

**WHAT IS A NATION: THE MICRONATIONALIST CHALLENGE TO
TRADITIONAL CONCEPTS OF THE NATION-STATE**

A Thesis by

Bennie Lee Ferguson

Master of Arts, Wichita State University, 2009

Submitted to the Department of History
and the faculty of the Graduate School of
Wichita State University
in partial fulfillment of
the requirements for the degree of
Master of Arts

May 2009

© Copyright 2009 by Bennie Lee Ferguson

All Rights Reserved

**WHAT IS A NATION: THE MICRONATIONALIST CHALLENGE TO
TRADITIONAL CONCEPTS OF THE NATION-STATE**

The following faculty members have examined the final copy of this thesis for form and content, and recommend that it be accepted in partial fulfillment of the requirement for the degree of Master of Arts with a major in History.

George Dehner, Committee Chair

Jay Price, Committee Member

Deborah Gordon, Committee Member

DEDICATION

To my son, David Lee Ferguson, my father,
Basil Lee Ferguson, my mother,
Alberta Zongker, my good friend Michael Cummans,
and His Excellency President Kevin Baugh of
the Republic of Molossia

ACKNOWLEDGEMENTS

I would like to extend my gratitude to several members of the faculty of Wichita State University, including Dr. John Dreifort, Dr. Anthony Gythiel, and Dr. Craig Miner. I would also like to thank the members of my committee, Dr. Jay Price, Dr. Deborah Gordon, and especially my thesis chair, Dr. George Dehner, for their guidance and counsel, not only in regard to this project, but throughout my academic career at this university. Additionally, I would like to express my appreciation to His Excellency President Kevin Baugh of the Republic of Molossia, President Eli Avivi of the State of Akhzivland, Jean-Philippe Arnotte of the Principality of Seborga, Bo Register, Marquess of Mobile of the Dominion of British West Florida, and Administrator Jason Alexander of the Gay and Lesbian Kingdom for their invaluable assistance in regard to providing access to primary sources in connection with this my micropetrological research. My thanks, as well, to fellow student Mary Macklin for her technical assistance in completing this thesis.

ABSTRACT

While primarily concerned with questions of legitimacy, particularly in regard to issues such as sovereignty, recognition, and autonomy as they relate to diminutive nationalistic entities (otherwise known as “micronations”), this work also seeks to resolve definitional concerns associated with the concept of “nationalism” in general. In an attempt to simultaneously realize these objectives, the “micronationalist” phenomenon has been examined in light of academic and legal research, particularly in connection with traditional international law.

Research for this project entailed consultation of a variety of secondary scholarly sources, including books, journals, and “online” material. Primary sources included direct personal communication with the heads of state of various “micronationalist” entities. The governments of these states also provided material concerning political, cultural, sociological, military, and economic developments associated with their nations.

Where “micronations” specifically are concerned, the motivations of those who establish them are found to be divergent in the extreme. Also, even though “micronationalism” is often associated with the twentieth and twenty-first centuries, such states have existed since antiquity. Their relationships with larger, more powerful, traditional nations have typically been characterized by disputes over the aforementioned issues of sovereignty, recognition, and autonomy.

It was concluded that “nationalism” itself (or, more specifically, “nationhood”) is at best an ambiguous and nebulous term. There is an absence of consensus within both the legal and academic communities regarding this issue, as well as among the governments of traditional nations, leading to the current proliferation of “micronationalist” states.

TABLE OF CONTENTS

Chapter	Page
I. MICRONATIONALISM AND CONCEPTS OF NATIONALITY WITHIN THE ACADEMIC COMMUNITY	1
II. MICRONATIONALISM AND CONCEPTS OF NATIONALITY WITHIN THE LEGAL COMMUNITY	29
III. NORTH AMERICAN MICRONATIONS FROM THE NINETEENTH THROUGH THE TWENTY-FIRST CENTURIES	49
IV. SOUTH AND CENTRAL AMERICAN MICRONATIONS IN THE NINETEENTH CENTURY	72
V. NINETEENTH AND PRE-NINETEENTH CENTURY ASIAN AND EUROPEAN MICRONATIONS	105
VI. MICRONATIONS OF THE TWENTIETH AND TWENTY-FIRST CENTURIES AND THE FUTURE OF THE MOVEMENT	138
VII. REFERENCES	176

CHAPTER ONE

MICRONATIONALISM AND CONCEPTS OF NATIONALITY WITHIN THE ACADEMIC COMMUNITY

What is a nation? Is it a geographic region? Is it the people who inhabit that region? Is a nation a legitimate entity only if it is formally recognized by other nations? The sixth edition of the Merriam-Webster Dictionary defines “nation” as, “. . . a community of people composed of one or more nationalities with its own territory and government.”¹

The micronationalist phenomenon challenges traditional notions of nationality and statehood. This phenomenon is associated with certain facets of nation-state theories formulated in the nineteenth century, during which some of the first micronations were founded. These include the Kingdom of Araucania and Patagonia (1860-1862),² the Indian Stream Republic (1828-1835),³ the Republic of Madawaska (1842),⁴ and New Australia (1893).⁵

What, then, *is* a micronation? The term was first used in the closing decades of the twentieth century in reference to the proliferative state-like entities which were being founded during that era, most of which were unrecognized by traditional nations. It is now also used to refer to earlier small nation-states such as those mentioned above. Some of these micronations claim sovereignty over actual geographic territory. Others, however, are mere Internet or paper creations and some are simply concepts.

¹ *Merriam-Webster Dictionary*, 6th ed., Springfield Massachusetts: Merriam Webster, (2004), s.v. “nation.”

² François LePot, *El Rey de Araucanía y Patagonia* (Buenos Aires: Corregidor, 1995), 38-41.

³ Daniel Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842* (London: University Press of New England, 1997), 120.

⁴ Thomas Le Duc, “The Maine Frontier and The Northeastern Boundary Controversy *American Historical Review* Vol. 53, No. 1 (October 1947): 31.

⁵ Harold Livermore, “New Australia” *Hispanic American Historical Review* Vol. 30, No. 3 (August 1950): 290.

Those modern micronations which are actually located in a specific geographic region and claim citizenry usually share three common characteristics:

1. They often aspire to recognition by larger traditional nations, a goal which is seldom achieved. Notable exceptions include the Principality of Seborga in northern Italy, which enjoys full recognition from San Marino and limited recognition from the Italian government,⁶ and the Principality of Sealand off the east coast of England, which was tacitly recognized in the 1970s by the West German government when it was compelled to negotiate the release of one of its citizens through diplomatic channels.⁷

2. The territory over which they claim sovereignty is usually very small. The Kingdom of Talossa, for instance, began in the bedroom of its monarch in 1979.⁸ The Hutt River Province Principality, on the other hand, ranks as one of the world's largest micronations with approximately 75 square kilometers of land and over 20,000 citizens worldwide.⁹

3. Many issue their own currency, passports, postage stamps, and other government instruments. Other trappings of nationhood, such as flags and national anthems, are also common.

Modern micronationalists commonly appeal to certain tenets of international law which seem to vindicate the declarative theory of statehood and the validity of a state's existence in the absence of recognition. As a practical matter, however, established international law is notoriously ambiguous concerning the definition of nationhood.

⁶ John Ryan, George Dunford, Simon Sellars, and Simon Hall, *Micronations: The Lonely Planet Guide to Home-Made Nations* (Hong Kong: Lonely Planet, 2006), 55.

⁷ *Ibid.*, 11.

⁸ Stephen Mihm, "Utopian Rulers, and Spoofs, Stake Out Territory Online" *New York Times* 25 May 2000, sec. G: 7.

⁹ Ryan et al., *Micronations*, 22.

Indeed, international law itself is a somewhat nebulous concept. In his book, *How to Start Your Own Country*, micronationalist Erwin S. Strauss writes, “. . . it is misleading to speak of ‘international law.’ Might essentially makes whatever right there can be said to be in this arena . . . In practice, this means a new nation must be powerful enough to force another nation to recognize it . . . or . . . sufficiently subservient to such a nation to make it advantageous for that nation to recognize it . . .” The recognition of the United States by Britain following the Revolutionary War is an example of the former. The relationship between the South African apartheid regime and the “nations” of Transkei, Venda, and Bophutswana is an example of the latter.¹⁰

As the nineteenth-century micronations mentioned earlier often serve as prototypes for modern micronations, it is instructive to examine their histories and development. In contrast to many of the micronations of the twentieth and twenty-first centuries, some of those founded in the nineteenth century represented serious aspirations to traditional statehood and were founded on the basis of a modicum of legitimacy in a conventional sense. Their relationships and interaction with traditional nations are particularly useful in illustrating the views and behavior of older, more well-established states in regard to micronations. Moreover, the micronations of the nineteenth century tended toward greater interaction, both formal and informal, with traditional nations, particularly those which bordered them.

In order to better understand nineteenth century micronations, it is necessary to examine the philosophical underpinnings of traditional nations which developed during the previous century, most notably during the French and American revolutions. As a result of these conflicts, the concept of nationalism came to be infused with notions of loyalty, fidelity, patriotism, and virtue.

¹⁰ Erwin S. Strauss, *How to Start Your Own Country*, (Boulder, Colorado: Paladin Press, 1999), 6.

As the legitimacy of monarchy as a valid form of government began to be called into question, nationhood came to be widely regarded as a concept which embodied not only a territorial entity, but a people and their way of life. Nationalism came to be considered a philosophical notion intended to preserve the identity of a particular group of people in a specific geographic region.

It is worth noting that this notion developed in part due to the efforts of a number of clerics and members of the nobility and not especially as the result of democratically-minded reformers. Since the signing of the *Magna Charta* and the decline of the notion of the “divine right of kings,” European nobility and the ecclesiastical hierarchy had found themselves increasingly at odds with various royal houses on the continent. A partial list of European elites who contributed to the modern concept of nationalism includes the Bishop Grégoire, the Baron Montesquieu, the Marquis de Condorcet, and the Baron d’Holbach.¹¹

This emerging concept entailed a national consciousness and sense of loyalty among citizens of the state, independent of its leadership at any given point in time. In France, this change was reflected in the language itself. Historian Boyd C. Shafer writes, “In speech, writing and thought, the *sujet* had become the *citoyen*, the *état* the *nation*, and the *pays* the *patrie*.”¹² As Shafer explains, these words, *citoyen*, *nation*, *patrie*, represented the new actuality, for the nation had become citizens who participated in shaping their national affairs and the will of the nation had superseded that of the king, to become that of the nation-state which acted (or ought to act) for all the citizens.

Additionally, this new concept conferred status upon those who defended the nation, either in a figurative or a literal sense. Under this new arrangement, the honor of an individual (the

¹¹Boyd C. Shafer, *Faces of Nationalism: New Realities and Old Myths* (New York: Harcourt Brace Jovanovich, Inc., 1972), 76.

¹² *Ibid.*, 109.

monarch, for instance) became a secondary consideration. It was the honor of the state which mattered most and its preservation ensured the integrity and identity of those people occupying a particular geographic region. Indeed, this sense of national consciousness remained with the loyal and patriotic citizen even when he or she was absent from the territorial confines of the nation.

In reference to Montesquieu's nationalistic philosophy, Shafer continues, "Love of fatherland, patriotism, therefore became, as Montesquieu thought proper in a republic, the chief and most praised virtue, and honor and status went to the patriot. Not only did a patriot receive honor and status, again and again patriots testified that they found significance and joy in love of country . . . [A] young soldier, the son of a day laborer, wrote to his mother, 'When *la Patrie* calls us for her defense we should rush to her . . . Our life, our goods, and our talents do not belong to us. It is to the nation, to *la Patrie*, that everything belongs.'"¹³

If language itself reflected the significance of this innovative nationalistic concept, the French media was particularly instrumental in disseminating it to every *citoyen* throughout *la Patrie*. It has been suggested, in fact, that the media was crucial in gaining the support of the populace for this new interpretation of nationalism and, ". . . that in France the drastically altered media were both symbol and substance of the revolutionary process. The greatly increased flow of pamphlets, newspapers, and caricatures . . . altered the basic framework of daily life for much of the population and created new frameworks for social interaction."¹⁴ Social science and communications theorist Benedict Anderson's observations of both this period in French history as well as contemporary circumstances culminate in the conclusion that, "When geographically

¹³ Ibid., 109.

¹⁴ Jeremy D. Popkin, *Media and Revolution: Comparative Perspectives* (Lexington, Kentucky: University Press of Kentucky, 1995), 23.

dispersed individuals come to read the same journalistic texts at the same time on a regular basis . . . they develop a common sense of identity which allows them to become historical actors.”¹⁵

It is certainly true that the media, and the Internet in particular, is crucially important in defining the identity of modern micronations and providing a sense of cohesiveness within their respective populations.

In his *Considerations on the Causes of the Greatness of the Romans and Their Decline*, Montesquieu extols the virtues of this new kind of nationalism by contrasting the attitudes of citizens of the Roman state with the *citoyen* of the eighteenth-century French republic. Montesquieu posits that, under the emperors in particular, Roman citizens were virtually bereft of any sense of civic pride, patriotism, or loyalty to the state. Unlike the aforementioned French soldier who proclaimed that, “It is to the nation, to *la Patrie* that everything belongs . . .,” the average citizen of imperial Rome was a self-absorbed subject, interested primarily in how his connection to the state might benefit him personally. In Montesquieu’s view, Romans of this era saw the state basically as the property of the imperial house and were concerned for the most part with its continued largesse toward the citizenry. This, in turn, led Rome’s rulers to imagine that such largesse ensured the loyalty of the populace.¹⁶ Montesquieu observes that even when confronted with tyranny and despotism, “The people of Rome . . . did not hate the worst emperors . . . Thus Caligula, Nero, Commodus, and Caracalla . . . intoxicated by the plaudits of the populace . . . succeeded in imagining that their government produced public felicity, and that only ill-intentioned men could censure it.”¹⁷

¹⁵ Ibid.

¹⁶ Shafer, *Face of Nationalism*, 109-110.

¹⁷ Montesquieu, *Considerations on the Causes of the Greatness of the Romans and their Decline*, trans. David Lowenthal (New York: The Free Press, 1965), 137.

It is ironic that while many of the concepts of nationalism, largely formulated in the eighteenth and nineteenth centuries in France, the United States, and elsewhere, have served to further ideals associated with democracy, many *micronations* (past and present) tend toward monarchy or dictatorship. The irony is compounded in that often rights commonly associated with democracy, particularly free speech, have allowed the founders of modern micronations the opportunity to at least proclaim their states' sovereignty without fear of reprisal from more powerful traditional nations which often surround them. Modern authoritarian micronationalist governments have also benefited from the judicial systems of their traditionalist democratic neighbors in regard to legal disputes between them. The recognition of Sealand's independence of British law by courts in the United Kingdom and the tacit recognition of Akhzivland by Israeli courts are two examples.

It is unclear why many modern micronationalists have come to embrace authoritarian forms of government, especially since they have often benefited from the democratic inclinations of their more powerful neighbors. Perhaps the answer lies partly in Kant's contention, ". . . that man is 'by necessity a member of a civil community,' and ultimately to the Hegelian conception of society as the expanded, and fundamentally truer, self."¹⁸ It may be that the self-absorbed, eccentric nature of many micronationalists lends itself to the concept of the individual as a state. Also, apart from the basic human desire for power, there is something primal and preternaturally appealing in the simplistic concept of absolute rule. Some modern micronationalists, disenchanted with the endless elections, compromises, and legislative haggling associated with democracy may find the will of a monarch or dictator so lucidly efficient in its simplicity. The very audacity of the individual who declares himself or herself a ruler lends itself to a certain

¹⁸ A. James Gregor, *The Ideology of Fascism: The Rationale of Totalitarianism* (New York: The Free Press, 1969), 169.

grudging admiration. One final explanation for this trend among modern micronationalists may be that, with monarchies and dictatorships on the wane throughout the world, authoritarian forms of government serve to portray these fledgling states in a nostalgically attractive light, out of step with current trends in government, recalling the pomp and glory of previous kingdoms and empires.

However, none of this discussion serves to delineate a definitive concept of nationhood. One of the most noteworthy and significant aspects of the micronationalist movement is its perpetual attempt to expand such a concept beyond its traditional parameters. The academic community, in particular, has struggled incessantly to distill the concept of nationhood into its basic components. For instance, in Hans Kohn's *Nationalism: Its Meaning and History*, the author seeks to resolve this issue, simultaneously attempting to define and explain related terms in the process. Kohn maintains that, "Nationalism is a state of mind, in which the supreme loyalty of the individual is felt to be due the nation-state . . ." However, "Only very recently has it been demanded that each nationality should form a state, its own state, and that the state should include the whole nationality."¹⁹

Echoing and modifying Kohn's characterization of nationalism as a "state of mind," Anderson defines the word "nation" itself as, ". . . an imagined political community—and imagined as both inherently limited and sovereign." He continues, "It is *imagined* because the members of even the smallest nation will never know most of their fellow members . . . yet in the minds of each lives the image of their communion." (This is not necessarily true of the smallest *micronations*, some of which claim a citizenry numbering from one to a few score.) Anderson posits that nations are, ". . . *limited* because even the largest of them . . . has finite, if elastic

¹⁹ Hans Kohn, *Nationalism: Its Meaning and History* (New York: D. Van Nostrand, 1955), 9.

boundaries, beyond which lie other nations.” Where sovereignty is concerned, he reaffirms the view of Montesquieu, d’Holbach, Condorcet, Grégoire, and others previously mentioned that, “. . . the concept was born in an age in which Enlightenment and Revolution were destroying the legitimacy of the divinely-ordained, hierarchical dynastic realm.” Finally, he maintains, nations are, “. . . imagined as a *community*, because regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship.”²⁰

Regardless of what a “nation” actually is, human beings have divided themselves into groups or units for at least hundreds of thousands of years. In keeping with Anderson’s “imagined communities” approach to nationalism, such groups have traditionally been associated with actual physical locations and/or intangible concepts. He acknowledges the connection between modern nationalism and the prehistoric practice of human grouping by saying, “In fact, all communities larger than primordial villages of face-to-face contact (and perhaps even these) are imagined.”²¹ There are myriad reasons for this ancient human phenomenon, but the “generally recognized sentiment” of nationalism to which Kohn refers was decidedly absent in most societies before the socio-political developments of the eighteenth and nineteenth centuries brought it to the fore.

Since nationalities *seem* to form the basis of the nation-state, it is perhaps helpful to establish a working definition of *that* term. Nationalities result from the vigorous interplay of factors which shape historical developments, and are, by necessity, fluid entities lacking rigidity. Nationalities include incredibly intricate social units which, as previously stated, do not readily lend themselves to definition. They are often endowed with particular characteristics which tend

²⁰ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London and New York: Verso, 1991), 5-7.

²¹ *Ibid.*

to differentiate them one from another, such as belief systems, shared racial and/or ethnic lineage, language, mores, geographically identifiable locations, political philosophy, and traditions. However, such characteristics are not necessary to the essential nature of “nationality,” both as a concept and a tangibly implemented political philosophy. Differences in language, for instance, do not necessarily preclude the national cohesiveness of the Swiss, Belgians, or Canadians, and history is replete with examples of internecine conflict between groups who shared the same language.

For Kohn, “Although objective factors are of great importance for the formation of nationalities, the most essential element is a living and active corporate will. It is this will which we call nationalism, a state of mind inspiring the large majority of a people and claiming to inspire all its members. It asserts that the nation-state is the ideal and the only legitimate form of political organization and that the nationality is the source of all cultural creative energy and of economic well-being.”²² For micronationalists, particularly those of the twentieth and twenty-first centuries, it is this “living and active corporate will” and “state of mind” which most adequately defines the concepts associated with their respective nations. Indeed, as many modern micronations are bereft of geographically identifiable territory, such a “state of mind” is paramount to their nationalist identity.

While “micronationalism” is a recently coined term, “mini-nationalism” is much more widely accepted by scholars and both terms share certain similarities. However, unlike micronationalism, which is a concept largely associated with the twentieth and twenty-first centuries, mini-nationalism has its roots in the nationalistic concepts developed during the eighteenth and nineteenth centuries. As previously stated, the term “nationality” is often

²² Kohn, *Nationalism*, 9-10.

associated with shared racial and/or ethnic lineage, belief systems, language, mores, traditions, and political philosophies, which take on particular significance when the peoples in question are associated with an identifiable geographic location. It is the identifiable geographic location which lends a sense of tangibility to nationalistic sentiment and may lead to resentment toward entities outside of that location which seek to impose their authority over the inhabitants. Mini-nationalism, like many forms of micronationalism, represents the aspirations of such culturally-bound groups for some measure of independence from more powerful nationalist states to which they have been required to submit, often as the result of bloody constraint.

In his *Encyclopedia of Nationalism*, Louis L. Snyder describes mini-nationalists in just such terms. He observes that, “The people belonging to a mini-nationalism generally see themselves as bound together by history, traditions, customs, language, perhaps religion, and believe themselves to have been incorporated unjustly into the territory of a more powerful state.” Remedies chosen to correct such injustice vary. “People of moderate bent,” he continues, “are willing to remain under the political control of those they regard as foreigners, provided they are given a measure of autonomy . . . Moderates turn to negotiation, the radicals choose bullets and bombs to enforce their demands.”²³

Snyder cites Wales and Scotland as examples of the former and Basques and Croats as examples of the latter. “The people of Wales and Scotland take this moderate position,” he writes, while, “The Basques in Spain and the Croats in [the former] Yugoslavia are examples of the mini-nationalists who seek freedom from the centralized state by the use of extremist force.” He also points out the danger that the mini-nationalist aspirations of the various “states” of the former Union of Soviet Socialist Republics posed to that regime and how those aspirations

²³ Louis L. Snyder, *Encyclopedia of Nationalism* (New York: Paragon House, 1990), 212.

contributed to the downfall of the Soviet empire, noting that, “. . . the Soviet Union, with its multiple nationalities, [regarded] this effort to obtain freedom as simple treason . . . For that reason the Armenians, or Latvians, Lithuanians, and Estonians were held rigidly to the central authority and allowed little autonomy and certainly no independence.”²⁴ One might add that the current struggle for Chechnyan independence is perhaps the last vestige of this phenomenon.

One of the more praiseworthy characteristics of the modern micronationalist movement is that, for the most part, the self-proclaimed nations which it has produced have been founded peacefully. (There are exceptions, of course, including Akhzivland President Eli Avivi’s armed confrontation with bulldozer crews from the Israeli National Park Service and gunfire exchanged between Sealand’s Prince Roy and the British Navy.) The vast majority of modern micronationalists simply choose to ignore the larger, more powerful nations by which their territory is often surrounded, insofar as that is practicable. Others have advocated a shared national consciousness in the absence of any particular geographical territory. Still others have found unique ways of avoiding outside intervention, such as founding their nations on ships at sea.

In contrast with both mini-nationalism and micro-nationalism is the concept of “macro-nationalism.” Sometimes also referred to as “pan-nationalism,” the term connotes a sort of super nationalism, or what Snyder call, “. . . nationalism writ large.” This phenomenon manifests itself, “. . . when the nationalism of an established nation-state is expanded to a supranational form”²⁵ The simplest way to define macro-nationalism is to say that it involves the process of nationalism’s being taken to the next logical steps in terms of complexity.

²⁴ Ibid., 212-213.

²⁵ Louis L. Snyder, *Macro-Nationalisms: A History of the Pan-Movements* (Westport, Connecticut: Greenwood Press, 1984), 3-4.

However, there are other factors which distinguish macro-nationalism from the type of nationalism which originated in the eighteenth century. Far more than simple nationalism, *macro*-nationalism implies an identity which transcends those of other nationalist phenomena in terms of its quality. It stresses the connection between state, nation, and political/cultural identity, as well as the desirability of these entities being united in a “supranational” form.

