“Are you even authorized to be a judge?”: how Dutch judges deal with Sovereign Citizen Argumentation in court

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"Are You Even Authorized to Be a Judge?"

How Dutch Judges Deal with Sovereign Citizen Argumentation in Court*

Itai Siegel

1 Introduction

Over the past decade, sovereign citizen rhetoric – essentially coming down to individuals declaring themselves exempt from the law – has gained a significant following in the Netherlands.[1] Popular in countries like the United States, Canada, Australia and Germany, this rhetoric appears in pseudolegal documents claiming government officials and judges lack the authority to enforce laws. So-called 'gurus' spread this rhetoric through books, interviews, social media and paid courses.[2] In the Netherlands, people adhering to sovereign citizen rhetoric have often clashed with Dutch governmental institutions, such as municipalities and tax authorities, as the rhetoric justifies disregarding legal obligations, including paying taxes and fines.[3]

Sovereign citizen rhetoric has also made its way to Dutch courtrooms in the form of legal argumentation. Over 100 cases across criminal, civil and administrative law have been recorded in which claims for personal sovereignty have appeared.[4] Though consistently unsuccessful, judges are confronted by the core implication of sovereign citizen argumentation: the illegitimacy of Dutch law and the judiciary. This has led to jurisprudence in which judges had to explain their own competency.[5] The essence of these judgments is similar: individuals cannot declare themselves exempt from the law.[6]

Despite some scholarly attention, there is little empirical research on sovereign citizen rhetoric in the Netherlands or on how judges respond to this rhetoric in practice.[7] No studies have yet examined how people argue their personal sovereignty in court and how judges engage and communicate with these individuals.[8] This knowledge gap is significant, given the negative framing of such cases in public and

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1 For Dutch analyses of this phenomenon, see Siegel 2024; De Boer 2024a; Boone 2024; Van Buuren 2024; AIVD, Nationale Politie & NCTV 2024. For analyses on the internationalization of sovereign citizen rhetoric, see Hobbs, Young & McIntyre 2024; Sarteschi 2021.

2 On sovereign citizen gurus, see White 2025, p. 456; Kent 2015, p. 11.

3 Geurtjens et al. 2024.

4 De Boer 2024a, p. 302.

5 De Boer 2024a; Siegel 2024.

6 De Boer 2023; Boone 2024, p. 10.

7 See De Boer 2025 for a quantitative analysis of Dutch sovereign citizen case law. The lack of empirical research is a worldwide lacuna, see McMahon 2025, p. 180.

8 For an ethnographic study of German sovereign citizens, see Löbbert 2024.

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scholarly discourse:[9] people in the Netherlands adhering to sovereign citizen argumentation have been described as "a nuisance",[10] "a lot of work for the government",[11] with judges said to handle their arguments "with reluctance".[12]
This article offers a first step towards an empirically grounded understanding of interactions between people making use of sovereign citizen argumentation and Dutch judges. The following question is addressed: what interactional approaches do Dutch judges employ when responding to parties invoking sovereign citizen argumentation during court proceedings? This question will be answered based on observations of six Dutch court hearings involving sovereign citizen argumentation. Section 2 briefly outlines current scholarly knowledge of sovereign citizen argumentation within Dutch legal proceedings. Section 3 explains the methodology. Section 4 presents the main findings of the courtroom observations. Section 5 contains a discussion of these findings, highlighting the diversity in judges' interactional approaches and linking them to related scholarly debates, including international approaches to sovereign citizen argumentation, the role of laypersons within legal procedures and procedural justice. A conclusion is provided in Section 6.

2 Sovereign Citizen Argumentation in Dutch Courtrooms: A Brief Introduction

Firstly, a brief reflection on the terminology used in this contribution. There is some scholarly debate on how to define people adhering to sovereign citizen rhetoric, with terms such as "sovereign citizens",[13] adherents of "pseudolaw"[14] or Dutch terms such as "soevereinen" or "autonomen" becoming commonplace.[15] In this contribution, I focus on how judges deal with parties making use of specific arguments related to sovereign citizen rhetoric; I did not study the beliefs and perceptions of the parties themselves. I therefore cannot confirm from my observations that all individuals identified as sovereign citizens. What can be

9 Gillespie 2025; Kochi 2025, p. 3.
10 Klaassen 2023.
11 Boone 2024, p. 14. The author later nuances this claim.
12 De Boer 2023.
13 Ligon 2021; Sarteschi 2021.
14 Hobbs, Young & McIntyre 2024; McRoberts 2019. Hobbs et al. classify sovereign citizens as a subset of those employing pseudolaw, which they define as "the phenomenon whereby adherents adopt the forms and structures of legal argumentation while substituting the substantive content and underlying principles for a distinct and parallel set of beliefs" (Hobbs, Young & McIntyre 2024, p. 309, 315). While this mimicry of law resembles the behaviour of the parties observed here, pseudolaw is a broader concept than courtroom argumentation concerning the illegitimacy of law and state or claimed exemption from legal jurisdiction.
15 AIVD, Nationale Politie & NCTV 2024, p. 8; De Boer 2024b, p. 8. In the Netherlands, security services distinguish between sovereign citizens who seek change within the system without rejecting it, those who deny the legitimacy of the law and actively withdraw from the legal order and those who resist the system altogether, sometimes with the potential for violence (AIVD, Nationale Politie & NCTV 2024, p. 12-15). No such categorization is used in this study, as behaviour beyond the courtroom was not analysed.

