United States Code that includes §3002, the term “United States” may mean one of three things. 1) A Federal Corporation, 2) an agency or department of the United States, or 3) an instrument of the United States. On closer inspection, notice that subsection (A) does not define the United States the “the Federal corporation”, but “a Federal corporation”. That means the term may mean one of many corporations created by the federal government.

There’s more. As I frequently say, context is important, and 28 USC §3002 should not be taken out of its context. As it states, the purpose of §3002 is to define terms when used within a specific chapter of the United States Code. What chapter is 28 USC §3002 a part of?

CHAPTER 176-FEDERAL DEBT COLLECTION PROCEDURE

[28 USC §3002](#)

And what is the purpose of Chapter 176 of Title 28?

▪ *3001. Applicability of chapter*

(a) In General.—Except as provided in subsection (b), the chapter provides the exclusive civil procedures for the United States—

(1) to recover a judgment on a debt; or

(2) to obtain, before judgment on a claim for a debt, a remedy in connection with such claim.

28 USC §3001

So what at first glance appears to be the strongest argument yet that there is a United States corporation separate from the republic, crumbles and blows away as dust in the wind with just the smallest amount of investigation. Along with it, all of the claims about “commercial law”, “admiralty law”, and the nonsense that putting gold fringe on a flag somehow changes the republic.

Citizenship

One of the claims of “sovereign citizens” is that United States citizenship is membership in the corporation, not the country. As such, they claim immunity from most laws of the United States by renouncing their federal citizenship, claiming only citizenship in their state. While it’s possible for one to renounce their United State citizenship, the consequences are not what the “Sovereign Citizen Movement” claim. When you renounce your citizenship, you become a resident alien without a country. This can lead to some unintended consequences. For example, you lose your right to vote, although there are attempts being made, mostly at the municipal level, to allow non-citizens to vote, if you renounce your citizenship, you also renounce your right to vote. Then there’s the question of international travel. While it’s possible for someone to get a United States passport as a resident alien, it would be clearly marked as such, which may lead other nations to question its legitimacy.

Income Tax

While not dependent on the “Sovereign Citizen Movement”, one of the many claims made by those within the movement is that the federal income tax is unconstitutional. Some claim that, since “sovereign citizens” are not citizens of the federal

corporation, they are not subject to their taxes. Others point to the Supreme Court case *Brushaber v. Union Pacific R. Co.*,:

The Sixteenth Amendment does not purport to confer power to levy income taxes in a generic sense,

[Brushaber v. Union Pacific R. Co.](#),

As is so frequently the case, those making this claim are taking this quote out of context.

The Sixteenth Amendment does not purport to confer power to levy income taxes in a generic sense, as that authority was already possessed, or to limit and distinguish between one kind of income tax and another, but its purpose is to relieve all income taxes when imposed from apportionment from consideration of the source whence the income is derived.

[Brushaber v. Union Pacific R. Co.](#),

In other words, the Sixteenth Amendment did not create an income tax, but allowed Congress to collect one directly from the people without apportionment to the states. By far the most foolish claim is that there is not legal definition of "taxable income". A grand total of five minutes of research led me to: §63 of Title 26

▪ *63. Taxable income defined*

(a) In general

Except as provided in subsection (b), for purposes of this subtitle, the term "taxable income" means gross income minus the deductions allowed by this chapter (other than the standard deduction).

[26 USC §63](#)

So the federal income tax is constitutional and there is a legal definition of taxable income.

Conclusion

Where does this leave the "Sovereign Citizen Movement"? While it still has its adherents, the evidence seems pretty clear that the movement is a hoax. Some may follow it because they truly believe, others because it gives them a sense of power, but the facts show that the movement is based in fantasy not in facts.

I understand the desire to find someone or something to blame. With all of the corruption in governments at all levels, we all would like to find some thing we can do to get our rights and liberties back. Let's face it, the "Sovereign Citizen Movement", along with so many other conspiracy theories, are just another distraction. A way to point the finger at someone else and ignore the culpability of the American people. We have spent decades voting for people not because they had a reputation of protecting our rights, but because they looked good, told us what we wanted to hear and, most important, because they promised to give us stuff and get other people to pay for it. We the People have sold our birthright of liberty and justice for the false promises of someone else taking care of us, and now we are paying the price. Is it because we need to do something or that we need to do the right thing, something that would actually make a difference? What if all of the time, effort, and money wasted on the fantasy of the "Sovereign Citizen Movement" were spent on educating the people on how to choose better representatives at all levels. What if we listened to the words of our first Chief Justice, John Jay, when he said:

Every member of the State ought diligently to read and to study the constitution of his country, and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be the better prepared to defend and assert them.

John Jay, First Chief Justice of the United States

What if, instead of expecting other people to defend and assert our rights, we learned how to do it for ourselves? What if we asked the same question John F. Kennedy asked?

And so, my fellow Americans: ask not what your country can do for you – ask what you can do for your country.

[John F. Kennedy's Inaugural Address, January 20, 1961](#)

Perhaps, if we spent less time looking for someone else to clean up the mess we made, we could find the time, energy, and money to start fixing it for ourselves.

© 2023 Paul Engel – All Rights Reserved

E-Mail Paul Engel: paul@constitutionstudy.com