Also inherent in the macro-nationalist concept is the perception that the political/cultural identity in question may be at risk. Lynn Williams writes, “Nationalist ideology dictates that there should be congruence between nation and state, between cultural identity and political identity. Accordingly, many powerful political entities have engaged in the construction of appropriate, corresponding cultural identities, and many minority cultures have sought political power in order to protect or reconstruct identities under threat.”²⁶ This perceived threat coupled with the macro-nationalist notion of the superiority of a particular political/cultural identity is fundamental to this concept.

Further, these concepts of defense against a threat, external and/or internal, and superiority over other political/cultural identities give rise to the peculiar elements which characterize macro-nationalism. These elements generally conspire toward an expansionist, acquisitive tendency on the part of macro-nationalists. Snyder identifies six of these defining characteristics of macro-nationalism: “1. *Implicit in each pan-movement is the idea of uniqueness . . . 2. Added to the concept of uniqueness is a conscious or unconscious sense of superiority . . . 3. There is a decided preference for militancy . . . 4. Militancy is geared to a mood for expansion . . . 5. Most*

²⁶ Lynn Williams, “National Identity and the Nation State: Construction, Reconstruction and Contradiction” *National Identity*, edited by Keith Cameron (Wiltshire, England: Cromwell Press, 1999), 15.

pan-movements have been unsuccessful in achieving their aims . . . 6. Despite the record of failure, the macro-nationalistic idea has not disappeared. [Italicized text by Snyder.]”²⁷

It has been suggested that macro-nationalism is a manifestation of imperialism or colonialism. There *are* similarities, although imperialist/colonialist ventures often do not reflect a concern that a particular political/cultural identity is under threat, nor is there a consistent record of failure in regard to their implementation. Also, whereas imperialist or colonial aims are often designed to subjugate an indigenous people by a foreign power, many macro-nationalist movements seek to unite peoples who share a common heritage.

Macro-nationalism might instead be considered the predecessor of the concept of “globalism,” the notion of, “. . . a national policy of treating the whole world as a proper sphere for political influence”²⁸ However, whereas the globalist often seeks to unite the planet’s population and the political/cultural identities of its peoples in a tolerant spirit of diversity, the macro-nationalist typically seeks the *dominance* of a particular political/cultural entity. Both mini-nationalism and micronationalism are in direct conflict with macro-nationalism and globalism in that the former tend to seek the diminution of the state, while the latter seek to expand it. Nevertheless, micronationalism and macro-nationalism, in particular, *do* share certain characteristics in that, “There is no fixed pattern . . . [for either] . . . they may be vague or well-organized or even defiant of logical analysis.”²⁹

It may be that the pan-Germanic movement best exemplifies the macro-nationalist concept. Snyder observes, “Emerging in the nineteenth century, macro-nationalisms were extensions of the existing nationalism. An example is Germany, unified by Otto von Bismarck . . . The unified

²⁷ Snyder, *Macro-Nationalisms*, 5-6.

²⁸ *Webster’s Ninth New Collegiate Dictionary*, Springfield, Massachusetts: Merriam-Webster, (1988), s.v. “globalism.”

²⁹ Snyder, *Encyclopedia of Nationalism*, 200.

German state would eventually be extended to include all of German background in a larger nationalism.”³⁰ In other words, the establishment of the original German state was viewed as a prelude to the pan-Germanism which was to follow. As referenced above, this was precisely the policy pursued by Germany’s national socialist government in the twentieth century.

The ideological history of pan-Germanism and the somewhat sinister reputation it has acquired following both world wars represent typical sources of objections to micronationalism as well . . . only in reverse. Whereas micronationalism is often reviled as a divisive influence and counter to the loftier goals of traditional nations, macro-nationalism (of which pan-Germanism is perhaps the most striking and well-known example) is derided as a concept which seeks to strip traditional nation-states of their identity. (Witness the *Anschluss* of Austria at the beginning of World War II and the dismemberment of Czechoslovakia ostensibly to protect “Germans” who resided there.) Just as micronationalism is often thought to be an agent of atomism, macro-nationalism is suspected of producing the opposite affect: the consolidation of groups and subclasses into a monolithic whole based upon pretexts of ethnicity, race, language, and any number of other factors.

Pan-Germanism has been particularly suspect in this regard. Many in the twentieth century viewed it simply as a pretext for world domination (and many in the twenty-first century continue to do so). In September of 1919, American President Woodrow Wilson proleptically described pan-Germanic aims by observing, “ What lies between Bremen and Bagdad? After you get past the German territory, there is Poland. There is Bohemia which we have made into Czechoslovakia. There is Hungary, which is divided from Austria and does not share Austria’s

³⁰ Ibid., 201.

strength. There is Rumania . . . There is broken Turkey; and then Persia and Bagdad.”³¹ It was precisely “the consolidation of groups and subclasses into a monolithic whole,” as previously described, which Wilson viewed as the most onerous characteristic of pan-Germanism and, by extension, macro-nationalism itself.

Another characteristic shared by macro-nationalism and micronationalism is that both have spawned “patriotic,” fraternal societies dedicated to the furtherance of their cause. Micronationalists have banded together in organizations such as the League of Micronations, United Micronations Organization, and the International Union of Micronations. Similarly, macro-nationalist sentiment has produced various patriotic societies, particularly in the West. These include, “. . . the Royal Empire Society and the Primrose League of Britain, the Daughters of the American Revolution and the Grand Army of the Republic in the United States, the League of Patriots, the National Alliance for the Increase of the French Population, and the *Action Française* in France, and the Pan-German League and the Navy League in Germany.”³²

These patriotic and fraternal societies have traditionally served to further macro-nationalist aims outside of their country of origin and often to ensure that these movements remained under the control of a group of dedicated and elite followers. In past macro-nationalist ventures, “The members had a stake in the established order in the nation as it was, asked and expected that all citizens give . . . devotion to it, and wanted to make sure that ‘superior’ people, like themselves, controlled national destinies.”³³ The same statement is descriptive of many modern micronationalists, particularly those of an authoritarian bent.

³¹ Snyder, *Macro-Nationalisms*, 59.

³² Shafer, *Faces of Nationalism*, 218.

³³ *Ibid.*

All of these various types of nationalism (micronationalism, mini-nationalism, macro-nationalism, pan-nationalism, et al) are concerned with basic definitional issues involving the components of the nation-state. These issues, in turn, are fundamentally related to the concepts of independence, sovereignty, recognition, and legitimacy which often serve as the basis for traditional nationalistic assertions of validity. Also involved is the significance of government instruments as a representation of that validity. Finally, all of these manifestations of nationalism are concerned with legalistic and scholarly appraisals of the nation-state and its constituent elements.

As a concept, independence is closely related to sovereignty. Unlike simple sovereignty, however, independence implies an economic component in regard to national identity. For a nation to exist and function in an independent fashion requires a certain degree of self-sufficiency. For most micronations of the twentieth and twenty-first centuries, lacking as they are adequate financial and/or natural resources, complete self-sufficiency is a virtual impossibility. In fact, as previously noted, most modern micronations owe their very existence to the presence of more powerful, traditional, and self-sufficient neighbors, not only because of the material goods these neighbors make available to them, but also due to the tolerant attitude of many governments in the West, in particular, which accept the right of upstart micronationalists to at least *assert* the independence of their countries regardless of the questionable nature of such claims. Moreover, most modern micronations, in a conceptual sense, are based upon examples provided for them by older, traditional, and vastly more powerful neighbors. In any event, it is certain that few micronations would be capable of survival as completely independent entities.

Recognition is one of the more widely accepted criteria as regards accepted definitions of the concept of nationhood. As such, it is highly prized and sought after by many modern

micronationalists, usually to little or no avail. The concept of recognition lends itself to only a modicum of certainty regarding its defining qualities, although in a broad sense it indicates a relationship and interaction between the governments of two or more nationalistic entities.

Where issues of nationalism are concerned, recognition in a pragmatic, utilitarian sense seems to function as an arrangement of convenience which allows the parties involved to more efficiently conduct their external affairs and minimize undesirable influence over their *internal* affairs.

However, as a means of determining the validity of claims concerning nationhood, the concept of recognition is not especially reliable, certainly not in terms of its functioning as some sort of litmus test for nationalism. In practical terms, some traditional states function quite well without the universal recognition of other nations or membership in prestigious international organizations. (Once again, while it *is* widely recognized by other traditional states, Israel is not universally recognized in this sense, and the ancient state of Switzerland eschews membership in the United Nations. Ironically, Liechtenstein *does* belong to the United Nations, although it is surrounded by Switzerland and may be said to have a much less valid claim to legitimacy than the Swiss Confederation of Helvetia.)

Of all the concepts relating to nationhood, the issue of legitimacy is perhaps the most nebulous. Like the concept of sovereignty, legitimacy in practice is largely determined by the might of the parties involved, particularly in regard to international disputes. Unlike sovereignty, however, legitimacy does not necessarily entail considerations relating to the use of force or the imposition of the will of a powerful nation upon a weaker one. Rather, legitimacy may be more accurately described as a sort of status conferred upon a nationalistic entity by others or a kind of “seal of approval” indicating acceptance and a willingness to engage in various forms of interaction. Especially for micronationalists, the state of legitimacy (or at least its unilateral

assertion) may be one of the least difficult aspects of statehood to achieve. Even in the case of largely unrecognized micronations, one is forced to conclude at the very least that their existence as a sort of nationalistic manifestation is a *legitimate* fact.

It is also worth noting that there seem to be degrees of legitimacy in regard to nationhood, just as there are degrees of recognition. In fact, the same might be said for all of the great issues associated with nationalism. However, unlike recognition, which entails discernible processes undertaken by two or more nationalistic entities, legitimacy at its most fundamental level seems largely to be unilaterally determined and its absence does not necessarily preclude interaction between such entities. For instance, currently the United States does not recognize the Hamas government of the Gaza Strip as legitimate, nor does the People's Republic of China perceive the government of Taiwan as legitimate. Nevertheless, diplomatic activity between these entities *does* indeed occur, if even at the most rudimentary levels. As in so many other cases, the "might makes right" principle once again comes into play. As long as the Taiwanese and Hamas are able to exercise effective control over their respective territories, other governments have little choice but to interact with them on some level if they wish to exercise any influence within those territories. Whether or not such interaction constitutes a limited acknowledgement of legitimacy is debatable, but in practice and within certain parameters it mimics relationships between states which regard each other as legitimate.

The one manifestation of nationhood which is most effortlessly achieved involves its trappings. The issuance of government instruments, such as official flags, passports, paper currency, postage stamps, and specie is easily accomplished by anyone with sufficient financial resources to manufacture such items. Selecting a piece of music as a national anthem is simpler still. As difficult as it is to properly define the constituent elements relating to the concept of

nationhood, it may be reasonably assumed, by most objective standards, that the issuance of government instruments does not necessarily confer nationalist status upon a particular political venture.

Still, particularly where most modern micronations are concerned, government instruments (and perhaps claims to disputed territory) are virtually the only manifestations of nationality readily available to many would-be states. Such is the case, for example, in regard to the Kingdom of Fergus whose only claim to nationhood involves the assertion of sovereignty over a particular plot of land above which flies its official flag.³⁴ Although many modern micronations have produced their own specie and currency, other authorities have done the same absent any assertions of sovereignty. (The Berkshares program in Massachusetts is one such example in which a municipality has issued currency for use within its own jurisdiction.)³⁵ While sometimes of interest to philatelists and numismatists, micronationalist postage stamps and specie have no intrinsic value (apart from the precious metals which some may contain) and certainly do not seem to influence traditional nations in terms of granting recognition to the states which produce them. Next to national anthems, passports are perhaps the government instruments most easily produced by modern micronations, but are essentially worthless in a practical sense in that, virtually without exception, no traditional nations accept them as legitimate documents for the purpose of entering or exiting a particular country.

In the absence of a consensus of opinion within both the academic and legal communities regarding the constituent elements of nationhood, one is forced to conclude that an objective conclusion concerning this issue may lie beyond our purview. That is not to say, particularly

³⁴ Her Majesty Benelea I (Reigning Sovereign, Kingdom of Fergus), in personal discussion with the author, 21 January 2009.

³⁵ Rodrique Ngowi, "Communities Make Their Own Currency," *Hutchinson News*, 16 January 2009, sec. A, 1-2.

where the international legal community is concerned, that there are not functional guidelines which, in a practical sense, apply to political entities that style themselves as “nations.” Indeed, there is a voluminous quantity of legal documentation, perhaps most notably (especially for the purposes of micronationalists) the Montevideo Conventions on the Rights and Duties of States and its endorsement of the declarative theory of statehood, which has historically served to provide at least a tentative definition of statehood and has facilitated interactions between nations, albeit imperfectly.³⁶ The development of international legal institutions under the auspices of the United Nations has also served to at least define the appropriate roles of nationalistic entities, even if such institutions have proven themselves incapable of clearly defining nationhood itself.

The theoretical approaches to concepts of nationhood which have been historically offered by the academic community seem even less useful than those associated with the legal community in that the scholarly environment has primarily produced dissensus in regard to issues pertaining to the concept of nationhood. Concerning such dissensus, it is useful to repeat Snyder’s observation that, “Scholars of nationalism approach the matter of definition from varying points of view . . . Each approaches the matter of definition from the point of view of . . . special interests.” He further explains that, “. . . this elusive subject has taken on an interdisciplinary complexion . . .” which necessarily involves specialists from diverse backgrounds and *divergent* points of view.³⁷

While the pioneering contributions of scholars such as Kant, Grotius, Machiavelli, and others have proven invaluable as underpinnings of international law, they seem not to have of

³⁶ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 166.

³⁷ Snyder, *Encyclopedia of Nationalism*, 245

themselves contributed to a more complete understanding of statehood, particularly in terms of arriving at a universally accepted definition of the term. Moreover, their respective theoretical accomplishments have apparently only indirectly impacted upon the conduct of political entities which characterize themselves as nationalistic. However important their scholarly contributions to the study of nationalism, only the adoption of the concepts advocated by them on the part of bodies guided by documented international law has allowed their work to exercise a practical influence on the affairs of nations. (Grotius himself may have been an exception in this regard in that, in addition to his academic credentials, he was also an active jurist.)³⁸

Probably the only valid conclusion one can arrive at regarding this issue is that nations are constituted in part by groups of people. As important as territory may be to national identity, it is mere real estate without inhabitants or citizens capable of interacting with one another and with other groups outside of what are often ambiguously established borders. It is obvious as well that, given the diasporic experiences of many of the world's peoples, national identity may be maintained indefinitely even in the absence of a territorial element. It would seem, then, that one of the only truly identifiable components of nationhood concerns its identification with one or more groups of people who have organized themselves for some purpose. This conclusion alone, of course, provides only an inadequate definition of statehood, but it serves admirably in revealing the essential nature of nationalism: its existential dependence upon groups of people as a vital component of its meaning.

³⁸ Van Eysinga, *Huigh de Groot, Een Schets*, 23.

As previously observed, whether one speaks of micronationalism, mini-nationalism, macro-nationalism, or any other nationalistic manifestation, one of the most important points to be understood is that at its root this phenomenon involves grouping people into units, sometimes identified with a particular geographic region and sometimes not. This is an outgrowth of a primal human urge. (Indeed, it transcends the human species. Packs of wolves, prides of lions, lounges of lizards, schools of fish and other groupings of non-human species are all examples of individual organisms being grouped into units, although such units are apparently the result of instinct as opposed to choice.) One obvious benefit for humans who congregate in groups is “strength in numbers,” the ability of the group to more effectively provide for the common defense of its individual members.

With the development of the modern concept of nationalism, this basic function of the group (which had served our cave-dwelling ancestors so well in staving off attacks by predators) became a vehicle not only for the simple defense of its individual members, but also a means to advance the collective interests of the group as a whole. As a result, “. . . national governments responded to the demands of their citizens . . . [and these] . . . Governments shaped these demands to suit the ‘national’ interests.”³⁹ Such interests were often based upon institutionalized ethnicity. But, “Is definition of groups good or bad . . . ? Ethnicity is a human, cultural and social reality . . . Should it also be a legal reality . . . ? Fragmentation into sovereign states is ardently urged by some as a solution. But . . . it goes against the world’s many needs that require surmounting nationalism.”⁴⁰

“Ethnic” is defined as, “. . . of or relating to large groups of people classed according to common racial, national, tribal, religious, linguistic, or cultural origin or back-

³⁹ Ibid., 347.

⁴⁰ Flora Lewis, “People and Groups,” *New York Times*, 31 Mar 1990, 25.

ground”⁴¹ These have historically been the crucial factors in regard to the grouping of people, whether living in caves, ancient city-states, feudal societies, or modern nations.

Definition of groups is neither inherently good nor bad, but it *is* quite human and quite ancient, even primordial. Codified ethnic identity is one of the basic components one must consider when evaluating the composition of various human groups and this is especially true where the concept of nationalism is concerned, whatever form it may take.

In addition to ethnicity, language has traditionally been one of the basic underpinnings of national identity. It is difficult to imagine how a people, regardless of their other ethnic connections, could constitute a national entity without a shared language. It is true that there are many examples, (Switzerland, Belgium, and Canada come immediately to mind) of nations having been established which include multi-lingual populations. In these cases, however, the various languages of the nation are usually spoken in specific regions and often its citizens, if not fluent in the other languages, have at least a passing familiarity with them. Also, official government business is usually conducted in all of the official languages of these multi-lingual states.

Some scholars conclude that it is language, above all other ethnic characteristics, which is primarily responsible for the underlying concept of nationalism which characterizes modern states. Linguist Lynn Williams observes that, “. . . the role of language in shaping national identity is of crucial importance . . . nationalist movements of all persuasions ‘invite’ individuals and collectivities to imagine a particular kind of community through a particular print language . . .” Lynn cites Benedict Anderson, who contends that, “Language is not an instrument of exclusion: in principle, anyone can learn a language. On the contrary, it is fundamentally

⁴¹ *Webster’s Ninth New Collegiate Dictionary*, Springfield, Massachusetts: Merriam-Webster, (1988), s.v. “ethnic.”

inclusive, limited only . . . [in that] . . . no one lives long enough to learn *all* languages . . . From the start the nation was conceived in language, not in blood, and . . . one could be ‘invited into’ the imagined community.”⁴² More than considerations of race or other aspects of ethnicity, it is Anderson’s “imagined community” which forms the basis of modern nationalist sentiment.

Language is a *particularly* significant aspect of nationalism in that it is one of the basic ways in which abstract concepts concerning this phenomenon are expressed. As much as a geographical location or a particular group of people, nationalism is fundamentally associated with ideas. Often, particularly in diasporic situations, it is the shared notion of nationhood which unites those who comprise a state, as well as contributing to the perceptions of those outside of or not belonging to it. Without this “notion of nationhood,” the concentration of groups of people into a particular geographic area is meaningless in terms of any kind of shared identity among them. Anthony D. Smith, Professor Emeritus of Nationalism and Ethnicity at the London School of Economics, writes, “Nationalism very often involves the pursuit of ‘symbolic’ goals—education in a vernacular language, having an own-language TV channel . . . goals which [are] . . . based . . . on popular memories, symbols, and myths.”⁴³ Paul James, Director of the Global Cities Institute, elaborates on this connection between language and nationalistic concepts by observing that, “The idea of nationalism never *in itself* moved anyone. This is to say that ideas only take hold in a constitutive medium in which they have meaning, not that ideas cannot be profoundly influential.”⁴⁴ Finally, political theorist Miroslav Hroch, commenting on the influence of intellectuals and their use of language as it pertains to national consciousness, adds,

⁴² Lynn Williams. “National Identity and the Nation State: Construction, Reconstruction and Contradiction,” in *National Identity*, edited by Keith Cameron, (Exeter, England: Intellect Books, 1999), 15.

⁴³ Anthony D. Smith. “The Nation: Real or Imagined?” in *People, Nation and State: The Meaning of Ethnicity and Nationalism*, edited by Edward Mortimer with Robert Fine, (London: I. B. Tauris, 1999), 40.

⁴⁴ Paul James, *Nation Formation: Towards a Theory of Abstract Community* (London: Sage Publications, 1996), 8.

“Intellectuals can invent national communities only if certain objective preconditions for the formation of a nation already exist.”⁴⁵ One of the most important of these “objective preconditions” is a common language. It is language which provides the medium around which national consciousness may coalesce.

In spite of the prevalence of nationalistic concepts, especially from the nineteenth century to the present, this phenomenon has not been universally regarded as a positive socio-political development. For many observers, the rise of nationalism was, and is, seen as an obstacle to human progress. Some globalists, in particular, tend to view the organization of the world’s peoples into nationalistic groups as counter to the achievement of goals such as population control, world peace, the elimination of poverty, adequate health care, the reversal of global warming, and other environmental objectives. In this respect, national sovereignty is often seen as an impediment to the implementation of universal measures ostensibly intended to benefit *all* of the world’s peoples. One recent example which illustrates this sentiment is the refusal of the United States government to become a signatory of the Kyoto environmental accords. Another even more recent example involves the alleged obstructionist tactics of the Israeli government in regard to the delivery of humanitarian aid to the Palestinian people of the beleaguered Gaza Strip during the hostilities there between the Israeli Defense Forces and Hamas. Those critical of nationalism, especially of the notion that sovereignty supersedes international will, point to these and other examples to illustrate the negative aspects of this phenomenon.

Others object to aspects of nationalism which elevate the state (and allegiance to it) to an amoral realm. These critics contend that such blind allegiance allows the state’s citizens to justify any action, ostensibly being carried out in the state’s best interest, as morally and ethically

⁴⁵ Miroslav Hroch “From National Movement to Fully Formed Nation,” *New Left Review*, 198, (March 1993): 4.

sound, even if such actions are detrimental to those not included in the that nation's citizenry. British essayist and novelist George Orwell was particularly critical of this aspect of nationalism, explaining, "By nationalism I mean first of all the habit of assuming that human beings can be classified like insects and that whole blocks of . . . tens of millions of people can confidently be labeled 'good' or 'bad!' But secondly—and this is much more important—I mean the habit of identifying oneself with a single nation or other unit, placing it beyond good or evil and recognizing no other duty than that of advancing its own interest."⁴⁶

Regardless of their moral and/or ethical implications, the fundamental challenge in regard to understanding nationalistic concepts and their significance lies primarily within the purview of those who seek to define "nationalism" itself. Whether one is considering mini-nationalism, micronationalism, macro-nationalism, pan-nationalism or any of the other seemingly infinite sub-categories related to this phenomenon, the basic obstacle in regard to an understanding of these concepts concerns the lack of consensus among scholars as to what the term "nationalism" actually means. (An example of scholars' penchant for detailed analysis in this regard is illustrated by political scientist Max Sylvius Handman's utilization of typology to determine its meaning, categorizing nationalism as being either oppressive, irredentist, precautionary, prestige oriented, consciously or unconsciously motivated, hegemonic, particularistic, marginalistic, or concerned with the maintenance of minority identity.)⁴⁷ Snyder explains, "Scholars of nationalism approach the matter of definition from varying points of view. The study of this elusive subject has taken on an interdisciplinary complexion: Specialists in many disciplines have devoted themselves to interpreting nationalism. They include anthropologists, political scientists, sociologists, psychologists, psychiatrists, and psychoanalysts. Each approaches the

⁴⁶ Snyder, *Encyclopedia of Nationalism*, 261.

⁴⁷ *Ibid.*, 240-242.

matter of definition from the point of view of its special interests. The effort continue [sic] as scholars seek to unravel the mysteries of an elusive historical phenomenon.”⁴⁸ Given the lack of consensus among scholars concerning the definition of “nationalism,” perhaps this phenomenon and its conceptual implications may be better understood based upon its characterization under traditionally recognized international law.

⁴⁸ Ibid., 245.