confirmed is that all observed cases involved parties using *argumentation* relating to sovereign citizen rhetoric, which judges had to address in some way. I therefore refrain from using identificatory labels such as 'sovereign citizen' to describe the people in the observed court cases.[16] I use the term 'sovereign citizen argumentation' to describe the various claims of litigants and defendants that laws do not apply to them, that courts lack jurisdiction over them and/or that the Dutch state is illegitimate.[17]

De Boer identified three legal arguments common to sovereign citizen argumentation within Dutch case law, based on jurisprudential analysis.[18] These arguments overlap with internationally recurring sovereign citizen arguments.[19] The first argument concerns the distinction between the 'legal fiction' or 'strawman', which refers to the legal subjectification of a person, and the 'human being of flesh and blood', the actual embodiment of a human being. Adherents of this argument claim that the law is only applicable to their 'legal fictions', and not to their actual selves.[20] The second argument is that they have not explicitly consented to Dutch law. Often justified by the perception that the Dutch government is a company, it is argued that the Dutch state, including the judge in question, may not exercise coercion in any way without explicit consent.[21] The third argument pertains to the idea that Dutch law is altogether invalid. This argument is often supported by conspiratorial revisions of history, such as the claim that the Dutch state never regained authority after its occupation during the Second World War, by assertions of adherence to a higher, natural law or by rejecting the authority of judges altogether.[22] By means of these arguments, adherents of sovereign citizen argumentation reinterpret Dutch law to justify their claims of sovereignty.[23] International treaties, legal philosophers and known historical documents like the Magna Carta are invoked in their argumentation, alongside documents that mimic or purport to be lawful, such as universal driver's licences and passports.[24] The main focus of these arguments is thus the authority and coercive power of law itself.

16 Such labels, though common in Dutch literature, tend to oversimplify the diversity of people who oppose the legitimacy of state law; see McRoberts 2019, p. 641-643; Hobbs, Young & McIntyre 2024, p. 316-317.

17 This approach is similar to other scholars; see Netolitzky 2018b; Hobbs, Young & McIntyre 2024; De Boer 2025.

18 De Boer 2024a.

19 Hobbs, Young & McIntyre 2024, p. 324; Netolitzky 2018b; Evans 2012.

20 De Boer 2024a, p. 304-305; Van Buuren 2024, p. 67.

21 De Boer 2024a, p. 306.

22 De Boer 2024a, p. 307-310; Siegel 2024, p. 202.

23 Siegel 2024, p. 205; Fuchs & Kretschmann 2019.

24 Siegel 2024, p. 205-206; De Boer 2024a; AIVD, Nationale Politie & NCTV 2024, p. 9.

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3 Methodology

Jurisprudence only offers limited insight into how judges interact with sovereign citizen argumentation, as rulings often summarize or omit such argumentation.[25] Courtroom observations were therefore necessary to capture the real-time dynamics and provide contextualized, qualitative descriptions of how the interaction between sovereign citizen argumentation and judges takes place in practice.[26] However, accessing relevant courtroom hearings proved difficult. Publicly accessible cases containing sovereign citizen argumentation do not occur frequently, as cases on tax law, forfeitures or those involving children are conducted behind closed doors. Moreover, Dutch court hearing schedules do not indicate the 'sovereign' element of cases, and judges may only discover this during the hearing itself.

After previous unsuccessful attempts to obtain permission from the Dutch Council for the Judiciary to conduct interviews with judges on sovereign citizen argumentation in the courtroom,[27] I pursued two access routes to relevant courtroom hearings: contacting press officers of all Dutch courts and courts of appeal and following courtroom reporters on social media. These approaches produced information on 12 court hearings: 3 administrative, 2 civil, and 7 criminal law hearings. I have undertaken nine observations and received three additional observation reports from colleagues. Of these 12 cases, 6 cases contained clear use of sovereign citizen argumentation, prompting some form of judicial response within the context of the legal proceedings. These six cases form the basis of the analysis under Section 4 and are depicted in Table 1. Of the six excluded hearings, three concerned pro forma criminal hearings, which did not involve substantive discussion of the case. While very minor references to sovereign citizen argumentation were made in these three pro forma hearings, no proper responses to sovereign citizen arguments occurred. Two other excluded criminal hearings contained conspiratorial rhetoric but no sovereign citizen argumentation. The last excluded case was an administrative hearing in which the party failed to appear.[28] The following cases were observed, numbered by date:

25 See De Boer 2024a, p. 302-303 on the difficulty of identifying sovereign citizen cases.

26 Webley 2010, p. 937-938. For an extensive discussion of the methodology, benefits and pitfalls of courtroom observations, see Dudek & Stępień 2021; Van Rossum 1998; Doornbos 2014.

27 In the Netherlands, this council functions as a gatekeeper between researchers and the judiciary, granting permission to some scholars to conduct research on judges. See (in Dutch): https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Raad-voor-de-rechtspraak/Wetenschappelijk-onderzoek/Paginas/Onderzoek-doen-naar-de-rechtspraak.aspx.

28 No-shows are common, see Löbbert 2024, p. 81.

Table 1 Attended Court Hearings

	Date of Hearing (dd/mm/yyyy)	Area of Law	Court	European Case Law Identifier
1	20/08/2024	Civil law (injunction procedure)	Rechtbank Gelderland	ECLI:NL:RBGEL:2024:5750
2	17/09/2024	Administrative law	Rechtbank Noord-Holland	ECLI:NL:RBNHO:2024:10065 ECLI:NL:RBNHO:2024:9883 ECLI:NL:RBNHO:2024:9885
3	14/10/2024	Administrative law	Rechtbank Noord-Holland	ECLI:NL:RBNHO:2024:13448
4	17/10/2024	Civil law (injunction procedure)	Gerechtshof 's Hertogenbosch	ECLI:NL:GHSHE:2024:3745
5	29/11/2024	Criminal law	Rechtbank Noord-Holland	ECLI:NL:RBNHO:2024:12967 ECLI:NL:RBNHO:2024:12973
6	29/01/2025	Criminal law	Rechtbank Midden-Nederland	ECLI:NL:RBMNE:2025:378 ECLI:NL:RBMNE:2025:384

I conducted courtroom observations as a visitor during hearings, making detailed field notes of what occurred in the courtrooms along with my impressions of these occurrences.[29] In addition to dry notes on attendance and sequence of events, a "thick description" was portrayed of the events relevant for the research question.[30] These descriptions focused on how the judge and the person making use of sovereign citizen argumentation communicated during the hearing, how the argumentation was used and how the judge responded, covering aspects ranging from body language to procedural decisions.

