

The modern common law movement in America, where individuals assert personal sovereignty using common law and personal contracts as the basis for their claims of independence, is often associated with groups and individuals who believe they can opt out of the legal and governmental systems by invoking common law principles. These movements are generally referred to as "sovereign citizen" movements. Here's an overview of this phenomenon:

Origins and Beliefs

1. ****Historical Roots****: The modern sovereign citizen movement has its roots in the tax protester movements of the mid-20th century and has connections to older legal theories and anti-government sentiments. These movements have grown more prominent since the 1970s and 1980s, often driven by economic discontent, mistrust of government, and a desire for greater personal autonomy.

2. ****Core Beliefs****: Sovereign citizens typically believe that:

- They are not subject to the jurisdiction of federal, state, and local governments.
- They can declare themselves independent of governmental authority by using common law principles and personal contracts.
- The U.S. government operates unlawfully and unconstitutionally.
- By invoking certain legal theories, they can become "sovereign" individuals, reclaiming rights they believe have been unlawfully taken away.

3. ****Common Law and Personal Contracts****: Sovereign citizens often use pseudo-legal arguments based on their interpretations of common law and personal contracts. They might draft documents that they believe nullify their obligations to follow certain laws, pay taxes, or comply with court orders.

Practices and Strategies

1. ****Legal Filings and Documents****: Sovereign citizens frequently file a variety of documents and legal instruments that they believe assert their sovereignty. These can include:

- ****Affidavits of Truth****: Documents declaring their beliefs and rejecting governmental authority.

- ****UCC Filings****: Filings under the Uniform Commercial Code, which they believe can reclaim their rights and property.

- ****Personal Contracts****: Agreements they draft themselves, asserting their independence from governmental systems.

2. ****Court Tactics****: In legal settings, sovereign citizens often:

- Challenge the legitimacy of the court.
- Refuse to recognize the authority of judges or other officials.
- Use convoluted and non-standard legal arguments, often resulting in frustration for judges and legal professionals.

3. ****Tax Evasion and Legal Disputes****: Sovereign citizens commonly engage in tax evasion and other legal disputes based on their belief that they are not subject to government laws. They may refuse to pay taxes, fines, or comply with regulatory requirements.

Legal and Social Implications

1. ****Legal Repercussions****: Courts in the United States uniformly reject the arguments put forth by sovereign citizens. Sovereign citizen tactics are considered frivolous and without legal basis. Individuals using these strategies often face significant legal consequences, including fines, penalties, and imprisonment.

2. ****Public Safety Concerns****: Some sovereign citizens have been involved in violent confrontations with law enforcement and other authorities. The FBI and other law enforcement agencies monitor these groups due to concerns about domestic terrorism and anti-government activities.

3. ****Education and Response****: Legal professionals, judges, and law enforcement officers receive training on how to handle sovereign citizen encounters. There is a concerted effort to educate the public and officials about the dangers and illegitimacy of these beliefs and practices.

Conclusion

The modern common law movement in America, particularly as manifested by sovereign citizens, is characterized by a fundamental misunderstanding of legal principles and the nature of American law. These individuals assert personal sovereignty using misconstrued common law principles and personal contracts, but their claims are consistently rejected by the courts. The movement poses legal challenges and, at times, public safety risks, prompting a robust response from legal and governmental institutions.