CHAPTER TWO

MICRONATIONALISM AND CONCEPTS OF NATIONALITY WITHIN THE LEGAL COMMUNITY

In light of the seemingly ambiguous nature of the term “nationalism,” the lack of consensus among the academic community in regard to the precise meaning of the term “nationhood,” and the interdisciplinary nature of this field of study, some scholars have sought to explain this phenomenon through the definition of a “nation” as a person under international law. The advantage of this approach is that, unlike nebulous sociological, psychological, anthropological, or political concepts, legal terms have traditionally been formulated with a view to precision and accuracy, much more so than is often the case within the academic community. Nevertheless, international law itself is based upon the assumption that it has been formulated by legitimate nationalistic entities and we are, therefore, once again confronted with the original question regarding the definition of “nationhood.” The paradoxical nature of this situation notwithstanding, examining this question through the prism of traditionally recognized international law should at least lead to a greater understanding of “nationalism” as a legal term and serve to clarify the concept’s practical applications. It behooves one to recognize, however, that even traditionally recognized international law has historically been contingent, in a practical sense, upon the ability of the states ostensibly under its jurisdiction to effectively enforce it.

For this reason, it may be reasonably suggested that international law is something of a misleading concept, largely owing any effectiveness in terms of its implementation to the “might makes right” precept. Strauss notes, “The traditional juridical requirements

for sovereignty (as expressed by the classic writers on the subject, such as Grotius) center on having territory, a population and a government. However, there is no effective legal apparatus operating in the international sphere . . . The key requirement for sovereignty is that the country must have some territory that it calls its own, and hold on to it against all comers.”⁴⁹ Based upon this appraisal, traditionally recognized international law merely serves to codify and institutionalize a preexistent situation, in this case, the ability of some sort of nationalistic entity to lay claim to territory, control it to some degree, and prevent its being appropriated and controlled by another, presumably more powerful, nationalistic entity.

As previously noted, Strauss maintains that the very concept of “international law” is something of an oxymoron, contending that, “Might essentially makes whatever right there can be said to be in this arena”⁵⁰ However, the same might be said for domestic law internally administered within a particular nation. Coercion or the ability to enforce statutes are, in the final analysis, the only guarantors of the effectiveness of any legal system, international or otherwise. In light of this fact, does international law truly provide a reliable definition of “nationhood,” whereas scholarly concepts, lacking in consensus, do not? Perhaps it is not so much a situation in which international law defines “nationhood,” but rather that interaction between nations is the key to the formulation of whatever legal structures may be said to exist in this regard. To be more specific, the status of an entity as a “nation” may be said to depend upon its being perceived in that way by other, similar entities.

Attorney and scholar Brad R. Roth observes, “No discussion of recognition in international law can proceed without first addressing the foundational question of recognition’s role in the

⁴⁹ Strauss, *How to Start Your Own Country*, 6-7.

⁵⁰ *Ibid.*

international system.”⁵¹ However, this is no doubt true in regard to the definition of any term or concept. As a matter of semantics, meaning can only be legitimately ascribed if agreed upon by those involved who are desirous of the clarification of a particular term or concept. If it is not generally agreed that a “cow” is a bovine animal with four legs, a tail, and horns, the word has no meaning in and of itself. Where “nationalism” is concerned, the question of recognition is crucial to the understanding of this concept, made all the more so because of the ambiguous nature of the term.

It turns out that discussions relating to this issue have traditionally centered around two diametrically opposed concepts: the constitutive and declarative theories of statehood. Roth explains:⁵²

The corpus of international law scholarship contains two conflicting orientations toward this issue: the ‘constitutive’ view, which holds that an entity’s very legal existence as part of the international system is ‘constituted’ by the recognition of the other entities making up that system; and the ‘declaratory’ view, which holds that the international system encompasses—and renders rights and responsibilities to—such entities as exist as a matter of fact, and that therefore, recognition by member states of new entities is nothing more than a ‘declaration’ of an already existing legal fact that, in turn, implies an already existing legal relationship.

It is the declarative theory of statehood which is most often cited by micronationalists in maintaining the legitimacy of their self-proclaimed nationalistic entities. Unable to secure recognition by traditional international organizations, such as the United Nations, the appeal of the declarative theory to micronationalists is understandable and serves as a widely acknowledged concept upon which to base their aspirations for statehood. His Excellency Kevin

⁵¹ Brad R. Roth, *Governmental Illegitimacy in International Law* (Oxford: Clarendon Press, 1999), 124.

⁵² *Ibid.*

Baugh, the micronationalist President of the Republic of Molossia, declares, for instance, that diplomatic recognition by older, more well-established nations is of little importance to him. “I am not overly concerned with this,” he explains. “I am a strong believer in the declarative theory of statehood in that we [Molossia] exist as a nation regardless of any other nation acknowledging that . . . We exist because we exist, nothing more or less.”⁵³

The constitutive and declarative theories of statehood are themselves based upon the concepts of positivism and naturalism respectively. These concepts, in turn, form the bases of positive and natural law. Whereas “positive law” is defined as, “. . . law established or recognized by governmental authority,”⁵⁴ bodies of law or specific principles, “. . . held to be derived from nature and binding upon human society in the absence of or in addition to positive law . . .”⁵⁵ constitute naturalism. Natural law is the essential basis for Molossian President Baugh’s contention that his nation exists, “. . . because we exist, nothing more or less.”

Elaborating on the differences between these two concepts, Roth observes:⁵⁶

From positivism is thought to follow the principle that ‘legal relations between two entities who are not subject to a superior legal order can arise only as the result of mutual recognition of legal personality.’ International law thus operates only within the bounds of membership of a concord of sovereign actors who are free to exclude (and it must follow to abuse) all who lie outside . . . The declaratory view, to the contrary, appears to comport better with a natural law conception of the international system as automatically entailing rights and responsibilities for whatever entities present themselves in fact. It draws a distinction between the political relations among nations, which each sovereign state is free to order as it sees fit, and the irreducible substructure of legal

⁵³ His Excellency Kevin Baugh (President, Republic of Molossia), in discussion with the author, 6 March 2007.

⁵⁴ *Webster’s Ninth New Collegiate Dictionary*, 9th ed., Springfield, Massachusetts: Merriam-Webster, (1988), s.v. “positive law.”

⁵⁵ *Webster’s Ninth New Collegiate Dictionary*, 9th ed., Springfield, Massachusetts: Merriam-Webster, (1988), s.v. “natural law.”

⁵⁶ Roth, *Governmental Illegitimacy in International Law*, 124.

relations among them, which require respect for the sovereignty of existing states.

Once again, simply put, based upon naturalistic concepts, states exist because they exist.

The seventeenth-century Dutch jurist and philosopher Hugo Grotius (Huigh de Groot) is widely acknowledged as the great pioneer of modern international law and one of the first Western scholars to explore and define the concepts of positive and natural law. His *Parallelon Rerumpublicarum* or *De Moribus ingenioque populorum Atheniensium Romanorum, Batavorum*, composed between 1601-1601 but not published until the 1800s, is critical to the evolution of international relations and foreign policy and provides a link between ancient works on this subject and those of the modern era. This four-hundred-year-old document compares and contrasts the national traits and traditions of the Hellenistic civilizations (the Greeks and Romans) with the Dutch society of Grotius' era.⁵⁷

Grotius' *On the Law of War and Peace (De Jure Belli ac Pacis)* is arguably his greatest contribution to the study of international law and demonstrates the relevance of positivism and naturalism to this field. In the *Prolegomena*, or preface, of this book, Grotius explains that heretofore civil law has been the subject upon which most scholarly works have been focused, to the exclusion of, “. . . ‘that law which governs among several peoples or the rulers of peoples.’ Yet it is of importance to the human race that that be done.”⁵⁸ Grotius' biographer Edward Dumbauld notes that, “International law is thus the principal theme of his treatise . . . the legal system which Grotius expounds goes beyond interstate relations and . . . is in reality a universal

⁵⁷ Willem J. M. van Eysinga, *Huigh de Groot, Een Schets* (Haarlem: H. D. Tjeenk Willink & Zoon, 1945), 23-28.

⁵⁸ Edward Dumbauld, *The Life and Legal Writings of Hugo Grotius* (Norman, Oklahoma: University of Oklahoma Press, 1969), 72.

law binding all mankind. Even in the time of Grotius there were those who denied the existence of international law . . . it was said that this branch of law was only an empty name . . . ”⁵⁹

Grotius maintained that natural law was inextricably bound to God, although, interestingly enough, he also maintained that it could not be altered. Such sentiment was echoed centuries later by Thomas Jefferson’s reference in the Declaration of Independence to, “. . . the Laws of Nature and of nature’s God.” For Grotius, then the basis of international law is natural law as the expression of divine will. He defines natural law, “. . . as the ‘dictate of right reason indicating with respect to any act, from its conformity or non-conformity with rational nature itself, that moral turpitude or moral necessity inheres in it, and hence that such act has been prohibited or commanded by God the author of nature.’” Elaborating on this theme, Dumbauld says of Grotius, “The Dutch jurist proceeds from God’s will rather than from human will. Natural law, as the term is used by Grotius, may also be called divine; but it is immutable and cannot be changed by God himself. God is bound to ordain what it commands or prohibits, for the acts with which it deals are mandatory or illicit per se.”⁶⁰

Whether grounded in divine will or not, it is the moral aspect of international law which has attracted the attention of many modern scholars. In keeping with Grotius’ contention that this particular aspect of volitional law, while divinely ordained, was immutable and not subject to alteration, jurists in later centuries seem to be especially inclined to emphasize international law as the expression of moral and ethical considerations, independent of coercion on the part of nationalistic entities. “This is not to say,” writes Roth, “that international law has become a strictly moral order, i.e. to posit, as did such classical international law theorists as Grotius, a conformity of the customary law of nations with the dictates of natural law. It is, however, to

⁵⁹ Ibid.

⁶⁰ Ibid., 62-63.

deny the irrelevance of moralistic standards to international relations, and thus to deny that any pragmatic account of international law takes the legitimacy of *de facto* power as a given . . . It cannot blithely accept as legitimate the ongoing propensity of the powerful to ‘create facts.’”⁶¹

In regard to moral and ethical considerations, Grotianism (sometimes referred to as rationalism) may be said to occupy a kind of middle ground where international law is concerned. While Grotius’ theories are predicated upon unchanging principles associated with both natural and volitional law, he *does* recognize the existence, legitimacy, and desirability of well-defined sovereign states. Other prominent theoretical traditions tend to come down on one side or the other of this issue. The Hobbesian or Machiavellian tradition (also referred to as realism) stresses the legitimacy of coercion as conducive to the establishment of nationalistic political units. The Kantian (or cosmopolitan) tradition, on the other hand, is somewhat akin to globalism, the notion of a united worldwide state in which all of mankind are citizens. Political scientist R. H. Jackson more precisely defines these traditions through his contention that, “At the risk of oversimplification, these terms denote the contrasting ideas of national self-interest and prudent statecraft (Machiavellism), international law and civility (Grotianism), and global political community (Kantianism).”⁶² Jackson’s colleague Scott Pegg adds, “Like realists, the rationalists view independent sovereign states as the dominant actors in world politics. Unlike realists, however, they do not view the existing international order . . . as lacking any legal or moral content.”⁶³

⁶¹ Roth, *Governmental Illegitimacy in International Law*, 10.

⁶²R. H. Jackson, *Quasi-States: Sovereignty, International Relations and the Third World* (Cambridge: Cambridge University Press, 1990), 164.

⁶³ Scott Pegg, *International Society and the De Facto State* (Singapore: Ashgate Publishing, 1998), 236.

Grotianism (or rationalism) may be further differentiated from Machiavellism and Kantianism by thinking of the latter as traditions which advocate either for the prominent role of the state as an entity which is independent of international law, or for the ultimate dissolution of statehood and nationalism altogether. Machiavellism (Hobbesianism, realism) eschews the notion of a universal, global society. Grotianism posits that nations are constrained to observe the moral and ethical principles of their respective societies in regard to their relationships with other states. However, in contrast to the Kantian tradition, Grotianism characterizes states as desirable institutions for the furtherance of proper moral and ethical relationships between the peoples of the world. In the Grotian view, states are the vehicles through which the world's inhabitants are able to interact with each other in a legitimate manner. The alternative is a stateless world which would quite possibly deteriorate into something resembling anarchy.

As previously noted, Grotianism can be seen as a happy medium between the chaos of a world devoid of nations and the concept of nationalistic behavior motivated entirely by self-interest and not subject to any moral or ethical constraints. International relations expert Hedley Bull observes, "As against the view of the Hobbesians, states in the Grotian view are bound not only by rules of prudence or expediency, but also by imperatives of morality and law. But, as against the universalists [Kantians], what these imperatives enjoin is not the overthrow of the system of states and its replacement by a universal community of mankind, but rather acceptance of the requirements of coexistence and co-operation in a society of states."⁶⁴ Of these three theoretical traditions, Grotianism is best suited to providing a legitimate historical basis for micronationalist claims to sovereignty.

⁶⁴ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977), 27.

Micronationalist states are in essence *de facto* nations and it is in this context particularly that Grotianism or rationalism is especially useful in terms of establishing their legitimacy. It is the Grotian insistence upon recognition of international norms, as well as moral and ethical considerations, which most differentiates it from Kantian and Machiavellist concepts. By definition, a system of international law based upon Grotian precepts requires states to conduct their affairs with each other based upon considerations other than dominance and/or submission through coercion. In the Machiavellist model, force is viewed as a necessary tool of diplomacy, moral and ethical considerations notwithstanding. In the Kantian view, states themselves are seen as unnecessary impediments to the realization of human aspirations and the considerations of their moral and ethical conduct are therefore moot.

While most micronations in the twenty-first century do not even begin to approach the levels of sophistication of many of the more well-known quasi- and *de facto* states (Biafra, the Turkish Republic of Northern Cyprus, the Republic of Somaliland, Chechnya, *et al.*), the principles upon which they base their claims of legitimacy are unmistakably similar and speak to basic questions concerning the definition of “statehood.” Pegg concludes that, “*De facto* states are often much harder to analyze precisely and quantify than are juridical states. Even if one were to argue that the entire category of ‘states’ was an intellectual construct, the juridical state would still be a more readily grasped construct than the *de facto* state. The inherent ambiguity that adheres to this concept must, in some ways, discourage rigorous academic analysis.”⁶⁵

As micropatrology (the study of micronationalism) is a relatively new field, and largely neglected in terms of serious scholarly research, the literature which has been devoted to *de facto* states and their claims to legitimacy and sovereignty may be instructive in regard to an evaluation

⁶⁵ Pegg, *International Society and the De Facto State*, 8.

of modern micronations. One of the basic similarities between *de facto* states and modern micronations is that both tend to base their claims of nationhood on the principle of self-determination in connection with human rights concepts. Jackson observes that Grotian influence or “natural law” is once again evident where such concepts and international law are concerned, stating that, “Human rights are recognized by international law and are promoted by international organizations, and that has been clearly evident since 1945. Previously they existed largely as a moral doctrine under the name of ‘natural law’.”⁶⁶

Simply put, in its most extreme sense, self-determination is the basis for a philosophy which maintains that groups of people enjoy the inherent moral and ethical (Grotius might maintain “God-given”) right to govern themselves as they see fit, regardless of claims upon their loyalty and/or territory by more powerful nationalistic entities. Self-determination is sometimes used as a justification for secessionist movements and is therefore often considered a dangerous and seditious concept by traditional established states, especially those which contain cohesive ethnic populations. For some, it is even analogous to anarchy. Political philosopher Margaret Moore notes that, “Another criticism of the principle of national self-determination is that . . . [it] . . . would be destabilizing . . . and could license a secessionist free-for-all and lead to the breakup of most of the world’s states.”⁶⁷

In view of Grotian influence upon concepts of human rights and self-determination as they apply to nationalism and international law, it is useful to examine a competing point of view as embodied by Machiavellism. The modern popular notion of “Machiavellian” behavior evokes an image of surreptitious political machination, a situation in which any means are justified in

⁶⁶ Robert Jackson, *Sovereignty: Evolution of an Idea* (Cambridge: Polity Press, 2007), 124.

⁶⁷ Margaret Moore, “Introduction: The Self-Determination Principle and the Ethics of Secession,” in *National Self-Determination and Secession*, edited by Margaret Moore, (Oxford: Oxford University Press, 1998), 4.

order for a ruler to acquire and maintain power in a given state. But Machiavellism is far more complex and subtle than this.

To understand Machiavellian concepts of nationalism, it is necessary to apprehend his definition of the word “state.” As fundamental as this may seem, it has been a source of intense controversy among analysts of Machiavelli’s work. Indeed, there seems to be no clear consensus among the scholarly community regarding this matter. Machiavellian scholar Maurizio Viroli explains, “The meaning of the word *stato* has been the subject of a vast scholarly literature . . . Fred Chiapelli . . . [states] . . . that, in *Il Principe*, Machiavelli’s genuine political treatise . . . the word *stato* denotes . . . the political organization of a people over a territory independent of the particular form of government or regime—that is, the modern abstract notion of the state . . . An opposite view is suggested by Jack H. Hexter, who stressed that *Il Principe* does not contain the conception of the state as an abstract political body which transcends the individuals who compose or rule it . . .”⁶⁸ Yet, while Machiavelli’s precise meaning in connection with his concepts of statehood may elude us, it is clear that the preservation of the nation as an entity was of paramount concern to him. Viroli continues, “For Machiavelli, a good citizen should be prepared to do evil . . . to save the life of his country . . . scholars have considered him the father of the theory that politics is . . . military power, and . . . the economy of violence.”⁶⁹

Equally as important as Machiavelli’s concepts of “military power, and . . . the economy of violence” in regard to nationalism and statehood is the profound political transformation his ideas represented as a link between the medieval and the modern. In spite of the seeming inability of scholars and jurists to unanimously agree on a universal definition of “statehood,” it is apparent that current notions concerning this phenomenon are products of the modern era and

⁶⁸ Maurizio Viroli, *Machiavelli* (Oxford: Oxford University Press, 1998), 191.

⁶⁹ *Ibid.*, 8.

essentially divorced from medieval European concepts regarding these matters. Jackson observes, “. . . that the political shift from medieval to modern involved the destruction of *respublica Christiana* and the transformation of the *ecclesium* into a national church and the *regnum* into what Machiavelli referred to as the *stato*, the state and states system of emergent modern Europe.”⁷⁰

In other words, the diminished power of the Catholic Church during and after the Reformation left a power vacuum throughout northwestern Europe which came increasingly to be filled by the “state,” which, while far from secular, functioned with the same kind of authority previously reserved for a dominant ecclesiastical entity. Although less pronounced in nations which remained Catholic (France and Spain, for instance), this tendency toward the independence of the *regnum* became virtually universal throughout Europe. Jackson continues, “The *regnum* . . . was expanded substantially in its authority and power: it was becoming a sovereign state. Not only was it now a location of independent government but it was also a home of spiritual life as well . . . The main source of legitimate authority—religion—was now under the control of the ruler and his or her dynasty.”⁷¹

The emerging modern European state became a sort of hybrid institution, not truly ecclesiastical, but not completely secular either. This, of course, leads to questions regarding the basic components of legitimate government and upon what authority legitimate government, as exemplified by the state, is based. Such questions pre-date Machiavelli and are particularly associated with the conciliar movement of the fourteenth and fifteenth centuries when the emergence of competing claimants to the papacy lead to the assertion of greater authority by church councils (similar to typical conflicts between a sovereign and his or her legislative body).

⁷⁰ Jackson, *Sovereignty: Evolution of an Idea*, 38.

⁷¹ *Ibid.*

The development of the modern state may be directly traced to the conciliar movement and its rejection of the absolute authority of the papacy. The conclusion of agreements, known as “concordats,” between secular rulers and the papacy during the late medieval period reinforced the notion of the legitimacy of the state, independent of ecclesiastical authority. Harvard historian C. H. McIlwain concludes that, “. . . the logical inference must come sooner or later that the Church is in every nation instead of embracing all nations.”⁷² Logically, then, the Church itself was to be subject to the will of the state and its leaders.

Machiavellian concepts regarding statehood and nationalism are, in a way, outgrowths of the issues which concerned the conciliar movement. Entering adulthood at the beginning of the sixteenth century, Machiavelli was deeply influenced by the concurrent phenomena of the Reformation and the Renaissance and the political implications of both. With the absolute authority of the papacy diluted and, by implication, the link between religion and the legitimacy of the state, the situation seemed to demand a more amoral approach to statecraft, particularly in dangerous and/or extreme circumstances.

This waning influence of ecclesiastical authority over affairs of state had profound implications for the future of international law and Machiavelli became the pioneering chief architect of the innovative concept of *raison d’etat*, the notion that individual morality and the ethical aspects of politics must be compartmentalized and necessarily separated from one another. More than that, Machiavelli contended that, on occasion, the dictates of effective statecraft demand deviation from Christian morality. Recalling Strauss’ statement that, “. . . it is misleading to speak of ‘international law.’ Might essentially makes whatever right there can be said to be in this arena . . .,” one perceives that connection between Machiavellian concepts of

⁷² C. H. McIlwain, *The Growth of Political Thought in the West* (New York: Macmillan, 1932), 352.

international law and impulses toward statehood based more upon personal and collective will than moral and ethical underpinnings. In *The Prince*, Machiavelli maintains that a ruler (or a state), “. . . should know how to do evil, if that is necessary.”⁷³ In other words, in the Machiavellian view, the personal and/or collective will to maintain the integrity of the state supersedes lesser moralistic concerns, mitigating against the effects of unwarranted concerns regarding human rights and self-determination which may, under the wrong circumstances, endanger the state.

On the ecclesiastical front, Machiavelli’s ideas were indirectly supported by the Lutherism of the Reformation. Luther’s views *vis a vis* the authority of the church were not mere cosmetic alterations of a time-honored doctrine, but truly revolutionary in scope as they relate to the relationship between church and state. Jackson contends that, “Luther was instrumental in making the Reformation political by justifying the independent authority of kings and the duty of Christians to obey them. That was not merely a reform of Latin Christendom. It was secession from *respublica Christiana*.”⁷⁴ (It is partially on the basis of such secessionist sentiment that the modern micronationalist movement is founded.)

For micronationalists in the Western Hemisphere, especially in North America, the position of the United States in regard to definitions of statehood and sovereignty are of particular interest given America’s powerful influence in the region. While the United States is a signatory to the Montevideo Convention on the Rights and Duties of States, the American delegation presented reservations to the Plenary Session of the Seventh International Conference of American States on December 22, 1933 which reflect misgivings concerning approval of the definitions of these

⁷³ Niccolo Machiavelli, “The Prince,” in *Great Books of the Western World*, ed. Robert Maynard Hutchins, trans. W. K. Marriott (Chicago: William Benton, 1955), 25.

⁷⁴Jackson, *Sovereignty: Evolution of an Idea*, 42-43.

basic terms. The reservation stated that, “. . . it was unfortunate that during the brief period of this Conference there is apparently not time within which to prepare interpretations and definitions of these fundamental terms that are embraced in this report. Such definitions and interpretations would enable every government to proceed in a uniform way without any difference of opinion or interpretations.”⁷⁵

There have been a number of efforts following the Montevideo Conference to more clearly define and codify the concepts of statehood, sovereignty, and recognition, most of which have met with only limited success. Governments of older, traditional, and long-established states have demonstrated a propensity for being disinclined to commit themselves to precise definitions and criteria in regard to these basic terms and concepts. Having said that, the Montevideo document, in spite of its vagueness and ambiguity, continues to be one of the primary sources used by “legitimate” nations in regard to these matters. Further, the Montevideo document represents possibly the first historical instance in which such a large number of well-established nations attempted to clearly delineate the condition of statehood.