While exploratory, the observations of these six hearings offer legal-scientific insight into the uses of sovereign citizen argumentation and the way Dutch judges interact with this argumentation. Insight is given in the "interactional complexities of the courtroom" when sovereign citizen argumentation is used in a Dutch courtroom.[31] Moreover, an analytical framework is presented for the interactional approaches judges employ when interacting with sovereign citizen argumentation, based on inductive analysis of the observation data. This contributes to a law-in-action perspective for analyses of sovereign citizen argumentation in the Netherlands.

Regarding the methodological limitations of this research, it is important to note that the findings in this research are not intended as general conclusions on how sovereign citizen argumentation is dealt with in courts, as this would require more observations or the use of additional research methods to allow triangulation.[32]

29 Following Blanck 1987, p. 346-347; Van Rossum 1998, p. 91.

30 Doornbos 2014, p. 12, citing Geertz 1973.

31 Dudek & Stępień 2021, p. 90.

32 Zaitch, Mortelmans & Decorte 2010, p. 284. I use additional research methods in my doctoral research, including interviews. This contribution, however, solely relies on observational research.

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The case descriptions in this contribution are not intended as complete narrations of all that occurred during the hearings.[33] Of these six cases, only the published ruling of case number 2 explicitly details the sovereign citizen argumentation used. The rulings in cases 4, 5 and 6 reference such arguments partially and incompletely. This diminishes the possibility of verifying the descriptions under Section 4.2. Moreover, the observations are not intended as descriptions from the perspective of the adherents of sovereign citizen argumentation themselves. Their experience of interactions with judges may differ from the descriptions provided in Section 4.2. Research on their perspective is needed.

4 Main Findings of Courtroom Observations

4.1 Sovereign Citizen Argumentation Used: Between Mere Declaration and Procedural Disruption

The manner, intensity and timing of sovereign citizen argumentation varied per case, as illustrated in Section 4.2. Three types of usage are induced. At one end, in cases 4 and 6, the argumentation functioned as mere declaration, without eliciting any response within the legal procedure at all. These hearings have in common that the legal debate was conducted by lawyers: the judge did not consider the sovereign citizen argumentation as substantial or relevant to the legal dispute. The proceedings were completely unaffected by the use of the argumentation.[34] At the other end, in cases 1, 2, 3 and 5, the argumentation actively disrupted courtroom proceedings.[35] The parties interrupted the case to put forth arguments described in Section 2, thereby disrupting the smooth conduct of the hearing to some extent.[36] Lastly, in case 2, the argumentation was properly used as legal argumentation, prompting a response from the judge within the normal order of proceedings, as the argumentation addressed the legal dispute.[37]

These three subgroups can be understood as a spectrum of utterances.[38] These categories – mere declaration, procedural disruption or legal argumentation – often overlapped in practice. Especially in the more disruptive cases, multiple forms of sovereign citizen argumentation co-occurred. Some disruptive uses also served a declarative function or were intended to contribute to the legal discussion.

33 Courtroom observations are by nature "necessarily partial", see Dudek & Stępień 2021, p. 90.

34 This use of sovereign citizen argumentation reflects one of three forms of response to judges by defendants in criminal cases, as identified by Bal:

1 Cooperating: accepting the (criminal) procedure
2 Counterpleading: responding to accusations and negotiating
3 Resisting: actively combatting the procedure

In these cases, the argumentation aligned with the cooperating response (Bal 1988, p. 100-101).

35 Similar behavior has been described in other studies, for example, Toy-Cronin 2025, p. 303; Sarteschi 2020, p. 102-106; Löbbert 2024, p. 199-213.

36 This use aligns with Bal's notion of resisting under note 35, Bal 1988, p. 100-101.

37 This use aligns with Bal's notion of counterpleading under note 35, Bal 1988, p. 100-101.

38 Compare Löbbert's spectrum of sovereignist strategies, ranging from cooperation to enacting ideas at any cost (Löbbert 2024, p. 220).

4.2 Interactional Approaches of Dutch Judges: Ignoring, Adapting and Neutralizing

This section outlines three interactional approaches judges used in response to sovereign citizen argumentation: ignoring, adapting and neutralizing. These approaches were induced based on the observed hearings.[39] Ignoring and neutralizing reflect mirrored responses to the opposite ends of the sovereign citizen argumentation spectrum: mere declaration to procedural disruption. Ignoring refers to a judge refraining from engaging with the argumentation at all during the hearing, allowing the argumentation to be made without any interaction. The argumentation was likewise left unaddressed in the published verdict. Neutralizing, on the other end, involves a judge actively exercising authority in the courtroom to curtail the (disruptive) use of sovereign citizen argumentation or related actions.[40] The middle ground will be called the adaptive approach, referring to multiple methods judges used to modify the normal proceedings in response to the argumentation. Two interactional approaches within this adaptive approach are highlighted: circumventing, in which a judge avoids directly addressing sovereign citizen argumentation, instead steering the discussion back to the legal dispute[41] and tolerating, in which a judge allows the argumentation to be voiced without much contestation, if not obstructing the hearing significantly. In case 2, the argumentation was used as proper legal argumentation, which elicited a response by the judge not yet summed up: integration in the normal proceedings. This response nevertheless did not require a separate interactional approach, as the judge treated the argument as a regular legal argument. The response, therefore, will not be considered a separate interaction approach. See Figure 1 for an overview of the forms of sovereign citizen argumentation and the interaction approaches of the judges.