In addition to issues of statehood, the Montevideo Convention on the Rights and Duties of States is also frequently referenced concerning matters pertaining to the issue of recognition. In 1949, Institute of International Law member Ricardo Alfaro cited the Montevideo document relating to this matter, stating, “. . . that two articles of the draft Convention on the Rights and Duties of States dealt with the question of the recognition of States. One of them concerned the right of any State to have its existence recognized, and the other enunciated the principle that the

⁷⁵ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States*, (Washington DC: Government Printing Office, 1934), 169-171.

political existence of a State was independent of its recognition by other States.”⁷⁶ Alfaro then proceeds to address one of the most vexing problems concerning the issue of recognition, observing that, “It would be well to fix universally accepted criteria, as a guide in deciding which bodies of people could be recognized as States . . . on account of its great importance . . . the codification of that question . . . [is] . . . both necessary and desirable.”⁷⁷ The Montevideo Convention and Alfaro’s contention notwithstanding, the consensus of the 1973 session of the Commission seems to recognize the virtually insurmountable difficulty associated with the codification of this matter, observing that, “The question of recognition of states and governments should be set aside for the time being, for although it had legal consequences it raised many political problems which did not lend themselves to regulation by law.”⁷⁸ Therein lies the essential dilemma where a universally acceptable definition of recognition, and by extension statehood itself, is concerned. Even in the more precise arena of international law, older, well-established traditional “states” seem incapable of agreeing among themselves in regard to this issue. It is in part this ambiguity which has emboldened micronations to assert the legitimacy of their fledgling nations.

For some micronationalists, the issue of recognition, particularly recognition by older, traditional nations, is something of a moot point. Some are even derisive in regard to attempts by other micronationalists to gain recognition through contact with diplomatic representatives of traditional states, such as the contact between the West German government and Sealand in the

⁷⁶ United Nations, General Assembly, Institute of International Law, *Yearbook of the International Law Commission, 1949: Summary Records and Documents of the First Session including the report of the Commission to the General Assembly*, (New York: United Nations, 1956), 38.

⁷⁷ *Ibid.*

⁷⁸ United Nations, General Assembly, Institute of International Law, *Yearbook of the International Law Commission, 1973: Summary Records of the Twenty-Fifth Session, 7 May-13 July 1973*, (New York: United Nations, 1974), d175.

1970s. Many prefer to go their own way and eschew such concerns, content to assert their legitimacy in keeping with declaratory theory of statehood and based upon the simple fact of their existence.

George Cruickshanks of the Micro-Nations Organization, an Internet-based micronationalist forum, observes, “The issue of ‘recognition’ seems to be a subject of almost religious fascination for micronations, who assume that mere contact with senior representatives of a real sovereign state somehow magically infuses them with legitimacy.”⁷⁹ He refers to such aspirations as “delusional nonsense” and notes that such contacts have occurred on numerous occasions. “It is actually remarkably easy,” he continues, “to engineer occasional person-to-person contact between a micronation’s representatives and senior government representatives . . . All that necessary is (1) to ensure the micronation’s representative is an eminent person with high-level personal contacts sufficient to successfully facilitate such contact, and (2) that any physical encounters which occur are uncontroversial and serve the political/publicity interests of the government representative in question.”⁸⁰ As a practical matter, such contact is not commensurate with the official diplomatic relationships between older, traditional nations themselves as it rarely results in permanent, ongoing contact between the two entities, nor does it usually lead to any substantive tangible results. Cruickshank concludes, that, “. . . ‘recognition’ in this context . . . is completely meaningless in real terms unless it is underpinned by a demonstrable, enduring bilateral relationship.”⁸¹

Obviously, then, the connection between international law and matters such as statehood and recognition is tenuous at best. Conceptual issues relating to law itself are also ambiguous in

⁷⁹ George Cruickshank, comment posted on www.micro-nations.com, Discussion Forum, 11 May 2008.

⁸⁰ Ibid.

⁸¹ Ibid.

many respects. International law, domestic law, civil law, and criminal law are essentially abstractions which only assume a tangible form when they are supported by adequate enforcement procedures. Once again, one is compelled to conclude that to a greater or lesser extent *law* is indeed expressed through might.

Another way to express this contention is that law, international or otherwise, is in essence created by those who legislate and those interpret such legislation, aided by the invaluable assistance of enforcement entities. The murky status of questions concerning statehood and recognition under international law is largely the result of the absence of a dominant entity powerful enough to legislate in this regard and to enforce such legislation. Also, juxtaposed between legislation and enforcement is the institution of the judiciary which is critical in determining the meaning of the legislation and in what manner enforcement of it will occur. In other words, law is primarily concerned with judicial behavior and, where questions of statehood and recognition are concerned, jurists of international law have been either unable or unwilling to issue definitive rulings regarding these concepts. Emphasizing this point, historian Louis Menand observes, “. . . that law is simply and empirically judicial behavior. A rule may be written down, it may express the will of the sovereign, it may be justified by logic or approved by custom; but if courts will not [or cannot] enforce it, it is not the law”⁸²

Questions of legitimacy and definitions of statehood, sovereignty, and recognition aside, most micronationalists seem to be motivated by even less precise concepts. When these concepts become associated with a physical space over which the micronationalist exercises some measure of authority, however tenuous, that space then becomes symbolic of those concepts and serves as a staging ground for their implementation. Who among us, however devoted we may

⁸² Louis Menand, *The Metaphysical Club* (New York: Farrar, Straus, and Giroux, 2001), 343.

be as citizens of some “legitimate,” well-established, and functional nation-state has not wished at times that things were done differently? “Why, if I ran the country,” you might hear someone say, in exasperation over certain particularly troublesome current events, “I’d make some *real* changes!”

Micronationalists in general simply seem to take this sentiment a step further. Not content, for one reason or another, to hope that their concepts or political programs will be implemented in the “legitimate” nation-state of which they are a citizen, they opt for the creation of their own. Utilizing the trappings of traditional nations (flags, national anthems, postage stamps, currency, specie, military uniforms, passports, etc.) the micronationalist’s creation becomes a part of objective reality, both to himself and to others.

For those micronationalists for whom recognition by traditional nations *is* a priority, their aspirations in this regard would seem to be most compatible with the declaratory view of statehood as codified to some extent by the Montevideo Convention of the Rights and Duties of States. The constitutive view of statehood holds little promise for micronationalists seeking “legitimate” recognition and seems supportive of the *status quo* in which the majority of traditional nationalistic entities are bound by their official relationships with each other, largely to the exclusion of those states which, for one reason or another, are excluded from this “club.” Predating both of these views, Grotianism, with its emphasis on civility and cooperation among nations (as well as its insistence upon the concept of natural law), seems to favor declaratory concepts favorable to micronationalist aspirations. Conversely, the global communitarian vision inherent in Kantian philosophy precludes the existence of micronations and the Machiavellian emphasis on might and dominance in regard to international relationships is precisely what micronations have sought to avoid in their dealings with more powerful, traditional nations.

Ironically, however, it is the success and might of traditional “legitimate” nations which have made the modern micronationalist movement possible. With only a few notable exceptions, almost all micronations are dependent directly or indirectly upon the “legitimate” nations close to or surrounding them for security, infrastructure, economic, well-being, and even survival itself. In the Western democracies, in particular, it is the freedom of speech guaranteed by these governments which allows micronations to, as Molossian President Baugh puts it, *exist because they exist*, questions of legitimacy aside. Whatever the philosophical underpinnings of their aspirations, without the tolerance of the established and powerful traditional nations of the earth micronations and the micronationalist movement would *cease* to exist.

CHAPTER THREE

NORTH AMERICAN MICRONATIONS FROM THE NINETEENTH THROUGH THE TWENTY-FIRST CENTURIES

Micronations founded during the nineteenth century or earlier have often served as prototypes for modern micronations in the twentieth and twenty-first centuries. It is instructive, therefore, to examine their histories and development to help explain the current micronationalist phenomenon. In particular, the interaction between these earlier micronations and older, established traditional nations are especially useful in explaining the often symbiotic relationships which have often existed between these two types of entities.

It is important to remember that virtually every modern, widely recognized nation began as a *micronation* of sorts. Modern concepts of the nation-state may be ultimately traced to primitive family and kinship groups such as clans and tribes, which certainly represent the state in microcosm. Later, city-states such as Sparta and Athens in ancient Greece served as the forerunners of modern Mediterranean nations. The modern nation of Switzerland is essentially a conglomeration of “micronations” (Sankt Gallen, Thurgau, Appenzell, Lausanne, et al) which were united within the Confederation of Helvetia. (Indeed, the “micronation” of Lichtenstein is one of these Alpine cantons which appears to have slipped through the cracks and continues to enjoy an independent and virtually autonomous status in relation to the Swiss nation which borders it, even to the extent of membership in the United Nations.) The first British, Dutch, French, and Spanish colonies in the Americas were certainly no more than “micronations” which, like many of their modern counterparts, were founded on territory controlled by organized traditional societies that in many cases did not initially recognize European claims of “legitimacy” and “sovereignty” on the part of these often ramshackle settlements. (North and

South America proved to be particularly fertile ground for the establishment of micronations in the nineteenth century owing largely to an abundance of “unsettled” territory, the desire of imperialist powers to attract colonists, and disputes between powerful European nations.)

A case in point, where the emergence of North American micronations is concerned, involves the establishment in 1832 of the Indian Stream Republic. With the publication of a constitution in that year, a small region (approximately 282 square miles) between British Canada and northern New England declared itself the Indian Stream Republic and independent of both Britain and the United States. The region was in dispute as the result of oversights contained in the Treaty of Paris at the end of the American Revolution. According to the treaty, the border between Canada and the United States was set at, “. . . the northwest-most head of the Connecticut River.” A dispute developed in part because three tributaries flow into the river’s head. In addition to a constitution, the Indian Stream Republic established a legal system, legislature, and militia (which briefly invaded Canada). The Indian Stream Republic eventually petitioned the State of New Hampshire to be organized into a municipality and became the city of Pittsburg.⁸³

The events which lead to the adoption of the Indian Stream Republic constitution endear themselves to modern micronationalists as they typify the concept of a small group of ordinary people banding together to form their own nationalist entity against great odds and contrary to the wishes of powerful, traditional states surrounding them. Historian Daniel Doan writes, “The committee delegated to draft a constitution for Indian Stream began to hold meetings . . . On July 9, 1832, sixty men crowded into the Center Schoolhouse . . . At the hour posted, or near it, the clerk of the territory, John A. Mitchell, stood up in the schoolhouse and read the warrant. It had

⁸³ Daniel Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842* (London: University Press of New England, 1997), 163-196, 234-256.

to do with the formation of a government and the adoption of a constitution, specifically, to see whether the legal voters of Indian Stream—legal only to themselves, in actual fact—would adopt such a constitution.”⁸⁴

The failure of both the United States and Great Britain to resolve the issue of the legal status of Indian Stream provided a significant incentive to its inhabitants in regard to the founding of their own nation. (As Strauss observes, “For six years, neither existing country [Great Britain and the United States] got around to doing anything about the matter, and residents maintained their own schools, army, elections, taxes, sheriff, and laws.”)⁸⁵ This situation had left the area’s population in a state of political limbo, which encouraged lawlessness and hindered civic improvement. The constitution expressed these incentives as justification for the founding of an independent state, noting that, “The inhabitants had met from time to time and passed votes and laws for their own regulation, with no penalties or machinery to enforce them . . . The time had come to make and enforce laws for the protection of citizens who otherwise would be a law unto themselves . . . Neither the United States nor Great Britain had exercised jurisdiction. Therefore, the citizens must do so. The proposed constitution would remain in force at least until the United States and Great Britain settled the controversy.” Anticipating a resolution of this issue at some point in the future, the proposed constitution stopped short of declaring the republic’s independence in perpetuity, emphasizing its intention to function as, “. . . a free, sovereign, and independent state as it relates to our own internal Government till such time as we can ascertain to what government we properly belong.”⁸⁶

⁸⁴ Ibid., 162-164.

⁸⁵ Strauss, *How to Start Your Own Country*, 101.

⁸⁶ Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842*, 164-165.

The constitution also addressed geographical issues as they pertained to the republic's territorial claims which lay at heart of the inhabitants' dilemma regarding their political status. Territorial matters were first addressed in the constitution's preamble which read, in part, "Whereas we the inhabitants of the tract of land situated between Hall's Stream and the stream issuing from Lake Connecticut, being the disputed tract of country near the head of Connecticut River which is claimed by the United States and Great Britain . . ." ⁸⁷ The conclusion of the constitution also contained a geographic reference intended to define the republic's western border and avoid any jurisdictional conflict with the nearby Canadian community of Hereford, although the document was imprecise on this point by modern standards, referring vaguely to a particular, ". . . ridge of Nathaniel Perkins's back pasture and beyond the cedar post on the bank of the Connecticut River . . ." ⁸⁸ Specifically, the document, "Provided that nothing contained in this constitution shall be so construed as to extend the Jurisdiction of this government over any inhabitants settled on the east side of Hall's Stream, if any there are who are included within the chartered limits of Hereford." ⁸⁹

Much of the Indian Stream constitution is obviously based on the constitution of the United States and those of the individual states. One interesting provision, however, not found in these other documents, concerns the promotion of education and morality. These issues are addressed in a passage of the constitution entitled, "Encouragement of Literature and Moral Virtue." It

⁸⁷ Ibid., 164.

⁸⁸ Ibid., 167.

⁹¹ Ibid., 167. Such geographic imprecision regarding international borders became common among micronations of the twentieth and twenty-first centuries, as well as the quaint touch of using landmarks such as pastures and posts planted in river banks for such purposes. Many modern micronations consist of little more than private homes and the adjoining property, some micronationalist populations consider themselves states without territorial claims, and still others, notably Sealand and the Isle of the Roses are or were themselves territorially based on structures originally intended for *other* purposes.

indicates that, however provincial they may have been, the citizens were certainly no philistines. The passage designates as a, “. . . duty of the Legislators and Magistrates in all future periods of this Government to cherish the interest of Literature and sciences and public schools . . .”⁹⁰ The inhabitants’ concern for the erudition of future generations is emphasized by Doan’s statement to the effect that, “Now, as the population and improvements had considerably increased, they wished to adopt and enforce laws on a more permanent basis, and to provide for supporting schools, all for the benefit of the rising generation.”⁹¹ Beyond formal education and the encouragement of literacy among the population, this unusual passage enjoins the republic’s officials, “. . . to countenance and inculcate the principles of humanity and general benevolence, public & private charity, industry & economy, Honesty and punctuality, sincerity & sobriety, and all social affections and generous sentiments among the people.”⁹² This emphasis on the value of education, so important to the republic’s founders that it was deemed worthy of a passage in the constitution, may reflect the background of some of its founders and prominent citizens, such as Luther Parker, a shoemaker turned school teacher from an area near Albany, New York. (As an apprentice, Parker and his fellow workers were often read to by young students on the subjects of history, politics, law, and philosophy. The saying came about that a “. . . shoemaker was fit to be a United States senator.”)⁹³

In keeping with its adherence to the major precepts of the constitutions of the United States and those of the individual states, the Indian Stream document provided for three distinct branches of government which included legislative, judicial, and executive officials. However,

⁹⁰ Otis Grant Hammond, M. A., ed., *Collections of the New Hampshire Historical Society*, vol. 11, (Concord, N. H.: New Hampshire Historical Society, 1915), 64.

⁹¹ Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842*, 164.

⁹² Hammond, *Collections of the New Hampshire Historical Society*, 64.

⁹³ Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842*, 110-111.

while the legislative and judicial branches were formulated and functioned much as those of the United States and the individual states, the executive branch differed in that the constitution does not appear to have provided for one particular individual to serve as head of state. This branch of the Indian Stream government is referred to in the constitution simply as “The Council” and, in addition to its executive duties, it was intended to function as a quasi-judicial and quasi-legislative body. “The Council” itself was chosen by the legislative branch of government known as “The Assembly.”

The Indian Stream constitution provided that, “The Council shall consist of five members chosen annually by ballot by the assembly”⁹⁴ The constitution delineates the Council’s purely executive duties stating that, “Full power is hereby granted to the council to meet as often as they deem necessary and they are required to watch over the general peace and safety of the inhabitants” The Council’s role as “commanders-in-chief” is addressed in a passage which states that it is, “. . . To commission such officers chosen or appointed by the assembly or Militia as are by the constitution or Laws required to be commissioned by the council and administer the oath of office.”⁹⁵ Once again, it seems clear that, in a notable departure from conventional forms of government, no *one* individual was intended to function as both head of state and commander-in-chief of the armed forces.

The reluctance of the constitution’s framers to invest executive power in one particular individual notwithstanding, they were nevertheless explicit in regard to the Council’s military responsibilities. Why this is so is a matter of conjecture, although it may be assumed that the republic’s founders anticipated armed conflict with forces of the United States and/or Great Britain, as well as the New Hampshire state militia. In any case, the constitution is clear in

⁹⁴ Hammond, *Collections of the New Hampshire Historical Society*, 62.

⁹⁵ *Ibid.*

regard to its justification of the republic's right to defend itself through force of arms. It states that

The council are vested with full power and authority to command the militia by ordering and giving instructions to the officers thereof, and for the special defence and safety of the place to assemble them in martial array to lead and conduct them and with them to encounter, repulse, resist and pursue by force of arms within the limits of this place and also to Kill, slay & destroy if necessary and conquer and compel to obedience to the laws by all fitting ways and means all and every such person or persons as shall at any future time in a hostile manner attempt the destruction or annoyance of the inhabitants of this place or rise in insurrection against the Government or Laws thereof.⁹⁶

This passage is striking in part because of its graphic description of the mandate of the republic's armed forces to engage and eliminate enemies of the state, both foreign and domestic. Again, one can only speculate in regard to the motivation which led the framers of the constitution to employ such starkly violent phrases as “. . . Kill, slay & destroy . . .” in the republic's founding document. This passage contrasts sharply with the “Encouragement of Literature and Moral Virtue” passage discussed previously. As it happened, however, armed conflict *did* in fact characterize the republic's brief history and this passage from the constitution leaves little doubt that its founders intention to defend their nation with force if necessary.

In addition to the Council's role as “commanders-in-chief” of the Indian Stream armed forces, it also functioned as a sort of appeals court to which cases from the lower echelons of the republic's judicial system could be referred. Purely judicial powers were invested in an elected justice of the peace, and citizens were guaranteed the right to trial by a jury consisting of at least six people. The appellate judicial role of the Council is designated in a portion of the constitution entitled “Court of Error.” It specifies that, “The Council shall constitute a high court of error and in that capacity full power is hereby vested in them to issue writs of error and stop

⁹⁶ Ibid., 62-63.

execution upon the Judgments of all courts hereafter established . . . in all cases where such testimony and evidence is produced before them as shall render it highly probably that such Judgment was founded on an erroneous construction of the law, or is contrary to law or the principles of this constitution”⁹⁷

The exclusively legislative branch of the republic was represented by the Assembly, which included, “Every male inhabitant of Indian Stream who is twenty-one years of age or over and has resided in this place three months next preceding any annual session” However, in spite of its legislative role, the constitution provided that, “No bills, acts, or resolves shall originate in the assembly”⁹⁸ The Assembly had the power to insert amendments into legislation presented to it by the Council and was able to override any objections by a two-thirds vote. (Both the Assembly and the Council also met together on occasion and, in that case, were referred to inclusively as the General Assembly, an arrangement analogous to a joint session of the United States Congress.)

The culmination of the Indian Stream independence movement occurred in 1835 with the outbreak of the Indian Stream War. Hostilities were precipitated by the arrest of an Indian Stream official in Canada. Following this incident, an Indian Stream inhabitant with pro-Canadian sentiments was arrested in New Hampshire, presumably in retaliation for the first arrest. These events reflect a schism between pro-Canadian and pro-New Hampshire factions among the citizens of the republic.

New Hampshire Historical Society documents indicate that, “These difficulties came to a head in 1835. On March 12 Deputy W. M. Smith attempted the arrest of Clark J. Haynes and Reuben Sawyer of Indian Stream in the name of New Hampshire, but was beaten and driven

⁹⁷ Ibid., 63.

⁹⁸ Ibid., 61.

out.” The deputy’s deposition indicates that, “The persons against whom I had process, and others accompanying them claimed to be independent, to be an independent government not belonging to the governments of Great Britain or the United States, independent of either of them until the line was settled”⁹⁹

New Hampshire’s response to these developments involved an urgent communication from Governor Badger to the state legislature which resulted in a resolution asserting the state’s authority over the Indian Stream region. The resolution requested the Governor, “. . . to render all necessary aid to the executive officers of the [New Hampshire] county of Coos in causing the laws of said state to be duly executed with the limits of said territory.” Governor Badger’s response to this resolution was to direct Adjutant-General Joseph Low to order the mobilization of the Sixth Company of the Twenty-Fourth regiment of the New Hampshire state militia and direct them to be stationed at Stewartstown, near the Indian Stream border, “. . . to be in readiness to support Sheriff White in the serving of process in the troubled country.”¹⁰⁰

Many of the republic’s citizens viewed Badger’s mobilization order as the prelude to an invasion and some were inclined to appeal to Canada for aid. Historian Daniel Doan observes that, “Within three days they had composed and signed a petition to the governor general of Canada for protection from New Hampshire. They dated it July 23, 1835, and began getting signatures under those of the council, headed by Richard I. Blanchard. Sixty-two men wanted help from Canada and signed the petition.” There are differing points of view as to the significance of this appeal from Indian Stream to Canada, though it has been suggested that it

⁹⁹ Ibid., 102.

¹⁰⁰ Ibid., 102-103.

might have lead to renewed hostilities between the United States and Great Britain had Canadian authorities intervened.¹⁰¹

One of the few “battles” of the Indian Stream War was fought as the result of another incident involving an attempt to arrest one of the republic’s citizens, this time by Canadian officials, as he and others were attempting to secure the release of an assembly member who had been detained north of the border. Assemblyman Miles Hurlburt recounted the conflict in a subsequently written deposition. “I then presented my pistol to said [Alexander Rea, the Canadian justice] and told him to keep his proper distance for I should not be taken by him, for if he came any nearer he should take the contents of my pistol,” wrote Hurlburt. Bernard Young, one of the Canadians, attempted to seize the bridle of the horse ridden by Hurlburt’s companion, Ephraim Aldrich, who thereupon drew his sword in defense. Hurlburt discharged his pistol, apparently at no one in particular, and there were no casualties, although Young was wounded in the groin and Rea received a head injury from a sword. He concludes, “While this skirmish was carried on I heard four or five guns fired”¹⁰²

While this incident did not result in any serious injury or loss of life, it was apparently the catalyst needed to force the hand of the New Hampshire authorities who promptly ordered the militia stationed at Stewartstown into the Indian Stream Republic. Adjutant General Low, who visited the area where the disturbance took place prior to issuing his orders, observed that, “Upon consultation with the high sheriff, Col. Young, Gen. Loomis . . . and others who accompanied me here, I had no doubt of the expediency of ordering the colonel of the 24th regiment to detach

¹⁰¹ Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842*, 203.

¹⁰² Hammond, *Collections of the New Hampshire Historical Society*, 106-107.

one captain, one lieutenant, one ensign, four sergeants, two musicians, and 42 privates, and to place them at the disposal of the sheriff of the county of Coos.”¹⁰³

This force marched into Indian Stream on November 13, 1835 encountering only token resistance. One of the only instances of armed confrontation as a result of the invasion involved Indian Stream inhabitant Emor Applebee and his son, Benjamin. Applebee had a reputation as a person with a distaste for authority and was the object of outstanding New Hampshire warrants which the sheriff, with the militia’s aid, was now attempting to serve. The Applebees, surrounded by militia forces, attempted to make a stand at a bridge marking their property line, but were eventually convinced by a New Hampshire official to lay down their arms and surrender. While the republic had not yet been officially dissolved, this incident marked the beginning of the end for this experiment in micronationalism as most of its citizens began to accept the inevitable.¹⁰⁴

The eventual fate of the Indian Stream Republic involved its incorporation into the township of Pittsburg, New Hampshire, in 1840. (The township is one of several in Coos County.) This incorporation was the result of a significant number of Indian Stream citizens having petitioned the New Hampshire government in regard to this matter. Doan explains, “Men at Indian Stream . . . had triumphantly, or with resignation and surrender to the inevitable, petitioned the New Hampshire legislature to be organized into the town of Pittsburg. The House and Senate agreed . . . The legislature granted to each actual settler on the lands in Pittsburg, who had entered on the same since 1824, the lands in his possession, not exceeding the amount of one hundred acres.”¹⁰⁵ With this legislation, Indian Stream’s brief micronationalist experiment truly came to an end.