The descriptions of the interactional approaches are structured as follows. First, a summary of the cases is provided. Then the sovereign citizen argumentation used and the judge's responses are described in detail. Finally, a brief reflection is offered on how these responses may be understood. It is important to highlight that these approaches are described in ideal-typical terms.[42] In four out of the six cases, judges made use of a mixture of approaches. Sometimes judges tolerated sovereign citizen argumentation, while during the same procedure, argumentation was neutralized. Sometimes arguments were ignored, while others were circumvented.

39 Zacka's framework of pathological dispositions of public servants informed this categorization: distant and unresponsive indifference (ignoring), overenforcement of rules (neutralizing) and overresponsive caregiving (adapting). See Zacka 2017, p. 85-110.

40 Such judicial actions may be understood as 'dwangkommunicatie' (forceful communication), defined as "a conversational situation in which a more powerful participant [the judge, I.S.] compels the less powerful participant verbally to partake in a conversation in a certain manner" (Bal 1988, p. 94). In the observed cases, non-verbal power was also utilized.

41 Highlighted similarly in Löbbert 2024, p. 217.

42 A Weberian term describing the constructed essence of a phenomenon, often applied in the analysis of empirical data. See Benton & Craib 2011, p. 81, citing Weber 1949.

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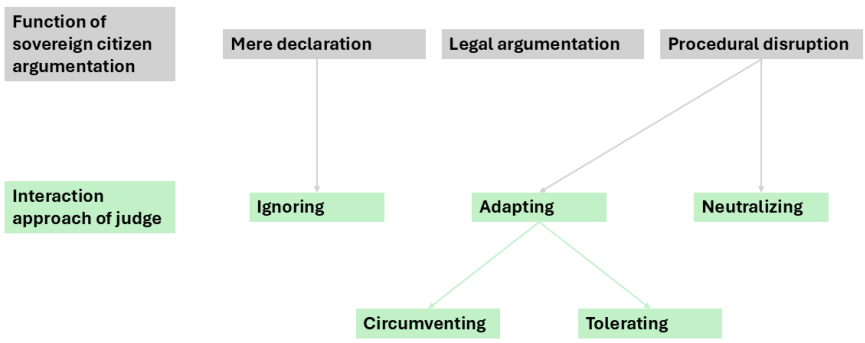
Figure 1 *Observed Sovereign Citizen Argumentation and Interaction Approaches of Judges*



4.2.1 Ignoring

Civil law case 4 at a Dutch court of appeals illustrates the ignoring approach to sovereign citizen argumentation.[43] The case involved an association acting as a tax consultancy, which had advised its clients – falsely – that taxes were voluntary gifts, which may be subtracted from one's due taxes, that the Dutch constitution was invalid and that the Dutch Internal Revenue Service (IRS) could only levy taxes with explicit consent. The lower court had ruled this advice unlawful, forbade the association to continue spreading this advice and ordered the removal of such claims from its platforms.[44] The court of appeal upheld this decision.

Two of the association's directors, their lawyer, legal representation of the Dutch IRS, approximately a dozen supporters of the directors, a few journalists and police were present. The hearing proceeded without any reference to sovereign citizen argumentation. The lawyer of the association focused his plea on the dispute, and the judges primarily addressed the lawyers and occasionally questioned the directors. At one point, a supporter exited the courtroom while cursing at the judges and calling them traitors, but this did not affect the flow of the hearing. The atmosphere remained formal and tranquil, and the hearing unfolded without interruptions.

At the end of the hearing, the judges gave the directors room to speak. One of them handed the judges and the court clerk stacks of paper and then gave a 20-minute speech filled with sovereign citizen argumentation. He claimed the Dutch state and the IRS were altogether invalid and their civil servants were acting illegally, legitimizing his claim that one does not need to pay taxes. He began his speech by claiming that the Dutch Ministry of Finance is a corporation and that the Dutch IRS was removed from the Dutch commercial register, in which according to the director all civil servants must be registered. Moreover, the director claimed that

43 ECLI:NL:GHSHE:2024:3745.
44 ECLI:NL:RBLIM:2023:6530.

an IRS building had not been registered properly between 2007 and 2020. To him, this meant that the building was a foreign entity, rendering its documents invalid. "Their documents are not lawful. This has an effect on the Dutch people, they are being deceived", per the director. Also, the documents provided in this case did not have legal effect, the director stated, as civil servants did not sign these documents according to European laws on document signatures. The courts and bailiffs involved in his procedure had to sign documents properly, yet they did not, and now "he is being silenced", so he stated. During this whole speech, the judges listened quietly and seriously to what he had to say. After this long account, the only response that occurred was the following reply from the presiding judge: "the Court has received sufficient food for thought from both parties." The hearing was immediately closed thereafter.

Various claims arguing for the illegitimacy of the Dutch State and IRS were merely declared by the director. After listening intently, the judges used an ignoring approach towards the sovereign citizen argumentation: neither any correction nor any response to the claims occurred. Instead, the case was immediately closed. It seemed no response was needed; neither did it occur by means of the published verdict. The hearing remained orderly, and relevant legal argumentation was provided by the legal representation. The speech containing the argumentation was clearly allocated at the end, functioning more like a symbolic address rather than part of the legal deliberation: formally present but substantively irrelevant.

In criminal law case 6, references to sovereign citizen argumentation were similarly ignored.[45] The two defendants, well-known figures within Dutch sovereign citizen circles, were charged with threatening police officers with crimes of terrorist intent and inciting violence against police officers, civil servants and bailiffs, among other charges. They were ultimately convicted on nearly all counts. The mood during the hearing was relaxed yet serious. A few journalists and visitors were present. Although both defendants had legal representation, the trial contained many direct exchanges between the defendants and the judges. The two willingly answered many questions, including those regarding their beliefs in sovereign citizen rhetoric. This rhetoric was discussed in a limited sense, as judges asked for clarification of earlier statements in the case file referencing such ideas, but it was not formally used as argumentation during the trial itself.

However, at the end of the proceedings, the defendants were given room to speak. One of them expressed views pertaining to sovereign citizen argumentation, claiming that the prosecutor's dossier was full of assumptions, lies and technical errors, and stating that his first letter and last name does not exist, as his name was a construed fiction. This is a reference to the sovereign citizen argument of the distinction between the human and the legal fiction, of which a last name is a representation. The defendant also claimed to live by natural law, a common trope within sovereign citizen narratives.[46] He furthermore wondered whether the public

45 ECLI:NL:RBMNE:2025:378 and ECLI:NL:RBMNE:2025:384. This case received quite a lot of media attention, see De Boer 2024b, p. 7-8.

46 Siegel 2024, p. 204.

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prosecutor feared the emergence of some "inconvenient truths". Similarly to the previous hearing, the judges listened intently to the plea but ended the hearing without responding to the argumentation in any way.

Like case 4, this trial involved a declaratory use of sovereign citizen argumentation, albeit marginally, which the judges ignored without any interaction with the serious allegations included in the argumentation. The defendant's final words did not require a response in court or in the published verdict, as substantive discussion had already taken place through the lawyers and cooperating defendants. The references to sovereign citizen argumentation served primarily a symbolic, performative role.

4.2.2 Neutralizing

Criminal law case 5 involved a judge who made use of the neutralizing approach. This case concerned a mother and her current boyfriend, who removed the mother's two daughters from her ex-husband's and their father's custody. They hid the daughters in a makeshift hut, intending to flee abroad.[47] Both received prison sentences. Before the hearing, a probation report noted that the mother "rejects the legitimacy and authority of the Dutch government" and that "[s]he does not accept rulings of the court, including that her children have to go to school and that she no longer has custody over them".[48] The judges were thus aware of her anti-institutional worldviews. The atmosphere in the courtroom was tense: both defendants brought many supporters, who laughed when the charges were read by the prosecutor and reacted emotionally throughout the trial. Moreover, the mother's ex-husband was also present. The mother appeared without legal representation; the boyfriend had a lawyer.

The hearing involved frequent use of sovereign citizen argumentation, particularly at the beginning of the trial. When the mother entered the courtroom on crutches, she refused to sit at the defendant's table or stand in front of the microphone. She remained standing somewhere else, stating, "this is where I will stand". The judge took on a stern attitude to ensure the defendant conformed to the procedure. A police officer finally forcibly moved her towards the microphone. The judge proceeded to identify the female defendant by her full name, to which she objected. She stated that she is a human being of flesh and blood, named her first name, and none of the other names, thus referencing the sovereign citizen argumentation between human beings and their legal fictions. The judge kept a friendly, calm attitude to her response and eventually agreed to call her by her first name. The other defendant responded to the same identification question by stating, "that's what people say". The judge also here made an effort to maintain a friendly attitude towards this evasive answer. When asked to confirm her birthday, the mother replied that she does not believe in birthdays but in "earthdays". The judge calmly replied that he only knows birthdays, to which the woman responded that this is not how she sees it. Asked if she would proceed without a lawyer, she replied that that is correct, as the lawyer was not a "natural person" and her trust in the lawyer

47 ECLI:NL:RBNHO:2024:12967 & ECLI:NL:RBNHO:2024:12973.

48 ECLI:NL:RBNHO:2024:12967, para. 6.3.

as well as the system was gone. The judge responded quite strictly yet calmly to the defendants' evasions.
After the charge was read by the prosecutor, the judges took a more personal approach, which helped them to receive relevant answers regarding the case, but also invited further sovereign citizen argumentation. For example, one of the judges asked the mother about her health. After describing various ailments, she veered into broader claims, mentioning "boxes filled with invalid documents" from the Dutch government, saying she has been "awake" and "battling the government for years", and that this hearing is unnecessary, as "we can also have a conversation with one another". The judges calmly responded inquisitively to the defendant, asking at multiple points "what do you exactly mean by that?" When the answers became circular, or insistent in the illegitimacy of Dutch law or this trial, the judges intervened by interrupting, urging the defendants to stay on topic or stating they had enough information. In a similar exchange between the judges and the boyfriend regarding his relationship with the ex-husband and the planned escape with the children, the boyfriend stated that the "world is collapsing" and the "upper elites are destroying everything", also fulminating harshly about the mother's present ex-husband. Here too, the judges remained professional and calm while inquiring about relevant facts, and during the angry fulminations, the judge subtly cut him off by saying "I know enough".
This case contains disruptive use of sovereign citizen argumentation, hampering the beginning of the trial and the fulfillment of procedural requirements, including the identification of the defendants. This was met with a clear neutralizing response of the judge, even legitimizing the use of force to position one of the defendants at her allocated place in the courtroom. During the trial, the judges often cut off the defendants when their answers kept insisting on the illegitimate nature of this trial or other references to sovereign citizen argumentation. They nevertheless combined this neutralizing approach with an inquisitive attitude towards the defendants to obtain relevant information for the case and adapted the procedure, for example, to address the defendant by her first name.