¹⁰³ Ibid., 107.

¹⁰⁴ Doan, *Indian Stream Republic: Settling a New England Frontier, 1785-1842*, 236-237.

¹⁰⁵ Ibid., 256.

The Webster-Ashburton treaty of 1842 served to resolve several longstanding border disputes, including the Indian Stream issue, but also impacted profoundly on yet another micronationalist experiment in this region involving the Republic of Madawaska. Daniel Webster and Lord Ashburton, the two men responsible for the treaty, felt that both the United States and Great Britain benefited from it. Additionally, it served to prevent armed conflict between the two nations as “Both Webster and British plenipotentiary Lord Ashburton knew that the border incidents and claims were not worth another War . . . Webster thought the treaty entirely satisfactory to the United States . . . Lord Ashburton had achieved his corridor between the boundary and the St. Lawrence . . .” However, “The State of Maine was unhappy, New Brunswick was unhappy, and . . . two thousand French Canadians [were] turned over to the United States in the Madawaska valley.”¹⁰⁶

The same United States-Canadian border issues which gave rise to the Indian Stream Republic also inspired the establishment of the Republic of Madawaska between the State of Maine and New Brunswick. Although not nearly as well organized as Indian Stream, the Madawaskan Republic continues to be recognized today by some residents of the region and is celebrated in yearly patriotic festivals. Additionally, while the Indian Stream experiment was decidedly democratic in a political sense, the Republic of Madawaska owed its existence largely to one man, John Baker, one of the first American settlers in the area.

Having been granted logging rights by the New Brunswick government in 1817, Baker became the informal leader of the Americans who had migrated there from Maine. (In spite of the grant from the New Brunswick government, Baker petitioned the Maine legislature in 1825 for letters patent pertaining to the same tract of land.) His appearance and personal

¹⁰⁶ Ibid., 255.

characteristics seem to have been appropriate for his leadership role. According to one account, “John Baker is said, by one of his descendants, to have been about five feet eleven inches in height, and to have weighed about one hundred and seventy-five pounds. He was very erect, had a light complexion, bright blue eyes, heavy chin and a very big nose. He was a good talker, could take a glass of liquor, and was charitable and generous to his poorer neighbors.”¹⁰⁷

Some of Baker’s neighbors included French Acadians, some of whom had become disillusioned with their status under the Canadian government and favored an independent political role for the Madawaska territory. Baker’s penchant for autonomy combined with the separatist sentiments held by many of his neighbors lead to an incident in 1827 which sparked the Madawaska independence movement and almost lead to open war between the United States and Great Britain.

Ironically, for an independence movement, this incident involved a celebration of the American Independence Day. Historian Geraldine Tidd Scott recalls that,

On July 4, 1827, John Baker and about fourteen of his neighbors celebrated Independence Day. At the [western side of the] confluence of the Meriumticook [Baker Brook] and St. John Rivers, on land conveyed to Baker by Maine and Massachusetts, Baker erected a flag staff. Two of the French settlers assisted him in a traditional flag-raising ceremony. A flag made by Sophia Baker [his wife], bearing a representation of the national eagle partially surrounded by stars, was raised. An address was followed by a feast. A French fiddler, Bellony Terrio, had been hired for the occasion and some of the Acadians from Madawaska were guests. In the evening, a ball at the home of James Bacon, at which by invitation many of the French settlers were present, concluded the festivities of the day.¹⁰⁸

¹⁰⁷ W. O. Raymond, ed., “State of the Madawaska and Aroostook Settlements in 1831: Report of John G. Dean and Edward Kavanagh to Samuel E. Smith, Governor of the State of Maine,” *Collections of the New Brunswick Historical Society* (St. John, N. B.) no. 9 (1914), 344-386.

¹⁰⁸ Geraldine Tidd Scott, *Ties of Common Blood: A History of Maine’s Northeast Boundary Dispute With Great Britain, 1783-1842* (Westminster, Maryland: Heritage Books, 1992), 44-45.

Of all the various aspects of the festivities, it was the flag-raising ceremony featuring the Madawaska standard designed by Baker's wife which was primarily responsible for the ire of the authorities.

After having been made aware of the celebration, Canadian authorities apparently viewed it as more than a mere celebration of diversity in the Madawaska region. Given the aforementioned dissatisfaction some French residents felt toward the British government, this attitude is somewhat understandable. Moreover, the question of which political entity would control the strategically and economically important Upper Saint John River Valley was of profound importance, not only to the inhabitants of the Madawaska Valley, but to the governments of the United States and Great Britain as well. Scott adds, “. . . there is no doubt that this particular gathering had also as its purpose the exercising of jurisdiction.”¹⁰⁹

It has been suggested that the Republic of Madawaska does not qualify as a “true” micronation and that Baker's intent was to identify the region with the United States, as opposed to establishing a sovereign nation. It seems unclear whether Baker intended to found an independent country or perhaps some sort of protectorate under the auspices of the United States government. If the trappings of nationhood are any indication of his intentions, it is worth noting that the flag featured in the ceremony was *not* “old glory,” but rather the distinctive design previously described featuring an eagle with an arch of stars above it. Whatever Baker's true intentions, Canadian authorities interpreted the event as an attempt by him and others to bring the region under the jurisdiction of the United States. Also, subsequent statements by Baker himself indicate that, at the very least, he intended for Madawaska to be politically affiliated with the

¹⁰⁹ Ibid.

United States in some sense. Eventually, the Canadian Justice of the Peace George Morehouse was dispatched to Baker's home in order to question him concerning the event and his intentions.

The differences between the Madawaskan standard and the American flag notwithstanding, on August 7, 1827, Morehouse interviewed Baker and reported that he,

. . . pointed to the flag and asked Baker what that was. He said, 'the American flag, Mr. Morehouse: did you never see it before, if not, you can see it now.' I asked him who planted it there: he said, 'he and the other Americans there.' Bacon was present at the time: I required him in His Majesty's name to pull it down. He replied, 'no, I will not; we have placed it there, and we are determined we will support it and nothing but a superior force to ourselves shall take it down' we are on American territory; Great Britain has no jurisdiction here; what we are doing we will be supported in; we have a right to be protected, and will be protected, in what we are doing, by our Government.'¹¹⁰

Baker was arrested in September and tried eight months later in the Canadian community of Fredericton. The jury returned a guilty verdict, convicting Baker of a high misdemeanor for which he was sentenced to two months in jail and a fine of twenty-five pounds. The infamous flag-raising ceremony was the centerpiece of the trial. In his sworn testimony, Morehouse described the standard as, ". . . a white flag with an American eagle and semi-circle of stars . . ."¹¹¹

Baker was sentenced by New Brunswick Supreme Court Chief Justice Saunders who seemed particularly interested in the defendant's rationale for his behavior and his apparent contention that the Madawaska region was not under the jurisdiction of Great Britain. In Saunders' response he noted that Baker, ". . . did not consider himself amenable to the process of this court, being a citizen of the United States, and that the offence charged was committed within their

¹¹⁰ John Francis Sprague, *The North Eastern Boundary Controversy and the Aroostook War* (Dover, Maine: The Observer Press, 1910), 78-79.

¹¹¹ *Ibid.*

territory; but the court could not admit this to be the case, it appearing clearly that the Madawaska settlement where the offence was committed has been, from the first erection of the Province, hitherto under our laws and subject to our jurisdiction.”¹¹² Clearly, the juridical Canadian position was that Madawaska was not to be considered part of the United States, let alone an independent nation.

It might have been well enough to dismiss Baker and his fledgling republic as the project of an eccentric frontiersman, without any serious ramifications for the great powers which faced each other across the Canadian-United States border. The Madawaska affair, however, was a particularly dramatic symptom of a larger conflict which involved controversy over the establishment of a permanent, well-defined border between the two nations, as well as dissatisfaction on the part of French Canadians with governance by Great Britain. In 1827, the Madawaska affair had come to the attention of no less a personage than John Quincy Adams who dispatched an envoy to investigate the matter. In a November entry, Adams’ journal reads, “Mr. Barrell went off . . . with several documents relating to the seizure and imprisonment of Baker.”¹¹³

Nor was the 1827 incident the end of Baker’s confrontations with the authorities. In 1830, he was still involved in efforts to assert Madawaska’s independence and a second warrant was issued for his arrest on charges of “sedition.” Baker fled into the forest to avoid arrest. He was actually convicted of charges once more in 1840 when he was fined twenty pounds for, “. . .

¹¹² Ibid., 95.

¹¹³ *Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*, ed. Charles Francis Adams (Philadelphia: J. B. Lippincott, 1875) 7: 357-358.

having enticed several soldiers to desert from the detachment of the 58th Regiment stationed at Madawaska.”¹¹⁴

As previously noted, Baker’s attempt to establish some sort of independent political status for Madawaska was only a manifestation of a much larger issue involving Canadian-United States border disputes between the British and American governments. As regards the Madawaska affair, however, the region in question was so hotly contested partially as the result of the attitude of the relatively new State of Maine, which was anxious at this time to assert its political authority along its border with Canada. Additionally, Maine had hitherto been inordinately dependent upon the logging industry until it was discovered that the disputed Aroostook basin might prove ideal for agricultural exploitation. With few exceptions, in Maine, “. . . the soil was thin, stony, ill-drained, and often acid . . . the prospects of agricultural expansion in Maine seemed dim. Up to 1830, say, the northern territory, including the land in dispute, was thought of as a wilderness of conifers and ponded streams. Then exploration came to the rescue and revealed the Aroostook basin as a geographical anomaly, a rich pocket of unusual soils set down in a land of spruce muskeg.”¹¹⁵

That is not to say that Maine, including the Madawaskans, did not value the logging industry as an important source of income. (After all, John Baker himself was a logging man.) It was rather that the new state wished to benefit from logging and agriculture both and, further, that agricultural pursuits were seen by many as a civilizing influence on the northeastern territory, as opposed to the rough-and-tumble logging culture. Logging had become so dominant in the

¹¹⁴ “Report of the Trial of Barnabas Hannawell, Jesse Wheelock, and Daniel Savage,” *The Fredericton Royal Gazette*, 19 October 1831, reprinted in *Remarks upon the Disputed Points of Boundary*, xvii-xix. Colebrooke to Sydenham, 1 May 1840, in George S. Rowell, “John Baker, A Hero of Madawaska,” pamphlet, 28 November 1911, 9.

¹¹⁵ Thomas Le Duc, “The Maine Frontier and the Northeastern Boundary Controversy” *American Historical Review*, Vol. 53, No. 1 (October 1947): 37.

region that agricultural pursuits were relegated to a sort of peripheral status since, “In Maine, as in New Brunswick, agriculture could not compete with lumbering for the meager supply of labor. Farmers often found it profitable to sell their hay and rent their teams to the lumber camps. They often hired themselves out for a winter in the bush, stayed longer and longer into the spring, neglected their farms, and eventually found themselves captives to a transient, extractive economy.”¹¹⁶

In a military sense, the culmination of this dispute is represented by the so-called Aroostook War in February of 1839. In that month, 10,000 troops of the Maine state militia occupied the Aroostook valley in a bloodless campaign often referred to as “The Pork and Beans War,” so named because the only casualty is reputed to have been a pig which strayed into the disputed territory from Canada. The operation was ostensibly intended to prevent the theft of timber in the Aroostook region, but, “. . . was transformed from a mere assertion of sovereignty over the disputed territory of the northeast into an active unilateral seizure of the region claimed by Great Britain under the terms of the treaty of 1783.”¹¹⁷ As previously stated, the dispute (including the Madawaskan and Indian Stream issues) was not completely resolved until the conclusion of the Webster-Ashburton Treaty in 1842.

As is so often the case, where the Webster-Ashburton Treaty is concerned, it was probably economic considerations which eventually lead to Maine’s more amenable, less confrontational stance in regard to resolution of the northeastern border controversy. While Maine might originally have preferred to retain control over an even larger portion of the territory than was specified in the treaty, even if it meant the nominal independence of the Republic of Madawaska as a friendly buffer state between itself and Canada, economic considerations may have

¹¹⁶ Ibid., 36.

¹¹⁷ Ibid., 30.

persuaded the state's leaders to accept a more equitable settlement. Concerning its economic situation, “. . . Maine was in a fiscal predicament . . . the state had incurred a large debt and now, like many another frontier state, she was having trouble in meeting her obligations. Permanent title to the disputed territory would improve Maine's credit position.”¹¹⁸

In the end, Maine proved willing to concede more territory to Canada, which included the division of the Madawaskan Valley, than was originally the case, concluding that such an arrangement would be advantageous in terms of relieving the state of its somewhat dire financial burden. This view was no doubt reinforced by the federal government's position which was characterized by a disinclination to engage Great Britain in yet another armed conflict over such a relatively minor issue with no significant bearing on national security or economic interests. British guarantees regarding duty-free shipment of goods out of the region along the lower St. John River gave Maine yet another incentive to make concessions. As early as 1841, “. . . one observes in Maine a retreat from the more extreme territorial claim . . . The argument was perfectly sound, but the significance of it is that it prepared Maine people . . . for a retreat that made the Webster-Ashburton Treaty acceptable a year later.”¹¹⁹

As for John Baker himself, the ownership of his land in Madawaska, as well as that of other settlers in the disputed northeastern region, was specifically addressed by the Webster-Ashburton Treaty. It will be remembered that Baker's land had been deeded to him by both the Canadian and Maine governments. Commissioners appointed by the Governor of Maine to protect the interests of Baker and others like him insisted on the incorporation of an article into the treaty guaranteeing that those lands remain in the possession of their current owners. Article IV of the treaty read, “. . . All grants of land heretofore made to either party within the limits of the

¹¹⁸ Ibid., 39.

¹¹⁹ Ibid., 41.

territory which by this treaty falls within the dominions of the other party, shall be held valid, ratified, and confirmed to the persons in possession under said grants, to the same extent as if each territory had by this treaty fallen within the dominions of the party by whom such grants were made”¹²⁰

What this meant for Baker is unclear except that he retained possession of most of his farmland. Although the information does not appear to be verifiable, tradition has it that a portion of his land was eventually seized by authorities on behalf of the New Brunswick government who eventually sold it to other parties. In any case, the “Father of the Republic of Madawaska” spent the rest of his life in relative poverty on at least a portion of the farm on which his tiny nation’s flag had first been raised. Baker died on March 10, 1868. His wife Sophie, who had designed the original Madawaska standard which was displayed at the infamous flag-raising ceremony many years earlier, moved to Fort Fairfield after the death of her husband where she lived to be almost one hundred years old. Sophie Baker died on February 23, 1883.¹²¹

Baker was originally buried on Canadian soil in St. Francis. However, acting upon a request by his daughter, Adeline Slocomb, his body was exhumed and reinterred at the Riverside Cemetery in Fort Fairfield, Maine. During its 1895 session the Maine legislature passed a resolution providing for the erection of a fitting memorial to this patriot and micronationalist pioneer. The legislation resolved, “. . . for a memorial commemorating the Patriotism of John Baker . . . that the sum of two hundred and fifty dollars . . . is hereby appropriated for the purpose of removing the body of John Baker from British soil to the town of Fort Fairfield and erecting a suitable monument, commending the patriotism, courage and suffering of the said

¹²⁰ George S. Rowell, A. M., “John Baker, The Hero of Madawaska,” *The Magazine of History with Notes and Queries*, July 1916, Vol. XXIII, No. 1, 7-8.

¹²¹ *Ibid.*, 8.

John Baker.” The monument, which still stands today, reads, “Erected by authority of a Resolve of the Legislature of Maine, A. D. 1895 to commemorate the Patriotism of JOHN BAKER a Loyal son of Maine in maintaining the Honor of his Flag during the contentions on the disputed territory 1834-42.”¹²²

The modern micronation of the Northern Forest Archipelago (NFA) has a direct historical and geographical connection with both the Republic of Madawaska and the Indian Stream Republic. Founded on September 21, 1998, this state includes the territory claimed by both of these short-lived nineteenth-century micronations. Although based upon, “. . . a series of ‘islands’ of private property and a few claimed parcels of state and federal land in New England’s Great Northern Forest . . . ,”¹²³ the Northern Forest Archipelago actually claims a vast swath of territory ranging throughout northern New York, Vermont, New Hampshire, and Maine.

The NFA was established by a group of environmentalists concerned about protecting the ecosystem of the Great Northern Forest and maintaining its pristine condition insofar as is reasonably possible. Considering that the area is located within the United States, the NFA, “. . . asserts a claim to legitimacy as a nation . . . [but] . . . does not intend to secede from the USA.” The three principles upon which the Northern Forest Archipelago is founded are: 1) the protection of, “. . . the woods, waters, and wildlife of the Northern Forest . . . ,” 2) the promotion of, “. . . the sustainable use and enjoyment of the woods, waters, and wildlife of the Northern Forest . . . ,” and 3) the dissemination of information concerning, “. . . the value and beauty of the woods, waters, and wildlife of the Northern Forest, so as to promote and insure (sic) their

¹²² Ibid., 8-10.

¹²³ Ryan et al., *Micronations*, 52.

protection over time.” The NFA motto proclaims, “Wilderness is not a luxury, but a necessity of the human spirit.”¹²⁴

Unlike the Madawaskan and Indian Stream republics, the Northern Forest Archipelago is a constitutional monarchy. The current head of state is King James III who is credited with having initially acquired and designated the “islands” of territory within the Great Northern Forest which became collectively known as Backwoods, the nation’s capital. The government is also comprised of various ministries typically associated with traditional nations (education, finance, justice, information, foreign relations, a judicial system, and a postal system).¹²⁵

Of all the various agencies of the NFA government, its postal system is probably the most remarkable. The government issues postage stamps which may be affixed to mail which is deposited in Postal Delivery Receptacles (PDR) located throughout the forested region of the NFA. Any NFA citizen traveling past one of these receptacles is authorized to collect the mail deposited therein for delivery to the addressees. In exchange for his or her services, the citizen postal worker is either compensated in the national currency or receives postage stamps. In essence, “Every citizen therefore is a potential postal worker.”¹²⁶

One wonders what John Baker or the founders of the Indian Stream Republic might think of the NFA micronationalist experiment. One of the obvious fundamental differences between those nineteenth-century micronations and the Northern Forest Archipelago is that the latter is founded on territory long since “settled” by the United States. The existence of the NFA is characteristic of the typical dependence of modern micronations on vastly more powerful traditional nations which surround them or within whose borders they are actually located. Providing more than

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid., 54.

mere physical survival, it is the political guarantee of free speech which allows the founders of the NFA and other similar North American micronations to proclaim their sovereignty in the first place and avoid the process of absorption which befell Madawaska and Indian Stream.

The establishment of the Northern Forest Archipelago demonstrates the influence of Madawaska and Indian Stream upon micronationalist undertakings in the twentieth and twenty-first centuries. Further, the principles upon which the Madawaskan and Indian Stream experiments were based were themselves influenced by precedents set in the early British colonies of North America and the subsequent revolution which led to American independence. Indeed, it was these events which firmly established the notion of the inherent right of a group of people to establish nationalistic political entities which more appropriately serve their interests than the traditional more powerful nations under whose jurisdiction they often languish.

Eventually, this concept spread throughout the Americas leading to the establishment of micronationalist states in Central and South America as well as in the northern regions of the hemisphere. Examples of such micronationalist experiments in the *southern* regions of the western hemisphere will be examined in the following chapter. In spite of similarities to their counterparts in the north, Central and South American micronations founded during this era will be seen to have, in some respects, been founded on more authoritarian principles than their North American cousins and to have often developed in ways unforeseen by their founders.

CHAPTER FOUR
SOUTH AND CENTRAL AMERICAN MICRONATIONS
IN THE NINETEENTH CENTURY

North American micronations of the nineteenth century, such as Madawaska and Indian Stream, tended to be founded by people who advocated democratic principles and were associated in one way or another with the great powers of the continent, Great Britain and the United States. While it is true that these short-lived nations were founded on territory originally controlled by Native Americans, the citizenry and government of both Madawaska and Indian Stream were of European origin and the establishment of these states did not overtly involve the subjugation of an indigenous people or an attempt to represent their interests. Also, at least where these two examples are concerned, the connection between these micronations, Great Britain, and the United States was characterized by concern over spheres of influence and attempts to establish jurisdiction.

By contrast, in Central and South America (as well as in the Caribbean) pre-twentieth century micronationalist experiments tended to be associated with a spirit of adventurism, as opposed to lofty democratic political goals. Typically, one or a few individuals (usually Europeans) located territory only marginally controlled by either the European powers or relatively recently established nations, and attempted to carve out what amounted to tiny private fiefdoms in remote areas. No doubt this accounts in part for the monarchical nature of most of the micronations established in this area of the world at that time.

Much less frequently there *were* instances of idealistically-minded individuals and groups who attempted to found micronations in this region. In 1892, for instance, journalist and teacher William Lane lead approximately one thousand followers in an attempt to establish a perfect

Utopian society they named New Australia. An English-born Australian, Lane organized the New Australian Cooperative Settlement Association to occupy 400,000 acres of free land provided by the Paraguayan government. Bickering among the settlers, as well as Lane's own authoritarian attitude, contributed to the dissolution of the settlement. Following a second attempt, Lane abandoned the project completely in 1899.¹²⁷

Much more common were those micronationalist undertakings typified by the "Kingdom of New France" founded by French attorney Orelie-Antoine de Tounens in the Araucania and Patagonia regions of southern Chile. De Tounens arrived in Chile on August 22, 1858, and, in the wilderness of the Araucania region, encountered Indians who were persuaded to acknowledge him as their monarch based upon ancient prophecies.¹²⁸

The indigenous people in question were the Mapuche or "people of the land" (*mapu* meaning "land" and *che* meaning "people"). These extraordinary inhabitants of the Araucanian and Patagonian regions resisted first the mighty Incan empire and then the European imperialist and South American neo-colonialist powers to retain their independence for over 350 years. The fierce tenacity of the Mapuche in pursuit of this goal is affirmed by Spanish military losses and destruction of materiel in campaigns against the Mapuche which were greater than similar losses throughout all of their other campaigns in the Americas combined. It was during the nineteenth century Mapuche struggle against the neo-colonial powers of Argentina and Chile that de Tounens arrived in the region. At the height of this conflict, "A gathering of native tribes had been told that they would be delivered from slavery by the arrival of a bearded European. Being

¹²⁷ Harold V. Livermore, "New Australia" *Hispanic American Historical Review*, Vol. 30, No. 3 (August 1950): 306-309.

¹²⁸ François LePot, *El Rey de Araucania y Patagonia* (Buenos Aires: Corregidor, 1995), 7-10.

French, Orelie-Antoine easily satisfied the latter requirement. Months without adequate grooming during his sea voyage assured that the former was also true.”¹²⁹

As an attorney de Tounens was intrigued by the jurisprudential aspects of the Mapuche situation in the context of international law. At this time, both the Chilean and Argentinian governments were attempting to annex Mapuche territory, justifying this process through an appeal to a sort of international “eminent domain” procedure. De Tounens’ monarchical claims appear to have been supported not only by his origin and appearance, but because, after having dealt with powerful enemies bent on their subjugation for over three centuries, Mapuche leaders were apparently astute enough in European ways to realize that legal as well as military prowess was necessary in order to deal effectively with their would-be conquerors.¹³⁰

The attitude of the Chilean government in regard to de Tounens’ assertion of sovereignty over Araucania is made clear by a communiqué written by an unidentified government envoy in response. In it, de Tounens’ claims are rejected as a violation of international law, comparing the situation to the submission of Arabian tribes to French authority, and an affront to Chilean sovereignty. He writes, “*Creo un deber el prevenir a los compatriotas de señor de Tounens que toda tentativa de invasion, de desembarco ilícito sobre el territorio la Republica, les expondrá a ser trades como piratas, conforme a las leyes internacioles . . . La tribus que habitan Araucanía están sometidas a su gobierno, con idéntico título que last tribus árabes de Argelia están sometidas a la dominación francesca.*” (“It is our obligation to prevent the followers of Mr. de Tounens from attempting an invasion, he having disembarked illegally in territory of the [Chilean] Republic, and in accordance with treaty should be dealt with as a pirate, in accordance

¹²⁹ Johnny Openshaw, “The Last Page: A Postcard from Patagonia,” *Stanford Review*, January 25, 2001, Vol. XXV, no. 6, <http://www.stanfordreview.org>.