Administrative law case 2 provides another example of the neutralizing approach. The appellant appeared in three consecutive hearings, but only the second hearing will be discussed, as it was the only one in which sovereign citizen argumentation was used.[49] This case concerned an objection to a decision by the Central Administration Office (CAK) on the amount of an insurance premium.[50] The court found the appellant's appeal to be unfounded.
Before the three hearings began, the appellant had an argument with the court bailiff outside of the courtroom concerning an appeal for recusal of the judge. The appellant was quite aggressive. Then, when the bailiff called the appellant by his

49 For the other two cases, see ECLI:NL:RBNHO:2024:10065 and ECLI:NL:RBNHO:2024:9885. It is worth noting that the appellant's appeal in the first case was successful.

50 ECLI:NL:RBNHO:2024:9883. In the Netherlands, all citizens are legally required to take out a health insurance policy. If premiums remain unpaid for 6 months, health insurance companies may report defaulters to the CAK, which can take measures to recover the payments. These measures may include imposing a higher insurance premium.

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last name to summon him into the courtroom, the appellant stated that this person is dead and insisted on being called by his first name. This early reference to sovereign citizen argumentation, namely the distinction between human being and legal fiction, set a very tense mood. When entering the courtroom, the appellant angrily refused requests by the judge to take his seat. The judge then threatened to remove the appellant if he did not take his seat, asserting authority in response to the appellant's display of defiance. After repeated refusals, he eventually complied. He appeared without legal representation.

During the second hearing, the appellant's plea was entirely based on sovereign citizen argumentation concerning the lack of consent to comply with the law. He rejected the legal obligation to take out a health insurance policy, claiming he is a free human with no obligations towards parties with whom he has not entered into a contract. As a free human, he is free to decide with whom he does business. The Netherlands is a corporation, according to him, and neither did he wish to do business with this corporation nor did he want to receive demands for payments of health insurance from this corporation or the CAK. The CAK also never produced any contract stating that he had agreed to be bound.[51] The judge allowed him to speak, intervening infrequently for factual clarification. After the plea, the judge asked whether this argument of contractual obligation is of a principled nature, which the appellant confirmed. The hearing was closed shortly thereafter.

Similar to the previous case, this hearing featured sovereign citizen argumentation intertwined with procedural disruption at the beginning of the case, which required the judge to respond with some form of force. It also contained sovereign citizen argumentation presented purely as legal argumentation, which the judge treated as such.

4.2.3 Adapting: Circumventing and Tolerating

4.2.3.1 Circumventing

The circumventing approach was used by a judge in administrative law case 3.[52] The case concerned an appellant and a municipality, from whom the appellant received a statement of urgency to find housing in the municipality.[53] The appellant rejected two housing arrangements provided by the municipality, after which the municipality withdrew the statement of urgency. The appellant challenged this withdrawal before the administrative judge. The court eventually ruled the appellant had no standing, as the statement of urgency turned out to be already expired.[54]

The appellant appeared without legal counsel; the municipality had two representing attorneys. The first 20 minutes of the hearing were without sovereign citizen argumentation. The judge inquired about matters regarding the legal dispute, to

51 ECLI:NL:RBNHO:2024:9883, para. 4.

52 ECLI:NL:RBNHO:2024:13448.

53 Municipalities in the Netherlands provide the possibility to receive urgent help with finding housing if certain pressing situations occur.

54 ECLI:NL:RBNHO:2024:13448, para. 8.

which both sides responded relevantly. The appellant then requested to say something. He proceeded to state that he is a human being, not a citizen – seeking to have this documented. He claimed not to be a citizen with civil rights, but a human with human rights. He did not accept coercion by the municipality into accepting a house, as "coercion is slavery, which is punishable by law in the Netherlands". He referenced legal documents like the Universal Declaration of Human Rights and legal terms, including *lex superior*, to explain that there is a higher law with which the municipality's decision did not comply. He then stated that the Netherlands is a publicly registered company in London, rendering the Dutch state illegitimate. "No one at all has authority", according to the appellant. He also, calmly and even with some reluctance, asked the judge whether he even has the authority to be a judge.

The judge listened intently to this unexpected plea. Afterwards, he calmly acknowledged having heard his plea and responded by redirecting the discussion to the legal dispute at hand. The appellant continued to participate constructively and gave relevant answers to questions from the judge. However, the appellant also responded multiple times with remarks infused with sovereign citizen argumentation, including that coercion and stealing are prohibited by higher laws. The judge did not engage with these claims, except for acknowledging the appellant's worldview or that he had been heard. He consistently steered the conversation away from the sovereign citizen argumentation and back to the legal dispute. The judge closed the hearing, having heard enough, within 30 minutes.

The circumventing approach was present in all observed cases to a varying degree, as it aligns with the judge's core role of fact-finding and applying the law on the relevant facts. In this hearing, the judge effectively guided the appellant away from espousing sovereign citizen argumentation in a disruptive manner. By acknowledging the argumentation yet maintaining focus on the underlying legal dispute, the judge efficiently concluded the case while even letting the appellant be heard.

4.2.3.2 Tolerating

A tolerating approach used by the judge was observed in civil injunction case 1, which involved public utterances concerning alleged satanic child abuse in the Dutch municipality of Bodegraven-Reeuwijk.[55] This case attracted national media attention in the Netherlands, as it followed earlier cases in which three men were convicted for spreading conspiracy theories about a satanic-pedophilic network active in this municipality, involving Dutch public figures.[56] These claims, shared by these individuals via social media, included requests to lay flowers at a graveyard in Bodegraven and to disrupt locations where the child abuse supposedly had occurred. In 2023, the defendant of case 1 started to make similar utterances on social media as the three previously convicted men. This case concerned an injunction sought by the municipality to stop the defendant from identifying

55 ECLI:NL:RBGEL:2024:5750.

56 Eysink Smeets et al. 2025.

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individuals, including municipality workers, and locations tied to the alleged abuse. The judge would rule in favour of the municipality.[57]

Before the hearing, around 70 supporters gathered outside the courthouse. A trailer was visibly placed before the courthouse, reading: "Every realist believes in conspiracies." A lot of security and police were present. About 30 spectators, some journalists, police and a camera crew were present inside. The municipality had legal counsel; the defendant brought a friend as assistance, but no lawyer. The judge appeared cheerful and accommodating, ensuring the audience could hear the proceedings through the speakers and making many amicable jokes during the trial.

After the judge opened the hearing, the defendant immediately interrupted the judge to distribute documents. Her attitude could be described as militant. She actively disrupted and provoked the judge, stating, among other things: "I don't want to sit down, you annoy me". She also quickly stated that she does not want to enter into an agreement with the judge, referencing the sovereign citizen argument of lack of consent with the state. The judge let her speak, listening intently. When he wanted to give the municipality's lawyer the floor, the defendant demanded to speak first. The judge also tolerated this. The defendant then made use of sovereign citizen argumentation, including that she "has no business with the criminal organizations of the legal profession, the judiciary, and the municipality". She repeated having no agreement with the court, and if this was the case, then she hereby terminated the agreement. Her plea was met with applause from the audience. The judge acknowledged her plea and calmly proceeded, giving the municipality's lawyer the floor. The defendant did not protest the continuance of the hearing.

The defendant then repeatedly interrupted the municipality's lawyer and interacted with the audience, which made quite some noise when the lawyer summed up the behaviour of the defendant. The judge nevertheless remained friendly, tolerating the different interruptions yet mildly shushing or otherwise calming the defendant when her interruptions became excessive. When the floor was given again to the defendant, she reiterated having no contract with the judge, then angrily restating the importance of further investigation into the alleged child abuse. She finished her plea by demanding due process, threatening with an appeal for recusal of the judge. She then requested to play a Michael Jackson song into the microphone, making the song audible for the audience. The judge allowed this, even sang along with parts of the song, while giving assuring looks to the municipality. The audience sang along, and some cried. The end of the song was met with applause.

When the judge wanted to close the hearing, the defendant started to ask about her request for investigations. The judge explained he cannot order such investigations and that legal counsel is needed for counterclaims. The defendant started to protest during this explanation, as the judge now gave procedural reasons for not granting her requests. The defendant then appealed for recusal of the judge. After a 5-minute break, the judge restated that he cannot order investigations and that if the defendant wishes to appeal for recusal, a panel of

57 ECLI:NL:RBGEL:2024:5750, paras. 5.1-5.9.

judges would be brought together within an hour to examine the appeal. After another 5-minute break, the defendant said the following: "We sense a form of humanity. We hereby do not recuse you." The hearing was closed shortly thereafter. In this case, the judge adapted to the sovereign citizen argumentation and other conspiracy-laden rhetoric by giving the defendant considerable leeway. It seemed he attempted to mitigate the defendant's militancy with understanding and friendliness, taking on more of an appeasing role to keep proceedings going smoothly. He let her speak out of turn, interrupt and even play a song – although he did gently intervene at some points during the trial. When the defendant, for instance, grew angry at the municipality or present journalists, the judge nudged her into speaking towards him. The judge thus tolerated the defendant's behaviour, which took on its aggressive forms to display her defiance against the system. As the defendant did not become fully non-compliant, this strategy was feasible. The judge's friendly, 'human' demeanour may have even prevented an appeal for recusal by the defendant.

5 Discussion

The sovereign citizen argumentation observed in the hearings reflects those described internationally: requests to be addressed by first name, appeals to higher laws and conspiracy theories and refusals to consent to legal coercion. Yet in none of the observed cases did behaviour escalate to the point of requiring removal or physical restraint. This stands in contrast to the vehement opposition to the legitimacy of courts and the formulated grounds of non-compliance found in sovereign citizen rhetoric.[58] Moreover, the cases in which sovereign citizen rhetoric translated to sovereign citizen argumentation during legal procedures show a lack of uniformity in how the arguments are presented and in the extent to which these arguments are accompanied with disruption of courtroom proceedings. In practice, therefore, the notion of a uniform, inherently disruptive 'sovereign citizen' in court is untenable: the prevailing image of disruption obscures the performative-declarative and argumentative functions that sovereign citizen argumentation serves in practice.