¹³⁰ LePot, *El Rey de Araucania y Patagonia*, 73-74.

with international law . . . The tribes which inhabit Araucania are obliged to submit to [the legitimate Chilean government] in the same way that the Arab tribes of Argelia are obliged to submit to French domination.”)¹³¹

The keys to de Tounens’ success in winning over the support of the Mapuche apparently lay in the ongoing conflict this indigenous people were then waging against the government of Argentina and Chile, but most importantly he gained the endorsement of prominent “caciques” or tribal leaders. Without this support on the part of an already established hierarchy it is doubtful that de Tounens would have achieved as much as he did. Two of Tounens’ most important tribal supporters were the caciques Mañil and Quilapán. These two native leaders saw in de Tounens an opportunity to assert the independence of the Mapuche in a fashion which would be recognized as in accordance with European custom and tradition.¹³²

De Tounens’ legal training lead him to believe that the recently independent Republic of Chile lacked legal claim to Araucania as part of territories acquired from Spain in that the area had never been pacified by the Spanish. He realized that no legal claim could be based upon the “right of conquest” in this regard. It was his contention that the Bio-Bio River which had traditionally marked the boundary between Chile and Araucania was bound to be respected based upon international legal convention. De Tounens’ goal was to constrain Chilean authorities to accept his legal interpretation of this matter by establishing the area as a sovereign nation with himself as monarch and head of state.

To this end, de Tounens embarked on an expedition into Araucanian territory in 1860 accompanied by French settler F. Desfontaine (who became the kingdom’s first foreign minister)

¹³¹ André des Vergnes, *Antoine de Tounens (1825-1878): Le conquistador François fondateur du Royaume d’Araucania et de Patagonie* (La Rochelle: Quartier Latin, 1979), 147.

¹³² LePot, *El Rey de Araucania y Patagonia* (Buenos Aires: Corregidor, 1995), 27-30.

as well as Lorenzo Lopez, Santos Bejar Dulinau, and Juan Bautista Rosales (who served as interpreters and guides). (Rosales later became the “Benedict Arnold” of the kingdom when he betrayed de Tounens to Chilean authorities.) It was during this expedition that the French attorney encountered the aforementioned Mapuche “cacique” Mañil. Mañil’s assistance was invaluable in regard to the establishment of the kingdom, not to mention de Tounens’ safe passage through territory which had previously proven deadly for most Europeans. Moreover, Mañil was the first Mapuche authority with whom de Tounens discussed his regal aspirations and whose approval he secured.¹³³

Having declared the sovereignty of his nation to the Chilean and Argentine governments, the king settled temporarily in Valparaiso in anticipation of a response. During this time, he contacted friends and newspapers in France seeking financial support for his newly-established kingdom, as well as drafting a legal code based upon Napoleonic law. However, the Chilean government (whose response he was *most* anxious to receive) remained silent in the midst of a transfer of power from Manuel Monti to Joaquin Perez.

The news media in France, however, began to take notice of the king’s activities, although sometimes in a decidedly unflattering fashion. His Majesty complained that some French media accounts were “*desborde de sarcasmos*” (“overflowing with sarcasm”) and full of “*bromas indignas*” (“indignant jokes”). Stung by such criticism, the king remarked, “. . . *me parece que toda la prensa Francesca debería estar unánime en mi favor. . .*” (“. . . it seems to me that the entire French press owes me its unanimous support . . .”).¹³⁴

In the hope that the support of other tribal leaders might influence the Chilean government, in particular to respond to his claims of sovereignty, the king met with additional tribal leaders,

¹³³ Ibid.

¹³⁴ Des Vergnes, *Antoine de Tounens*, 244.

including Patagonian caciques to ask for their support. The response was almost universally positive as the king explained to his listeners that both natural and international law favored the establishment of a legitimate and recognized Araucanian nation. The success of these meetings emboldened the king to undertake another expedition the first week of 1862 which proved to be his undoing.

During this 1862 expedition Juan Bautista Rosales, the king's interpreter, guide, and servant betrayed the monarch to Chilean authorities. In collaboration with Chilean Colonel Cornelio Saavedra Rodríguez, Rosales arranged Orelie-Antoine's capture near an area known as *Los Perales* while the king was the guest of the cacique Juan Trintre. The Chilean government had apparently become impatient in regard to its attempts to pacify and annex the Araucanian region and viewed Orelie-Antoine's establishment of a kingdom there a significant impediment to this end. "*Esto ya sobrepasa la paciencia de la comandancia de Arauco, a cargo e el entonces coronel Cornelio Saavedra Rodríguez, politico y escritor . . . Su cargo era de Intendente de Frontera . . . 'pacificado de Arauco,' después de imponerse a los indígenas.*" ("This situation had developed beyond the patience of the [Chilean] headquarters of the Araucanian region under the command of Colonel Cornelio Saavedra Rodríguez, politician and writer . . . His [official] title was Administrator of the Frontier . . . [and he became known as the] 'pacifier of Araucania,' following the subjugation of the region's indigenous inhabitants.")¹³⁵

Rosales' motivation in betraying Orelie-Antoine is unclear. It has been suggested that, as a Chilean, Rosales had become alarmed at the progress the monarch was making in establishing his kingdom. Also, the Chilean government had offered a reward for the king's capture. The federal government, ". . . *con autorización de Presidencia de la República, habia ofrecido un*

¹³⁵ LePot, *El Rey de Araucania y Patagonia*, 52.

recompense . . . al destacamento que detuviera al francés.” (“. . . with the authorization of the President of the Republic, offered a reward [which was] posted for the arrest of the Frenchman.”).¹³⁶

During the course of the king’s subsequent trials, his jurisprudential skills held him in good stead with the Chilean courts. Among other things, the prosecution attempted to portray Orelie-Antoine as mentally deranged and a threat to Chilean national security. In his defense, the king asserted that the caciques who supported him represented the only *de jure* government in the Araucanian region and that he had been duly elected by them as their sovereign in accordance with international law. Additionally, he maintained that he had been illegally deprived of his liberty and that one of his chief motivations was to establish peaceful relations between Chile and Araucania.

Wishing to avoid offending the officers of the court, “*Orelie-Antoine insiste en sus derechos como monarca, aunque con menos fuego y convicción.*” (“Orelie-Antoine insisted on his rights as monarch, although [in this case] with less fire and conviction.”) Partially as a result of his brilliant *pro se* defense, the king was found not guilty, but was instead committed to an asylum for the mentally ill. Eventually, the French Charge D’Affaires secured Orelie-Antoine’s release and he was “exiled” to France.¹³⁷

In spite of his having been prohibited from travelling to Chile or Argentina, the king visited his realm on three more occasions, the last being in 1876. The “available king,” as he was derisively referred to by the French press, died in Periogord, France on September 17, 1878. Modern micronationalists, often motivated by concepts of self-aggrandizement, have been inspired by his story, noting that he was, “. . . *una leyenda, que alimentó en especial por*

¹³⁶ Ibid., 53.

¹³⁷ Ibid., 61.

autopromoción. Un hombre que nunca dejó de proclamar su quimera, pese a los fracasos y las burlas . . .” (“ . . . a legend, nourished in particular by self-promotion. A man who never hesitated to declare his dream, regardless of failure and ridicule . . .”).¹³⁸

The Mapuche were finally overcome by Argentine and Chilean military might some years after the death of Orelie-Antoine. As for the royal house, as the king had died childless and none of his relatives expressed interest in becoming his heir, the crown passed to Gustave-Achille Laviarde (Achille I), one of his close friends who had supported the establishment of the kingdom. In 1895, Achille I attempted unsuccessfully to convince President Grover Cleveland and the United States government to recognize the state which Orelie-Antoine had established. Achille I died on March 1, 1902.

Achille's heir was Antoine-Hippolyte Cros, also from the Perigord region of France who became Antoine II. Cros was notable in that he was a prominent physician and philosopher of his era. Cros' dynasty was continued after his death by his son who served briefly as Antoine III. Antoine III abdicated the throne in 1951 and it passed to the current Prince Philippe of Araucania.¹³⁹

The prince scored something of a coup by addressing the United Nations in 1961 concerning the rights of the Mapuche people and convincing the United States government to accept a diplomatic representative from the kingdom. In 1989, he visited the Araucanian and Patagonian regions of southern Argentina and Chile, although he was not universally acclaimed by the Mapuche, some of whom demonstrated at his appearances there holding signs reading, “Prince Philippe Go Home!” The royal house experienced a tragedy on January 21, 2006, with the death of the prince's wife, Elizabeth. Philippe has established a museum of the Patagonian and

¹³⁸ Ibid., 117.

¹³⁹ Martha Gil-Montero, “The Elusive Reign of Orelie-Antoine” *Americas*, Vol. 42, No. 5, (1990): 18.

Araucanian kings at the site of de Tounens' ancestral home in Perigord and continues to be a strong advocate for the rights of the Mapuche people. As the prince is of advanced age and childless there is widespread speculation in regard to who his successor may be.¹⁴⁰

Not all pre-twentieth century micronationalist experiments in Central and South America were based upon the kind of high-minded ideals espoused by de Tounens. One may dismiss de Tounens' kingdom as an idealistic, even quixotic, undertaking, but it seems apparent that he admired and was genuinely fond of the Mapuche who had elected him their sovereign. Often little consideration was given to the rights and welfare of the indigenous inhabitants of the region in which other Central and South American micronationalist states were established, and some were little more than bald-faced scams, the sole objective of which was financial gain for the greedy adventurers who founded them.

Consider the Territory of Poyais. Founded (or fabricated) by swashbuckling Scottish profiteer Gregor MacGregor during the first decades of the nineteenth century in connection with land bestowed upon him by His Majesty George Fredric August II (king of the Mosquito nations on the Honduran coast), Poyais came to symbolize one of the most remarkable scams of that era. When MacGregor returned to the United Kingdom in 1822, he was able to con settlers from the highest strata of British society into believing that a tract of land he had received from the Mosquito king was a pastoral independent nation, rich in minerals and other natural resources, which he governed as an absolute monarch or "Cazique." After representatives of the Cazique's "government" were formally received by the British government and the Court of St. James, several thousand would-be settlers invested great sums for land, commissions, bonds, and appointments in Poyais only to discover that this "territory" consisted merely of undeveloped

¹⁴⁰ Ibid.

swampland. Disease claimed the lives of many, while others found refuge in Belize.

MacGregor's success in having lead so many otherwise erudite and affluent Europeans astray have led some to claim that Poyais represents, “. . . the most audacious fraud in history.”¹⁴¹

MacGregor enjoyed something of an aristocratic background, being the grandson of Gregor the Beautiful, a distinguished Scottish clansman and Laird of Inverardine in Breadalbane. The elder MacGregor was promoted to a position as one of the first officers of the Black Watch and was regarded as an exceptional military man. It was the martial tradition of his family which initiated the younger MacGregor's involvement in the political affairs of South America and would eventually lead to his “establishment” of the Territory of Poyais.¹⁴²

After having served some years in the British military, MacGregor became fascinated with the nationalist movement in Venezuela and the attempt to retain its independence from Spain. Having declared its independence in 1811, the Venezuelan state had deteriorated into virtual civil war. A sizable segment of the population, led in large measure by Catholic clergy, advocated a return to Spanish rule, resulting in military confrontations between royalist and nationalist forces. In this time of crisis, “The [Venezuelan] Federal Congress . . . turned to its ablest soldier in panic when the priestly campaign to convince the people that they should return to the fold of the Spanish monarchy encouraged royal troops to . . . begin a two-pronged advance toward the capital.” That “ablest soldier” was General Sebastián de Miranda, whose dashing personality and personal success quite possibly inspired MacGregor to offer his services to the Venezuelan nationalist cause. The Congress, “. . . appointed Miranda Commander-in-Chief and

¹⁴¹ David Sinclair, *The Land That Never Was: Sir Gregor MacGregor and the Most Audacious Fraud in History* (Cambridge, Massachusetts: Da Capo Press, 2003), 5-23, 46-56, 64-76, 85-104, 107.

¹⁴² Ibid.

Head of State. The General was instructed on 2 April 1812, to take ‘all measures necessary in order to preserve the territory invaded by the enemies of [Venezuelan] liberty.’”¹⁴³

It may, in fact, have been Miranda who inspired MacGregor to pursue the Poyais fraud. The general was known as a pan-nationalist who advocated the unification of South America into a single political entity. In light of this proclivity on the part of Miranda, “It was perhaps significant . . . that MacGregor should thus fall under the influence of an older man of forceful and flamboyant personality who was obsessed throughout his life by the dream of founding a new Inca empire in South America. For this, in a modified way, was to remain an inspiration to the imaginative Scot . . .” For MacGregor, Poyais became his modification of Miranda’s dream.¹⁴⁴

MacGregor originally travelled from Britain to Kingston, Jamaica, hoping to insinuate himself into the island’s wealthy merchant and planter class after having received a rather substantial sum of money from the sale of the family estate at Inverardine. However, “. . . having no introductory letters to that place, he was not received into [Jamaican] society . . . MacGregor therefore knowing nobody, living well, and having no visible means of support, became an object of considerable jealousy and suspicion.” It was this turn of events which influenced the young adventurer to depart for Venezuela and seek out that nation’s new commander-in-chief to offer his services in the struggle between the royalist and nationalist forces. He arrived in Caracas in April of 1812 and promptly presented himself to General Miranda requesting a position under his command. The enterprising Scotsman, “. . . was

¹⁴³ Ibid., 131-132.

¹⁴⁴ Victor Allan, “The Prince of Poyais,” in *Diversions of History*, introduced by Peter Quennell, (London: Allan Wingate, 1954), 87.

rewarded with the rank of colonel, though, curiously, in view of his infantry experience, he was placed in charge of a cavalry battalion.”¹⁴⁵

In this capacity, MacGregor took full advantage of the opportunity given him and rose first to General of Brigade and eventually to a General of Division in Venezuela’s army. All of this transpired before his thirtieth birthday. Despite his later reputation as an unabashed charlatan in connection with the Poyais affair, MacGregor seems to have genuinely distinguished himself in the service of the Venezuelan nationalist cause. In particular, his tactical retreat during the crucial campaigns of 1816 became legendary as he made his way through over two hundred miles of primeval forest surrounded at times by vastly superior enemy forces. He was also instrumental in administering the *coup de grace* to Spanish forces at the Battle of Juncal. The great Venezuelan patriot leader Simon Bolivar personally decorated MacGregor with the medal of the Order of Libertadores.¹⁴⁶

Indeed, MacGregor’s connection with Bolivar became a familial one when he wed the attractive and aristocratic Doña Josefa Antonia Andrea Aristeguieta y Lovera whose mother was the Venezuelan liberator’s aunt, a fact of which he must most certainly have become aware. Apart from thrusting MacGregor into the upper echelons of Venezuelan society, his marriage to Josefa would prove to be an invaluable asset in regard to the Poyais fraud he perpetrated later in his life, for it was partly due to the attractive charisma of this outwardly charming couple that many upper class Britons were duped into investing large sums of money into the bogus micronationalist scheme. Josefa eventually adopted the title Princess of Poyais and her, “. . . exotic beauty caused something of a sensation when she arrived with her husband in London.”¹⁴⁷

¹⁴⁵ Sinclair, *The Land That Never Was*, 126-133.

¹⁴⁶ Allan, “The Prince of Poyais,” 87.

¹⁴⁷ Sinclair, *The Land That Never Was*, 190-191.

With the royalists routed and a nationalist republican regime installed in Caracas, MacGregor continued to harry the Spanish in South America and conducted his own private war with the blessings of Bolivar and other patriot leaders in the region. Among his other military exploits, the fortified Amelia Island fell to his forces, a considerable prize considering its tactical value in regard to Floridian shipping lanes. Forces under his command also took Panama's Porto Bello and New Granada's Rio Hacha, the former strategically located on the isthmus separating the Americas and the latter commonly used by the Spanish navy as a sort of treasure depot from which precious metals were transported to the mother country.¹⁴⁸ In the course of MacGregor's hit-and-run campaign, he disembarked with some of his colleagues on Nicaragua's Mosquito Coast early in 1820.

This lawless area saw the establishment of pirate headquarters in the region at the end of the seventeenth century, which in turn influenced the indigenous inhabitants to appeal to the British for protection from the buccaneers.¹⁴⁹ In spite of the littoral's being mostly comprised of inhospitable marsh land and home to all manner of loathsome pests, the English were keen to add the area to their empire in order to check the spread of piracy in the region. So it was that St. Joseph's settlement was founded as the United Kingdom laid claim, ". . . over the whole Caribbean coast of Nicaragua and Cost Rica, as well as over large parts of . . . Colombia (Department of Panama) and Honduras, for a length of seven hundred miles, and for maximum breadth of over two hundred miles."¹⁵⁰

This state of affairs continued until 1788, at which time the British abandoned St. Joseph, apparently having become satisfied that piracy had been driven out of the region, and left the

¹⁴⁸ Allan, "The Prince of Poyais," 88.

¹⁴⁹ Ibid.

¹⁵⁰ Alfred Hasbrouck, "Gregor MacGregor and the Colonization of Poyais, between 1820 and 1824" *Hispanic American Historical Review*, Vol. 7, No. 3 (November 1927): 438.

indigenous inhabitants to their own devices. These original denizens of the Mosquito Coast were Amerindians organized into various tribes and identified generally as Payas or Xicaques.¹⁵¹ In the process of vacating the region, the United Kingdom negotiated a treaty with Nicaragua which established a semi-autonomous Mosquito reservation ruled by King George August Frederick IV, the last Native American monarch to rule the area.

It was this Mosquitan sovereign who granted MacGregor the tract of land which became known as the Territory of Poyais. In regard to the king's motivations concerning this grant, it has been suggested that he was especially anxious to maintain a cordial relationship with the government of the United Kingdom and even hoped to reestablish a British presence within the reservation. The king, ". . . keen for support from Britain, might have made land available for settlement." However, "The King controlled only one of the tribes in the country, his authority was frequently challenged, and it was doubtful whether he had the power to determine the ownership of large tracts of land in the interior."¹⁵² Nevertheless, the Mosquito royal house was not merely the representative of a puppet regime installed by the English to do their bidding, but rather constituted a single line of succession from 1655-1894 and was for at least 239 years controlled by a single family group. In any case, the Mosquito nation had remained fiercely independent of Spain, the Federation of Central American States, and Nicaragua. The king was apparently convinced to the legitimacy of ceding this tract of land to MacGregor.¹⁵³

Whether or not MacGregor considered the transaction valid is unknown. There is also no way of knowing whether he ever seriously entertained the notion of legitimately colonizing the area and establishing it as a state. What is abundantly clear, however, is that he was perfectly

¹⁵¹ Ibid.

¹⁵² Sinclair, *The Land That Never Was*, 233.

¹⁵³ Michael D. Olien, "The Miskito Kings and the Line of Succession" *Journal of Anthropological Research*, Vol. 39, No. 2, "New World Ethnohistory," (Summer, 1983): 198.

aware that the tract of land ceded to him was a completely undeveloped swampy area infested by all manner of vermin (especially malaria-carrying mosquitoes) and lacking any amenities whatsoever. It is also clear that he completely misrepresented these circumstances as he convinced Britons from all social strata to abandon their homes and make the perilous and expensive journey across the Atlantic to settle in the “Territory of Poyais.”

In fact, the brazen nature and magnitude of the fraud he perpetrated is illustrated by the absurdly elaborate fabrications employed in his descriptions of the “territory.” Above all else, these fabrications are the most damning evidence against this opportunistic swindler. To the unwitting settlers he even described the territory’s capital city to the extent that, “The domes and colonnades of stately buildings flanked its tree-lined boulevards—the Royal Palace, the Parliament Buildings, the Opera House and the Cathedral. Mansions, banks and great merchant houses reflected the wealth . . . Here, on occasions of state, His Highness [MacGregor] was accustomed to drive in procession, attended by a glittering company of Knights of the Green Cross, whose privilege it was to ride with the sovereign, and escorted by a bodyguard of Poyaisian Lancers, the crack corps of his army.” To complete the picture, MacGregor even described the Poyaisian government as being, “. . . administered by three legislative houses, of which the House of Barons was supreme. Engravings of this mythical metropolis were printed and sold in thousands in the streets of London and Edinburgh.”¹⁵⁴

MacGregor returned to Britain in 1821 for George IV’s coronation and promptly proclaimed himself the Cazique of Poyais. Astonishingly, in spite of MacGregor’s blatant fabrication of a nonexistent country, Poyais became a prominent topic of conversation at the highest levels of British society. MacGregor was received by the Lord Mayor of London and enjoyed

¹⁵⁴ Allan, “The Prince of Poyais,” 89.

accreditation to the Court of St. James. Having received these tokens of official sanction, he then opened an office for the purpose of selling real estate in Poyais, aided by various fraudulent documents and a lavishly illustrated guide book.¹⁵⁵

On January 22, 1823, the *Kennerley Castle*, a ship chartered by MacGregor, departed from Edinburgh with 320 passengers on board bound for Poyais and the land they believed they had purchased there. On March 20, after eight weeks at sea, the ship arrived in the Sea of Poyais and the passengers disembarked near a lagoon. Immediately, it became obvious that they had been duped as, “There was no fertile soil; there were no gold mines; there was no . . . [capital] . . . city . . . much less any tree-lined boulevards . . . Instead there was unbearable humidity, dangerous swamps, no fresh water and mosquitoes everywhere.”¹⁵⁶

Nevertheless, the hoodwinked settlers initially attempted to make the best of the situation, pitching tents and constructing ramshackle huts on the banks of the lagoon. In fact, rather than blaming MacGregor for their desperate situation, many of them directed their ire instead at the middlemen involved in this deception and some even maintained that they had deliberately been brought to the wrong location. In their view, it was not MacGregor, “. . . but the agents who had misled them, the merchants . . . had sold them short, the captains who had deserted them”¹⁵⁷

Some of the settlers were even inclined to stay in spite of the dire circumstances. For many, although their situation represented an extreme disappointment, were somewhat more sanguine regarding the notion of remaining in “Poyais” than returning to a dismal life of poverty in Britain, especially after many had invested most or all of their financial resources in this undertaking. There were, after all, *some* redeeming characteristics of the environment in which

¹⁵⁵ Nick Morrison, “It Wasn’t Like This In the Brochure,” *Northern Echo* (Darlington, U.K.: Newsquest), 17 March 2003, 8.

¹⁵⁶ *Ibid.*

¹⁵⁷ Sinclair, *The Land That Never Was*, 225.

they found themselves. Their rationale was that, “Surrounded by timber for building, an abundant supply of game and edible plants for the table, and every prospect of being able to grow their own crops, they would live free and, best of all, they would be their own masters.”¹⁵⁸ Unfortunately for these resolute few, any decisions concerning whether or not to remain were taken out of their hands.

In the midst of deliberations regarding their situation, passengers and crew of the *Kennersely Castle* as well as those of the *Honduras Packet*, a second settlement vessel, encountered representatives of the British government of Belize who disembarked from the *Mexican Eagle* in the vicinity of the lagoon bearing gifts for the Mosquitian King George IV. These representatives, “. . . the Chief Magistrate of Belize, Marshal Bennet, and his clerk, a Mr. Westby . . . were expecting to meet King George Frederic at the mouth of the Black River.”¹⁵⁹ Of course, these gentlemen were completely unaware of any “Territory of Poyais,” although they conceded it was possible that His Majesty may have ceded land in the area to MacGregor in hopes of currying favor with the British. In any case, according to Mr. Bennet, “. . . the British government would have no hand in the settlement of the territory, because it had always resisted George Frederic’s appeals that it should be declared a British colony.”¹⁶⁰

Shortly thereafter, King George Frederic arrived for his meeting with the British representatives of Belize. A conference was held involving Bennet, Westby, His Majesty, and a Colonel Hector Hall who spoke on behalf of the settlers. The result of this conference did not augur well for the settlers and virtually ensured that they would be forced from the “territory” whatever their preferences might be in this regard. Edward Lowe, one of the survivor’s of the

¹⁵⁸ Ibid., 235.