Similarly, no uniform interactional approach of judges towards sovereign citizen argumentation exists. The main finding of this contribution is that judges adopt different interactional approaches towards sovereign citizen argumentation. An initial conceptualization was made of three interactional approaches of the judge, induced from the discussed courtroom observations: ignoring, neutralizing and adapting. Across varying procedural contexts, judges interacted with sovereign citizen argumentation ranging from ignoring final pleas to ordering physical force. A striking contrast with interactional approaches abroad is that the observed judges never directly debunked or stated the argumentation to be legally unfounded or untrue during the hearing, as occurs more often in the United States, Canada

58 Cp. Sarteschi 2020, p. 102-106; Cohen & Gershon 2025, p. 6; Netolitzky 2019.

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and Germany.[59] Such dismissal occurred only in the final rulings, with the argumentation mentioned solely in the published ruling of case 2. This judicial restraint may reflect the Dutch judiciary's emphasis on responsive justice, in which judges across legal areas act as conflict-resolvers and conversation partners, aiming to address the needs of all parties as well as society.[60] Directly debunking litigants' worldviews could undermine that role. In countries where legal procedures containing sovereign citizen argumentation have an impact on judicial resources, the use of procedural boundaries against adherents of such arguments is debated.[61] In the Netherlands, such debates are largely absent, as the negative impact of these litigants seems manageable.[62]

Finally, the observed interactional approaches invite reflection on procedural justice, as the interactional dimensions of courtroom work influence achieving legitimacy.[63] Löbbert's ethnographic research on German adherents of sovereign citizen argumentation points out that they "often leave the court feeling confused, believing their concerns have been ignored".[64] While further research on the perceptions of Dutch adherents is obviously needed, we can speculate based on the findings whether the observed interactional approaches contribute to the ideals of procedural justice. Do these approaches make adherents of sovereign citizen argumentation feel they were treated honestly and fairly by being allowed to express their opinions, by being listened to and by being treated by a competent judge?[65] The ignoring approach appears at odds with these procedural ideals, even though the adherents of sovereign citizen argumentation in cases 4 and 6 were given room to utter their views. The benefit of this approach is that the proceedings were kept, by means of legal representation, to relevant legal deliberation; the downside is that the sovereign citizen argumentation was not substantially discussed at all during the hearing. This precluded any mitigating role judges might take up to counter the underlying distrust of the judiciary, state and law. The neutralizing approach similarly seems inconsistent with procedural justice ideals, although in cases 5 and 2, judges may have had no alternative to ensure compliance with the procedure and eventually engaged meaningfully with the matters relevant to the case. Nevertheless, both approaches reflect recourse to procedural requirements instead of having conversations in court to ensure procedural justice ideals are met.

However, adaptive approaches are not a clear panacea. While such approaches attempt to bring the grievances fuelling or underlying sovereign citizen argumentation to the surface, courtroom settings have their limits. Constrained by time and efficiency requirements, judges may not be best positioned to address underlying problems beyond the legal dispute at hand. Moreover, it is questionable

59 Netolitzky 2019, p. 1175; McMahon 2025, p. 185-198; Löbbert 2024, p. 215-216; Ligon 2021, p. 319.
60 Hartendorp 2020, p. 6, citing Nonet & Selznick 1978.
61 Hobbs, Young & McIntyre 2025, p. 336-339; Ligon 2021; Phillips 2016.
62 Except De Boer 2024a, p. 312-314; Boone 2024.
63 Roach Anleu & Mack 2015, p. 1055.
64 Löbbert 2024, p. 319.
65 Van den Bos 2023, p. 19-20; Tyler 2003.

whether the legally impossible requests of adherents of sovereign citizen argumentation may be salvaged by an inquisitive, listening judge.[66] Relevant here is to what extent laypersons – which all parties in the observed hearings were – can be treated as meaningful communicators within the legal procedure. Internationally, sovereign citizen argumentation is more common among unrepresented parties ("litigants in person" or "pro se litigants"), who tend to employ the argumentation disruptively.[67] Legal representation typically, but not always, diminishes such disruption.[68] The problem of laypersons before the law having a split role of participant, who may not master the language of and expected behaviour in courtroom contexts, and of outsider, on whom the law is imposed, may be aggravated when sovereign citizen argumentation is invoked.[69] Judges face a new challenge of abridging the language and rationality of the 'juridical field' to these unique type of litigants, who may have disruptive or performative motives for their behaviour during the hearing.[70] Adhering to principles of procedural justice may foster increased acceptance of unfavourable outcomes of legal procedures.[71] Nevertheless, judges may have trouble persuading adherents of sovereign citizen argumentation, as this argumentation may refer to an entirely separate *nomos*: a parallel normative world that defines law and reality in fundamentally different terms.[72]

6 Conclusion

This exploratory courtroom observation study analysed what interactional approaches Dutch judges made use of during court proceedings, when presiding over cases in which sovereign citizen argumentation is used. The main finding of this contribution is that judges made use of differing interactional strategies towards various uses of sovereign citizen argumentation. When the argumentation was posed merely declaratively, judges could suffice with ignoring the argumentation and continuing the proceedings as if such argumentation was not posed. When the argumentation took on a more disruptive nature, judges either responded by neutralizing the argumentation or accompanying behaviour or by adapting the proceedings to a certain extent to accommodate the argumentation. I highlighted two such methods: circumvention and toleration.

To conclude, no uniform use of sovereign citizen argumentation was observed during this study, as well as no uniform way Dutch judges respond to this argumentation. Notably, judges never directly debunked sovereign citizen argumentation during the hearings. The varying interactional approaches that were observed invite further reflection on if and how procedural justice can be

66 Roose 2025, p. 328; Siegel 2024, p. 208.
67 Leader 2025; Phillips 2016, p. 1222-1223, 1230-1231; McMahon 2025, p. 184-185.
68 Netolitzky 2018a.
69 Jacobson 2020, p. 135-136; Leader 2025.
70 Bourdieu 1987, 833-834; Phillips 2016, p. 1222-1223; Ligon 2021, p. 322.
71 Van den Bos 2023, p. 29.
72 Koniak 1996, citing Cover 1983; Löbbert 2024, p. 11-12, 321; Cohen & Gershon 2025, p. 9.

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ensured to parties adhering to sovereign citizen argumentation, as well as further research on their perspectives of their encounters with the Dutch judiciary.

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