¹⁵⁹ Ibid., 233.

¹⁶⁰ Ibid., 233-34.

ill-fated expedition, described the king's attitude toward the settlers and their plight a few years later in a London courtroom where MacGregor had audaciously filed suit against the publishers of the *Morning Herald* for libel based upon an article published by the newspaper describing his fraudulent activities in connection with the "Territory of Poyais."

On January 9, 1824, in the Court of King's Bench, Guildhall, Lowe testified in the case of *McGregor v. Thwaites & another*, "I was selected as one of a deputation to visit George Frederick Augustus, king of the Mosquito nation, to know what he intended to do with us. He declared that a grant had been given to McGregor, but, the conditions not being fulfilled, he held it null and void. He said we might remain, but must be in subjection to him, and renounce sir (sic) Gregor McGregor; and that no more should land without his permission."¹⁶¹ James Hastie, another survivor, added, "Failing which, he [the king] would bring down a strong force and massacre every man of us."¹⁶² The duped passengers of the *Kennerseley Castle* and the *Honduras Packet* had little choice but to accept evacuation by the Belize government. A mere 50 out of the 320 settlers ever returned to Britain, many having succumbed to malaria and other diseases.¹⁶³

Having for all practical purposes been exposed as a fraud, MacGregor relocated to Paris and attempted to interest the French in his "Poyais" scheme. This time, his plan was circumvented by alert French bureaucrats in the foreign office who noticed a suspicious number of passport applications listing Poyais as a destination. Once it had been determined that no such place existed, MacGregor was arrested. Even after having been apprehended in such a manner, MacGregor instructed his attorney, Maître Merilhou, to write, ". . . a highly coloured and

¹⁶¹ "Law Cases &c., Court of King's Bench, Guildhall, Jan. 9, *McGregor v. Thwaites & another*," in *The Annual Register, or a View of the History, Politics, and Literature of the Year 1824* (London: Baldwin, Cradock, and Joy, 1825), 22.

¹⁶² Sinclair, *The Land That Never Was*, 236.

¹⁶³ Morrison, "It Wasn't Like This In the Brochure," 8.

misleading account of his life and activities, in order to convince the judges of his good character and altruistic motives.” Entitled “Submission on behalf of General Sir Gregor MacGregor, Cacique of Poyais, in Central America,” the document stubbornly defended his claims, stating, “. . . in fact, on 29 April 1820—the king of the Mosquito tribe, George Frederic, had made to General MacGregor a grant of land situated by Plaintain river, along with power, among others, to make laws, to levy customs duties, and to make all necessary arrangements for the protection, the defence and the prosperity of that territory.” The judges were apparently unimpressed and at this trial MacGregor was found guilty and only released from prison with the understanding that he would be barred from ever again entering France.¹⁶⁴

In May of 1838, Josefa, MacGregor’s wife of 26 years died, an event which marked the passing of one of the few people in his life he had consistently dealt with on an honorable basis. In dire financial straits, he wrote to Venezuela’s current leader, General José Antonio Paez, requesting that he be allowed to return to that country and receive the military pension which he felt was owed to him based upon his services during the royalist-nationalist conflict. Paez responded warmly, “. . . telling him that he would be most welcome to return to Venezuela and to benefit from what was certainly due to him.”¹⁶⁵

MacGregor left Scotland and made his way to Caracas at some point in 1839. Upon his arrival, the Venezuelan authorities order the gazetting of his military status as a general in the army, the payment of his salary in arrears, and granted him a pension affording MacGregor a comfortable life in the capital. The general and micronationalist swindler died just before his fifty-ninth birthday in Caracas on December 4, 1845.¹⁶⁶ He was accorded full military honors at

¹⁶⁴ Sinclair, *The Land That Never Was*, 343-347.

¹⁶⁵ *Ibid.*, 307-308.

¹⁶⁶ *Ibid.*, 308-309.

his funeral to the extent that, “. . . the President of Venezuela marched behind his coffin . . .” and his name was added to the monument of Liberators which celebrates those who fought to free Venezuela from Spanish rule. British journalist quotes historian David Sinclair as observing of MacGregor that, “In some ways, he wasn’t a straight-forward con man—he was a fantasist and that helped to convince other people. Underneath it all, I think he was not a very nice man, but he must have been brilliant in his own way and he would have been marvelous company.”¹⁶⁷

Whether he was a con man or fantasist, MacGregor’s activities have been duplicated in the twentieth and twenty-first centuries, particularly in the Caribbean and Central America, by other micronationalists who have promoted projects involving countries which do not actually exist. A case in point is the Principality of New Utopia, a project under the leadership of Oklahoma City businessman Howard Turney (a.k.a. Prince Lazarus Long). The “New Utopia” project seems to lie somewhere between a fraudulent scheme and one of the so-called “new country” projects. Turney publicly unveiled his “New Utopia” concept in the mid-1990s. Like the Republic of Minerva project before it (a proposed artificial island), the Principality of New Utopia was to be located on a fabricated island above a coral reef. The location chosen was the Misteriosa Bank Reef located between Cuba, Mexico, and Honduras in the Caribbean, most of which is submerged below approximately twenty meters of water. For some time, an anchored buoy over the reef represented the only progress which had been made toward the construction of the island. (To complicate matters, the government of the Cayman Islands has reportedly expressed the view that the Misteriosa Bank lies within its jurisdiction.)

While the feasibility of Turney’s scheme may be questionable, there was nothing overtly illegal about it until he attempted to raise funds for the project. In the late 1990s, Turney was

¹⁶⁷ Morrison, “It Wasn’t Like This In the Brochure,” 8.

charged by the United States with offering \$350,000,000 in registered bonds to various investors, a clear violation of Security and Exchange Commission regulations. Although Turney continues to vigorously maintain his innocence, he was fined \$24,000 which went unpaid owing to his lack of assets and his retiree status. Currently the project continues to be pursued under the auspices of the Dallas Global Development Corporation, but as yet no island has ever been constructed.¹⁶⁸

The Kingdom of Redonda, as a concept, seems to lie somewhere between Orelie-Antoine's Araucanian kingdom and MacGregor's largely fictional Territory of Poyais. Whereas Orelie-Antoine's domain was an actual physical place with indigenous inhabitants who, to some extent, had acknowledged his sovereignty over them and their territory, MacGregor's "Poyais" cannot be said to have been much more than a dubious agreement between himself and the monarch of an established indigenous people regarding jurisdiction over a particular tract of land. By contrast, in the case of the Kingdom of Redonda, we have an instance of a nineteenth-century European unilaterally laying claim to uninhabited territory, and unlike, MacGregor, there seems to have been no attempt to capitalize on this claim through any fraudulent scheme.

Originally called *Ocanamanru* by the Carib people of the region, there is evidence (including agricultural artifacts, such as primitive stone tools) that Redonda was at one time used by prehistoric mariners as a stopover point during long sea voyages. When it was "discovered" by Columbus on November 11, 1493, the Italian explorer named it *Santa Maria la Redonda* (or St. Mary the Round). He considered it little more than a worthless outcropping of rock and for most of its subsequent history it remained uninhabited.

This changed in the 1860s when the island was annexed by the United Kingdom for the purpose of exploiting its mineral resources, including guano and phosphate. The Redonda

¹⁶⁸ Samuel Pyeatt Menefee, "Republics of the Reefs: Nation-Building on the Continental Shelf and in the World's Oceans" *California Western International Law Journal*, Vol. 25, No. 1 (Fall 1994): 81-111.

Phosphate Company, an American corporation who leased the mines from the British, conducted operations on Redonda until a hurricane destroyed its infrastructure in 1929. Since that time Redonda's only permanent occupants are seabirds and wild goats.¹⁶⁹

Quite probably the child of an Irish-born customs officer and a black female slave, Matthew Dowdy Shiel was born on Montserrat, one of the Leeward Islands of the Caribbean Sea, in the late summer of 1824. Owing in large measure to his light complexion, Shiel apparently prospered as a sea merchant, Methodist minister, and proprietor of a local store. In 1865, Shiel was sailing past a rocky island named Redonda, originally discovered for Europeans by Columbus and unclaimed by any government, European, indigenous, or otherwise. There is a modicum of evidence which suggests that Shiel was distantly related to Irish royalty and he was fascinated with the notion. Acting on this fascination, Shiel claimed Redonda for his infant son, Matthew Phipps.¹⁷⁰

Matthew Phipps Shiel later described the eventual outcome of this event, which resulted in his coronation as sovereign of Redonda, saying, "My Irish father, 'descended from kings,' had—wildly unlike his only begotten son!—an admiration for kings, and on my fifteenth birthday had me crowned King of Redonda by Dr. Mitchinson, Bishop of Antigua, with no little celebration, amid a gathering of ships (he was a ship owner) and of tipsy people—Redonda being a small island that no Government yet claimed."¹⁷¹ The younger Shiel thus became King Philippe I and the Kingdom of Redonda was born.

Amused, the London Colonial Office actually countenanced the claim by officially recognizing the kingdom. Having reached his majority, Philippe traveled throughout Europe

¹⁶⁹ Ibid., 31-33.

¹⁷⁰ Howard A. Fergus, *Gallery Montserrat: Some Prominent People in Our History* (Kingston, Jamaica: Canoe Press, 1995), 37.

¹⁷¹ M. P. Shiel: entry in *Living Authors* (New York: H. W. Wilson, 1931), 57.

accompanied by courtiers belonging to his retinue. One might dismiss all of this as some sort of grand lark were it not for M. P. Shiel's prominence as a science fiction and fantasy author. By granting titles to literary associates, Philippe sought to establish an "intellectual aristocracy."¹⁷²

However, the Redondan monarchy has proven to be an enduring and lively institution. Matthew Phipps Shiel (a.k.a. Philippe I) grew up to become a renowned science-fiction and fantasy author. In a style reminiscent of Edgar Allan Poe and Jules Verne, Shiel's work was widely acclaimed on both sides of the Atlantic and he enjoyed considerable financial success early in his adulthood. Probably his most well-known book is *The Purple Cloud*, published in 1901 which describes an apocalyptic event in which all of the earth's population is annihilated by poisonous gas with the exception of one man and one woman. In spite of his early success, however, Shiel's popularity and the sales of his books declined and he spent his last years in poverty and relative obscurity.¹⁷³

It is the Redondan monarchy's literary legacy which has most distinguished it from other micronations. Successors of Philippe I included John Gawsworth, Javier Marías, and Robert Williamson (a.k.a. Robert the Bald). These three individuals are representative of the contentious and tangled succession controversy which has characterized the kingdom. They are also representative of the literarily inclined nature of the royal house. In a section entitled, "Kingdom of Redonda: They Can Write But They Can't Rule," the authors of *Micronations: The Lonely Planet Guide to Home-Made Nations* observe that, ". . . even if we can't agree on who's king, let's at least agree that Redonda is undoubtedly the most literary entity in micronational history. During his day, Matthew Phipps Shiel was a significant . . . novelist of

¹⁷² Desmond V. Nicholson, *Antigua, Barbuda, and Redonda: A Historical Sketch* (St. John's Antigua: Museum of Antigua and Barbuda, 1991), 33.

¹⁷³ Kevin Jackson, "A Writer At Large: The Kingdom of Redonda," *Independent on Sunday* (Independent Newspapers UK, Ltd.), 2 March 2003, 27.

fantasy and science fiction; John Gawsworth was a respected poet of ‘neo-Georgian verse’; Javier Marías operates a Kingdom of Redonda publishing house; and both Javier and Robert have established literary prizes in the kingdom’s name.”¹⁷⁴

It was Shiel’s friendship with poet John Gawsworth which is probably responsible for both the literary nature of the Kingdom of Redonda as well as its penchant for court intrigue in regard to succession issues. The two met as a result of Gawsworth’s personal campaign to seek out lesser-known English writers. He encountered Shiel in Horsham, England, and the two eventually became fast friends. It was in Horsham that the ritual occurred by which Shiel, “. . . made minor cuts in his and Gawsworth’s right wrists, mingled their blood, and signed the document which proclaimed that on the death of Felipe I, the crown of Redonda should pass to Gawsworth.”¹⁷⁵

Upon Shiel’s death on February 17, 1947 at the Royal West Sussex Hospital in Chichester, Gawsworth proclaimed himself King Juan and initiated his reign. He seems to have been determined to create the “aristocracy of intellect” which Shiel had envisioned and promptly began to establish a Redondan peerage beginning with his issuance of three “State Papers” in 1947, 1949, and 1951. In these documents, Gawsworth issued honors to a variety of literary figures, both those who played an influential role in the life of Shiel and others who he himself admired. For instance, Welsh author Arthur Machen, known for such macabre tales as “The Great God Pan,” had a significant impact on the writing of both Gawsworth and Shiel, “. . . and

¹⁷⁴ Ryan et al., *Micronations*, 108.

¹⁷⁵ Jackson, “A Writer At Large: The Kingdom of Redonda,” 29.

he was created Archduke of Redonda and, as such, was the Premier Peer of the realm for the last five months of his life until his death in December 1947.”¹⁷⁶

It is estimated that Gawsworth, as King Juan, issued Redondan honors to no fewer than 57 people between the years of 1947-1951. The list includes Dylan Thomas (“Duke of Gweno”), Henry Miller (“Duke of Thuana”), Diana Dors, and Dirk Bogarde. One of Juan’s most notable appointments was Viscount St. Davids, a genuine British peer from one of Europe’s oldest and most prestigious families, who became Duke of Guano and Redondan Minister of Marine. As late as the early 1990s Lord St. Davids continued to command the Redondan royal navy whose canal boat flagship is anchored near his Regent’s Park home. St. Davids also designed the Redondan standard, “. . . a white flag with a green circle in it to represent the island, its centre yellow to indicate the guano”¹⁷⁷

The Redondan succession controversy, which continues to the present, may be traced to Gawsworth and, more specifically, to his particularly vicious and debilitating alcohol addiction. The poet king was known to, “. . . hand out peerages for the price of a glass of Burgundy . . .” and eventually signed an “Irrevocable Covenant” which designated his landlord, one William Reginald Hipwell, heir to the throne of Redonda in payment for back rent. So severe was Gawsworth’s alcohol problem, however, that he would again attempt to bargain for the throne, first through a newspaper advertisement offering to abdicate in favor of anyone who paid him 1,000 guineas. (Faced with possible legal proceedings on the part of Hipwell, Gawsworth withdrew the offer.) The next claimant was an Arthur John Roberts for whom Gawsworth composed and proclaimed yet another “Irrevocable Covenant” designating him his royal heir.

¹⁷⁶ Paul De Fortis, “A History of Redonda,” in *The Kingdom of Redonda: 1865-1990*, ed. Paul de Fortis, (Wirral, Cheshire: Aylesford Press, 1991), 24.

¹⁷⁷ *Ibid.*, 25-26.

(Some of Roberts' supporters assert that he remained the true monarch of Redonda until he donated the island to the United Kingdom in January of 1979.) When Gawsworth died on September 25, 1970, there were no less than eight possible contenders for the Redondan throne, including his daughter, his bartender, and his literary executor. In the end, it was his literary executor, Jon Wynne-Tyson, who emerged as Gawsworth's successor, at least in the sense that he seems to have been the only one of these contenders who took the matter seriously enough to pursue it and remain active in his position as Redondan monarch.¹⁷⁸ A literary enthusiast and environmental activist, Juan II (as Wynne-Tyson styled himself), wrote in 1989 that, "My reason for staying with this kingship thing is that there is some literary and environmental justification for keeping a pleasant . . . legend alive"¹⁷⁹

As Juan II, Wynne-Tyson apparently viewed the Redondan monarchy and nation as a vehicle for promoting literary pursuits and as a symbol of environmentally sound values. He continued, "I want Redonda left (literally) to the birds, and it seems to me that trying to set up a government and bureaucracy for a hunk of rock whose only subjects are seabirds is . . . a bit pointless"¹⁸⁰ During his reign, Juan II "toured" Redonda on two separate occasions, the first being in 1979 when he ascended King Juan's peak and planted "an ecological flag" over the island.¹⁸¹ The king was granted permission to visit his realm by the Antiguan government and accompanied by Antiguan officials, a situation which to some extent belies the monarchy's claim that Redonda is a sovereign nation. (Redonda was officially annexed by Antigua in 1869.)

¹⁷⁸ Jackson, "A Writer At Large: The Kingdom of Redonda," 31.

¹⁷⁹ De Fortis, "A History of Redonda," 30.

¹⁸⁰ *Ibid.*, 30-31.

¹⁸¹ Nicholson, *Antigua, Barbuda, and Redonda: A Historical Sketch*, 32.

It is at this point that the ongoing Redondan succession controversy becomes particularly confusing. A complete account of the minutiae involved in this dispute is beyond the scope of this work. Suffice it to say that, following the reign of Juan II, four major contenders for the throne of Redonda have emerged. These include the Spanish author Javier Marías (Xavier I), the barrister Cedric Boston (Cedric I), Robert Williamson (Robert the Bald), and William Leonard Gates (Leo V). In the interest of accuracy, however, a brief account of the other contenders demonstrates how widespread the Redondan micronationalist experiment has become and the degree of interest it has generated throughout the world. These other contenders include, “. . . an eccentric author in Alaska, a female descendant of the second king living in the north of England, a rumoured godson of the third king dwelling in Canada, an admitted non-legitimist barrister . . . in London, and a sycophant of . . . Wynne-Tyson living on a boat in the Caribbean.”¹⁸²

Javier Marías’ (Xavier I) claim to the Redondan throne is based upon his close relationship with Jon Wynne-Tyson (Juan II) who, it will be remembered, was also John Gawsworth’s (Juan I) literary executor. Marías came to Wynne-Tyson’s attention partly as the result of a novel he had written entitled *Todas las almas* (*All Souls*), a chapter of which is devoted to a description of the life of Gawsworth. He had in 1985 also written for the newspaper *El Pais* an article about Gawsworth with the Kiplingesque title “*El hombre que pudo ser rey*” (“The Man Who Could Be King”). Marías maintains that Wynne-Tyson made the decision to abdicate on July 6, 1997, and that he was designated as heir to the Redondan throne.

Marías apparently views his kingly role as perpetuating and expanding, in a light-hearted way, the “aristocracy of intellect” which has characterized the Redondan monarchy since Shiel’s

¹⁸² Jackson, “A Writer At Large: The Kingdom of Redonda,” 33.

time. He writes, “. . . it’s hard to resist the chance to perpetuate a legend, it would be mean-spirited to refuse to play along . . . if I was ready to carry on that legend, I also had to carry on the joke that it involved” Accordingly, in his role as Xavier I, Marías has created new sinecuristic offices for the kingdom, including “Physician to the Royal Psyche,” “Head of the Secret Service, or Man Who Knew Too Much,” and “Body-Snatchers Royal.” Probably the most celebrated person to have been ennobled by Xavier I is the filmmaker Francis Ford Coppola (Duke of Megalopolis). In a more serious vein, His Majesty has established *Reino de Redonda*, a royal publishing house, which, among other efforts, has undertaken to print Spanish translations of Shiel’s works, as well as acting as a clearinghouse for publications devoted to Redondan culture, art, and politics.¹⁸³

In *The Kingdom of Redonda: 1865-1990*, loyalist Paul de Fortis describes Cedric Boston (Cedric I) as, “. . . Redonda’s present and effective king”¹⁸⁴ Nevertheless, he also acknowledges that, “. . . nobody could describe the claim of King Cedric as legitimate” His justification of Boston’s claim rests on the monarch’s having stepped, “. . . in to the breach caused by the muddled succession to Gawsworth” and breathing, “. . . life into a kingdom in danger of atrophy or death.”¹⁸⁵ De Fortis appears to have adopted a stance in which he is not so much rejecting the other three principal contenders for the throne, but rather questioning the legitimacy of Wynne-Tyson’s having claimed the throne after Gawsworth’s death and, by implication, his right to appoint Marías (Xavier I) his successor.

Bolstering Cedric’s claim to the throne of Redonda is the support he received from survivors of the reign of Juan II (Wynne-Tyson) when he declared his intentions on February 11, 1984,

¹⁸³ Ibid., 34.

¹⁸⁴ De Fortis, “A History of Redonda,” 32.

¹⁸⁵ Jackson, “A Writer At Large: The Kingdom of Redonda,” 35.

including George Fraser (Duke of Neruda) and Viscount St. Davids (Admiral of Redonda's Navy and Duke of Guano). There is also possibility, however remote, that Shiel and Boston may be related as both come from Montserrat, an island with a very small population which has largely maintained an introspective marital tradition.

One of the most noteworthy accomplishments during the reign of Cedric I has been the establishment of the Royal University of Redonda located somewhat incongruously in Newcastle-upon-Tyne, England. The university contains seven faculties comprised of Science, Medicine, Divinity, Arts, Law, Music, and the arcane field of Vampyrology. He also raised a considerable sum of money for disaster relief following the devastation of Hurricane Hugo and meets regularly with his peers.¹⁸⁶

Of the four major current contenders for the Redondan throne, the claim of Robert Williamson (Robert the Bald) is perhaps the most tenuous. Canadian by birth and now living in Antigua, Williamson maintains, somewhat cryptically, and apparently in reference to Xavier I, that “. . . Jon Wynne-Tyson encouraged him to seize the Redondan crown so as to keep the vile Spanish from re-taking the Caribbean.”¹⁸⁷ In a reference to Gawsorth's alcohol problem, Williamson writes, “. . . that [during] King Juan's stormy rule . . . royal sozzlement set in and he started hurling knighthoods around like confetti.”¹⁸⁸ For unclear reasons, Williamson has also designated Britain's Queen Elizabeth as Empress of Redonda.

Whatever his motivations, Robert the Bald appears to have taken the entire Redondan micronationalist concept somewhat more lightly than the other three contenders, with less apparent regard for the monarchy's literary heritage (although he claims to have written several

¹⁸⁶ Ibid.

¹⁸⁷ Ibid., 36.

¹⁸⁸ Ryan et al., *Micronations*, 108.

books), focusing instead on the sale of merchandise associated with Redonda and *his* royal house. His extensive use of the Internet in the promotion of this merchandise caught the attention of another contender, William Leonard Gates (Leo V), who declared, “The impostor King Robert the Bald has had the gross impertinence to set his ‘claim’ on the internet, thereby . . . gratuitously insulting the present king from a distance of 3,000 miles”¹⁸⁹

To evaluate Gates’ claim to the throne, one must examine the second “Irrevocable Covenant” drawn up by Gawsworth which designated Arthur John Roberts his royal heir. As previously stated, there is a Redondan faction which maintains that the passive rule of Roberts (King Arthur or sometimes Juan II) ended in January of 1979 when he is alleged to have donated the island to the United Kingdom. However, yet another faction contends that Roberts’ rule continued until October 26, 1989, when he abdicated in favor of Gates, a close friend who taught history and developed an interest in Redonda after attending classes in heraldry.

Gates continues the Gawsworthian tradition of holding court at Charlotte Street’s Fitzroy Tavern located in London’s Fitzrovia District. The pub is renowned as the watering hole of various literary luminaries, including Gawsworth, Dylan Thomas, and George Orwell, among others. Under the direction of Leo V, the pub has been designated a Redondan embassy and, as such, sought to avoid the nationwide British ban on smoking in public places.

In contrast to his indignant attitude toward Robert the Bald, Leo V holds a much more respectful view of Xavier I in regard to the Spanish author’s claim to the Redondan throne. Acknowledging the Spaniard has no malicious intentions, he nevertheless posits that, “. . . a highly renowned literary genius, with respected international academic connections has become

¹⁸⁹ Ibid.

embroiled in a matter of deception amounting to fraud.”¹⁹⁰ This statement is characteristic of the extreme seriousness with which the various Redondan factions view the ongoing succession controversy and seems to run counter to Gawsorth’s *own* statement that, “The legend should remain . . . pleasing and eccentric a piece of literary mythology to be taken . . . with some amusement, but without grave seriousness.”¹⁹¹

In regard to the Redondan succession controversy (it would seem improper to refer to it as a “crisis” as it seems to have become a more-or-less permanent state of affairs), while this issue may seem petty, particularly to the uninitiated, it is worth chronicling in detail as a prime example of the intensity and seriousness of many micronationalists concerning their countries’ histories, the sometimes bitter power struggles which often characterize their governmental affairs, and the tenacity with which they cling to their dreams of nationhood. It is no small feat to adequately compose such a chronicle and the reader’s indulgence is requested in this regard as it is necessarily lengthy. However, the insights to be gained concerning the motivations of many typical micronationalists (especially members of that community in the twentieth and twenty-first centuries) justify the inclusion of the details of this integral aspect of Redondan history. Additionally, such a chronicle will illustrate how a micronationalist endeavor may endure and contribute substantially in a culturally significant manner to the community of nations even in the absence of a substantial population actually inhabiting the territory in question.

As previously noted, these three micronationalist ventures, the Kingdom of Araucania, the Territory of Poyais, and the Kingdom of Redonda are characteristic of nineteenth century attempts to establish small independent states for both legitimate and illegitimate purposes in the Caribbean, Central America, and South America. In contrast with nineteenth century

¹⁹⁰ Jackson, “A Writer At Large: The Kingdom of Redonda,” 30-35.

¹⁹¹ *Ibid.*, 36.

micronationalist experiments in North America, such as the Indian Stream Republic and the Republic of Madwaska, the founders of these states were typically and principally motivated by a spirit of adventurism and self-aggrandizement, as opposed to the democratic principles and self-determination espoused by their North American counterparts. Also, the two North American micronationalist experiments cited involved tension and interaction with older, larger, and more well-established world powers (Britain and the United States), resulted largely from the failure of these powers to establish well-defined borders for settlers already in these regions, and did not involve fraudulent attempts at settlement in a misrepresented territory of highly questionable legal status, as in the case of Gregor MacGregor's Territory of Poyais. Finally, these nineteenth century North American micronations neither sought sovereignty over uninhabited (or virtually *uninhabitable*) territory, as in the case of the Kingdom of Redonda, nor were they founded by alien entities seeking to establish authority over an indigenous people, such as the Mapuche of Orelie-Antoine's Araucanian kingdom.

However, the micronationalist phenomenon predates the nineteenth century and is not confined to the Western Hemisphere. The search for some of the world's oldest micronations, some of which are still extant, leads to Europe and Asia where the motivations for founding these tiny self-proclaimed nations are both similar and different from those in evidence in the Western Hemisphere. Just as Asia and (especially) Europe contributed to the establishment of the so-called "legitimate" nation states of the Western Hemisphere, they also nourished concepts which lead to the development of a modern micronationalist movement. The following chapter examines three pre-nineteenth century Asian and European micronations, two of which are associated with European imperialist designs and another which is deeply rooted in late antiquity and is among the world's oldest micronations. The extraordinary success and longevity of some

of these micronations continues to serve as inspiration for those micronationalists who aspire to actual sovereignty and recognition by “legitimate” nations.

CHAPTER FIVE

NINETEENTH AND PRE-NINETEENTH CENTURY ASIAN AND EUROPEAN MICRONATIONS

One characteristic often shared by many micronations during and prior to the nineteenth century is that they are often associated in some sense with the European continent. For instance, both the Indian Stream Republic and the Republic of Madawaska were founded by citizens of European origin and represented a manifestation of European colonial designs on the continent of North America. The Araucanian Kingdom, Territory of Poyais, and Kingdom of Redonda are all examples of micronations founded by Europeans in the southern region of the Western Hemisphere. The micronationalist enterprises to be examined in this chapter focus on European efforts to establish diminutive states in Asia and an example of such a state located on the continent of Europe itself.

As is the case in regard to the aforementioned micronationalist ventures in the Western Hemisphere, similar projects in Asia were essentially an outgrowth of imperialist proclivities common among the great and “legitimate” nations of that era. The official attempts of various European governments to establish hegemony in various regions of Asia are well documented and, in many cases, very successful. Often inspired by official success in this regard, lone opportunists, seemingly not content with their roles as representatives of an established European power, sought to carve out their own fiefdoms independent of their native countries’ imperialist claims on foreign territory. Like MacGregor, Orelina-Antoine, and Shiel in the Western Hemisphere, these were men “who would be king.”

One such aspiring monarch was Charles-David de Meyréna who in 1888 journeyed to Vietnam's (at that time French Indo-China) central highlands claiming to be an official representative of the French government. Described as, “. . . a ne'er do well adventurer and explorer,” it is doubtful that his mission was officially sanctioned. Meyréna convinced Père Guerlach and Père Irigoyen, two Catholic missionaries in the region, to act as guides and interpreters in connection with negotiations he conducted with local chieftains aimed at establishing an independent kingdom with himself as its sovereign. Initially, still claiming to represent the French government, Meyréna merely focused on trade agreements between the central highlands, the French authorities, and the rest of the region. However, on June 3 of that year, he had a constitution drawn up at the town of Kon-Gung naming him “King of the Sedangs.” Thus, the Kingdom of Sedang was born.¹⁹²

It is doubtful that Meyréna had received much more than marginal endorsement from the French government, this Belgian adventurer's claim to sovereignty over the Central Highlands region was tacitly endorsed by Résident-supérieur Rheinart of the French protectorate of Annam in which the Kingdom of Sedang was located. Partly basing his claims of legitimacy on this endorsement, Meyréna declared himself *Marie I, Roi des Sédang* (Marie I, King of Sedang). That he did not enjoy the unequivocal support of the French government is evidenced by negotiations which took place in September of 1888 in which he unsuccessfully attempted to convince colonial authorities to fully recognize his newly-established kingdom.¹⁹³

These negotiations, held in the French strongholds of Haiphong and Qui-Nong, not only failed to bear fruit, but even led to threats on the part of Meyréna to seek German or British

¹⁹² James Patrick Daughton, *An Empire Divided: Religion, Republicanism, and the Making of French Colonialism, 1880-1914* (Oxford: Oxford University Press, 2006), 73.

¹⁹³ Oscar Saleminck, *The Ethnography of Vietnam's Central Highlanders: A Historical Contextualization, 1850-1990* (Honolulu: University of Hawaii Press, 2003), 51.

support. Given the region's militarily precarious situation, its being claimed also by the Siamese government, the French were apparently unwilling to entrust the area to an opportunistic soldier of fortune such as Meyréna. Additionally, it was rumored at the time that the area might contain large deposits of gold, and it certainly had the potential to become a profitable center of trade due to the auriferous rivers in the area. In the face of French recalcitrance, Meyréna returned to Europe in a vain attempt to convince various governments there to support and recognize his fledgling kingdom. Even so, he became a minor celebrity in French society and, like many another micronationalist sovereign, managed to eke out a relatively comfortable existence by charging fees for ennobling various persons as peers of his realm. Events took a more serious turn when he began to organize a military expedition to consolidate his claim on the Sedang region through force of arms.¹⁹⁴

In Brussels, Meyréna was provided with funding for this military venture by a Belgian financier named Somsy. Apparently concerned about adverse publicity should his financial backing of Meyréna's enterprise become publicly known, Somsy requested that the Sedangian king keep his identity secret on the voyage back to French Indo-China. The king and his party departed from Anvers on the *Sachsen*, bound first for Southampton. However, the opportunity for self-aggrandizement proved too tempting for Meyréna and in spite of his, "... firm promise to Somsy that he would remain incognito during this new expedition, by the time the *Sachsen* arrived at Southampton . . . all of his fellow passengers were aware that Marie I, king of the Sedang was on board." From that point on, the pomp and circumstance continued for, "On 21 January 1890, the ship arrived at Genoa and then continued across the Mediterranean to Port Said. There, at the Grand Hotel de France, Mayréna was host at a sumptuous banquet for

¹⁹⁴ Ibid., 50-51.

twenty-three guests . . . Mayréna also took the opportunity to add to his entourage two Nubian servants . . . and on 31 January he led all of the passengers in a toast to his forty-eighth birthday.”¹⁹⁵

Trouble began when the ship docked in Singapore. Disagreements had already broken out among Meyréna’s party as its members jockeyed for position in the proposed Sedangian government. To make matters worse, word arrived that French ships were blockading Vietnamese ports to prevent his return. Singapore authorities then confiscated the arms on board the *Sachsen* as contraband. Finally, in the king’s absence, opposition to his return was now shared by Dutch and British authorities as well.¹⁹⁶

Frustrated by his inability to return to Sedang, his military equipment confiscated, and abandoned by his associates, Meyréna eventually settled in Tioman, an island off the coast of Singapore. It was there on November 11, 1890, after having only just left Europe ten months earlier in an effort to reclaim his kingdom, that Marie I died. There has been speculation regarding the cause of his death ranging from poisoning to a mortal wound suffered in a duel.¹⁹⁷ A Sedang Royalist Assembly, founded in Montreal, Canada, on November 2, 1995, continues to function although there has been no attempt to revive the monarchy and interest in the kingdom is largely limited to philatelists interested in the series of postage stamps issued during the reign of Marie I.

As a practical matter, the French government at the time of Meyréna’s death seems to have been most concerned about the involvement of the clergy in the establishment of his kingdom. (It will be remembered that support in this regard was forthcoming from the bishop of Qui-Nhon

¹⁹⁵ Gerald Cannon Hickey, *Kingdom in the Morning Mist: Mayraena in the Highlands of Vietnam* (Philadelphia: University of Pennsylvania Press, 1988), 158.

¹⁹⁶ Saleminck, *The Ethnography of Vietnam’s Central Highlanders*, 52.

¹⁹⁷ Ibid.

and missionaries under his direction.) Scandalized by the involvement of the church in this affair, French Indochina's Governor-General Richaud wrote, "M. de Mayréna's efforts to have himself acknowledged as king of these territories would not in itself be a serious matter. What is gravely important is the fact that the Mission should have chosen sides with . . . [this] . . . person" ¹⁹⁸ As Strauss writes of the Kingdom of Sedang, "This is one more example of what was possible when the great powers hadn't yet consolidated their grip on remote parts of the world." ¹⁹⁹

The modern Malaysian state of Sarawak represents yet another example of European influence in regard to the establishment of a micronationalist state in Asia. There is, however, contention within the community in regard to whether Sarawak properly belongs in this category. Like Orelie-Antoine's Araucania, Sarawak existed as a distinct political entity before European influence was brought to bear in that region. Unlike Araucania, the European who became sovereign in the territory successfully founded a dynasty which ruled for over one hundred years. This dynasty also differed not only from Araucania, but Redonda and Sedang as well, in that the sovereigns it produced actually resided in the territory which they actively governed. Finally, this European Sarawak dynasty was formally recognized by powerful, traditional, and "legitimate" states of its era.

Presently, Sarawak is considered the largest Malaysian state and is located on the northwest side of the island of Borneo. Ethnically diverse, its population consists of indigenous peoples such as the Punans, Kelabits, Muruts, and Dyaks, as well as inhabitants of Chinese, Filipino, Indian, and European origin. Borneo as a whole has been described as, ". . . a geographically inhospitable land. Except in the extreme north there are no natural harbours. Ships must shelter

¹⁹⁸ Ibid.

¹⁹⁹ Strauss, *How To Start Your Own Country*, 138-139.

in the mouths of muddy rivers, across each of which there is a bar . . . Once the bars are passed the complex river system provides the only means of communication for many miles inland.”

One such river is the Sarawak along which, in the early sixteenth century, dwelt proudly independent princes who “paid only fitful obedience” to the powerful Islamic Sultan of Brunei, thus establishing the region’s tradition of independence prior to the nineteenth century.²⁰⁰

The Sarawak region eventually began to attract the attention of the great European powers, including Britain, Portugal, and the Netherlands. By the early nineteenth century the region was nominally allied with the Brunei Sultanate under the leadership of Oma Al Saifuddin II. A chaotic political situation, involving a rebellion by the Dyak tribe and various members of the Malaysian royalty, resulted in the Sultan’s decision to direct the Rajah Muda Hasim to restore order. It was a revolt, however, which the Rajah, “. . . found himself unable to quell . . . The rebels were known to be seeking help from the Dutch . . . Hasim knew enough of world politics to see that he could counter by making friends with the British.”²⁰¹ After aiding the survivors of a British shipwreck near the Sarawak River, Hasim received an envoy from the government of the United Kingdom in the person of the English explorer and adventurer James Brooke.

Born on April 29, 1803, into an aristocratic family deeply involved with the East India Company, Brooke was groomed from an early age for military service and spent his early adult years as a cadet stationed in India. Brooke first saw action during the Burmese War in which, “. . . his gallantry was so conspicuous that he received the thanks of the Government’ but, being shot through the lungs, his native air was deemed necessary to his recovery, and he returned to Europe.” Upon the death of his father, Brooke inherited a large fortune and determined to return

²⁰⁰ Steven Runciman, *The White Rajahs: A History of Sarawak from 1841 to 1946* (Cambridge: Cambridge University Press, 1960), 6-15.

²⁰¹ *Ibid.*, 59.

to the Far East, this time selecting the northwest coast of Borneo as his destination. Using funds from his inheritance, he purchased the yacht *Royalist* and set sail with a hand-picked crew of twenty men in October of 1838.²⁰²

When the *Royalist* docked in Singapore the British governor enlisted Brooke as an envoy to the Muda Hasim to express the British government's gratitude for the Rajah's assistance in regard to the shipwrecked sailors and to insinuate the influence of the United Kingdom in the area. On August 1, 1838, Brooke landed at Cape Tanjong Datu in western Sarawak and met with the Rajah a few days later in the city of Kuching. Muda Hasim portrayed the Dyak rebellion as inconsequential, although he seemed anxious to curry favor with the English and was interested to know whether or not they would be willing to counter Dutch influence in the area and their support for the rebels. Following a brief tour, Brooke departed to report on his negotiations with the Rajah.²⁰³

British officialdom was less than pleased with Brooke's activities *vis-à-vis* Muda Hasim. Apparently, the governor had meant for Brooke to restrict his negotiations with the Rajah to trade issues and was unhappy that political and military matters had also been discussed. The governor's view was that, "It was one thing to discuss the opening of trade relations, but quite another to mention politics. [Brooke] had been most incautious; what if the news of his conversations came to Dutch ears?"²⁰⁴

Stung by this official rebuke, Brooke nevertheless determined to visit Sarawak once again and did so, arriving in Kuching on August 29, 1840, with the purpose of visiting Muda Hasim before setting sail for England. This time he was acting more-or-less independently of the British

²⁰² Hugh Low, *Sarawak; Its Inhabitants and Productions: Being Notes During a Residence in that Country with H. H. the Rajah Brooke* (London: Richard Bentley, 1848), xiii-xvi.

²⁰³ Runciman, *The White Rajahs*, 59-62.

²⁰⁴ *Ibid.*

government, and his original intention appears to have been simply to pay a brief informal visit before returning home. Given subsequent events, it would seem that his original diplomatic mission for the British government laid the groundwork for his establishment of a dynasty that would last for over a century.²⁰⁵

This time Brooke discovered that the rebellion was continuing unabated, and it was apparent that Muda Hasim now viewed the situation with increasing alarm. So concerned was he that he now offered to make Brooke Rajah of Sarawak in return for any military leadership and assistance the Englishman would be willing to provide. This unlooked for opportunity convinced Brooke to remain, and through little more than his personal charisma, his small crew, and the *Royalist's* guns he managed to suppress the rebellion and was officially named Rajah and Governor of Sarawak on November 25, 1841.

Forty-five years later, the British naturalist and explorer Alfred Russell Wallace appraised Brooke's ascension as the Sarawak head of state and the reasons for his success in that post. Wallace observed that, "Sir James Brooke found the Dyaks oppressed and ground down by the most cruel tyranny. They were cheated by Malay traders, and robbed by the Malay chiefs . . . From the time Sir James obtained possession of the country, all this was stopped. Equal justice was awarded to Malay, Chinaman, and Dyak."²⁰⁶ Author Henry Ling Roth further observes that, "In forming a proper estimate of Sir James Brooke's government, it must ever be remembered that he held Sarawak solely by the goodwill of the native inhabitants . . . That his government still continues . . . is due . . . to his having convinced the native population . . . that

²⁰⁵ Ibid.

²⁰⁶ Henry Ling Roth, *Natives of Sarawak and British North Borneo: Based chiefly on the MSS. Of the late Hugh Brooke Low, Sarawak Government Service*, (New York: Truslove and Comba, 1896), xvi.

he ruled them, not for his advantage, but for their good.”²⁰⁷ As in the case of Orelie-Antoine and his Araucanian kingdom, it seems that Brooke was truly concerned for the welfare of his subjects and not completely motivated by adventuresome opportunism.

Sarawak avoided succession crises, such as the controversy in this regard associated with the Kingdom of Redonda, for over one hundred years and the Brooke dynasty became known as the reign of the “white rajahs.” James Brooke died in 1868 and was succeeded as rajah by his nephew Charles Johnson Brooke, although the latter did not actually take the oath of office until October 11, 1870.²⁰⁸ Author Steve Runciman observes that James’ successor continued to be held in high esteem by the native population of Sarawak albeit in a different manner than his predecessor. He writes that, although the new rajah, “. . . could not arouse among the native tribes the almost romantic affection that followed Rajah James wherever he went . . . Charles inspired awe and admiration, which are, perhaps, a better basis for government.”²⁰⁹

On *his* death, Charles was succeeded by his son, Charles Vyner Brooke on May 24, 1917. It was at this time that the basis for a succession crisis and the uncertain future of Sarawak as an independent state became evident. It has been suggested that this second “white rajah” would, “. . . have preferred to be succeeded by his second son.” Whether or not this is so cannot be conclusively demonstrated one way or the other. In any case, the succession documents stated that, “. . . no material developments or changes in the State or in the Government thereof and no new works such as public works . . . shall be initiated by my son Vyner without first consulting

²⁰⁷ Ibid., xvii.

²⁰⁸ Runciman, *The White Rajahs*, 159.

²⁰⁹ Ibid., 160.

my [younger] son Bertram.”²¹⁰ Thus, “The second Rajah’s ill-concealed distrust of his son and heir . . . had caused acrimony within the family.”²¹¹

Vyner ruled as Sarawak’s third “white rajah” and achieved British knighthood in 1927. The Japanese invasion of Borneo in 1941 resulted in an interregnum until the region was liberated by the Australian military in 1945. At this point, Vyner was pressured by the British government to cede control of Sarawak to the United Kingdom.²¹² And so, on July 1, 1946, in spite of widespread opposition among the native population, “. . . Sarawak’s incorporation as one of His Majesty’s colonies was publicly proclaimed. The rule of the White Rajahs was ended.”²¹³ Or was it? As it turns out, this was not quite the final end of the Brooke dynasty in Sarawak.

Buoyed by the anti-cessionist sentiment which followed incorporation, Vyner’s nephew Anthony Brooke took up the cause of Sarawak independence and sought to reverse the situation through legal means. In addition to Vyner’s influence, auguring for repeal of the cession was the fact that it had been achieved by plebiscite and the margin by which it passed was slim. Anti-cessionist Sarawak natives, “. . . seeing how narrowly the Bill had been passed—and passed only by the votes of European officials—could not believe that it might not be possible to repeal it. Demonstrations would show their sentiments; and there must be constitutional ways of agitating for a revision.” Anti-cessionist sentiment was particularly strong among the Malaysian natives of Sarawak. Many of their officials protested cession by resigning from their positions. Anthony, who held the post of *Rajah Muda* in his uncle’s government, was viewed by anti-cessionists as their last best hope in this regard. They championed Anthony as the legitimate

²¹⁰ Ibid., 231.

²¹¹ Ibid., 243.

²¹² James S. Olson, Robert S. Shadle, *Historical Dictionary of the British Empire* (Westport, Connecticut: Greenwood Press, 1996), 200.

²¹³ Runciman, *The White Rajahs*, 263.

head of state and, “The ex-Rajah Muda, to whom they looked for leadership, equally hoped to find some constitutional means that could be effective.”²¹⁴

Indeed, Anthony had been deeply involved in the negotiations with the British government regarding Sarawak’s cession. His uncle had appointed him as his representative on the Sarawak Commission, which met in England in an attempt to resolve the issue. As a first step toward British dominance in Sarawak, the Colonial Office in June of 1944, “. . . proposed a change . . . to make the Foreign Jurisdictions Act applicable to Sarawak as well as to extend the authority of the British [Sarawak] Representative to invest that individual with an effective voice in both policy and administration.” Negotiations were terminated when Rajah Vyner objected to these terms. When talks resumed in March of 1945 . . . Anthony continued the resistance previously exhibited by the commission.”²¹⁵

Following the cession of Sarawak, the British government exiled Anthony from the country and forbade him to reenter. This may have been the catalyst which caused more extreme elements within the anti-cessionist movement to take matters into their own hands instead of restricting their effort to constitutional means. In any case, “It cannot be said that the Government handled the problem wisely . . . Whether it was legally or ethically correct to refuse a British citizen his rights on the ground that he might cause trouble is uncertain; but it was foolish . . . because it showed the Malays that nothing would be gained by keeping to constitutional methods and encouraged the wilder among them to take direct action.”²¹⁶ Such direct action was not long in coming and it paved the way for a truly final end to the Brooke dynasty.

²¹⁴ Ibid., 264.

²¹⁵ Max Seitelman, “The Cession of Sarawak” *Far Eastern Survey*, Vol. 17, No. 3 (February 11, 1948): 35.

²¹⁶ Runciman, *The White Rajahs*, 264.

Anti-cessionist fervor reached its peak on December 3, 1949. On that date, the new British governor, Duncan Stewart, was stabbed and killed by a young Malaysian anti-cessionist. This event proved to be *the* catalyst which truly ended the Brooke dynasty. Anthony Brooke immediately began using his influence to discourage further anti-cessionist acts. Finally, “Early in 1951, Anthony Brooke telegraphed . . . [anti-cessionist organizations] . . . to urge them not to demonstrate ever again; and in a dignified notice to the press he announced that he was asking his friends and supporters in Sarawak to accept His Majesty’s Government.”²¹⁷

After almost two decades of British rule, Sarawak was one of the major theaters of the Indonesian Confrontation throughout most of the 1960s when it became an autonomous region of the Malaysian federation on September 16, 1963. During this conflict, Malaysia and Indonesia joined forces to root out communist insurgents operating along the Sarawak-Indonesian border who sought to become a “. . . Viet-Cong type terrorist band.”²¹⁸ These Maoist-inspired insurgents operated with Beijing’s blessings and were championed by the Chinese government and media who, “. . . hailed them as ‘an important breakthrough in lighting the torch of armed struggle’ in the Indonesian countryside.”²¹⁹ The struggle was essentially an attempt to resist Chinese communist hegemony in that part of the world as advanced by their insurgent proxies, and the fierce independence of the Sarawak people, nurtured for so many years by the Brooke dynasty, proved to be a major contributing factor to the success of the Indonesian and Malaysian forces.

It is difficult to appraise Sarawak’s situation as regards its cession to the United Kingdom and its subsequent incorporation into the Malaysian federation. As concerns the former matter,

²¹⁷ Ibid., 264-265.

²¹⁸ Justus M. van der Kroef, “The Sarawak-Indonesian Border Insurgency” *Modern Asian Studies*, Vol. 2, No. 3 (1968): 245.

²¹⁹ Ibid.

American Vice Consul in Singapore Max Seitelman wrote in 1948 that the cession of Sarawak to the British was far more advantageous to the United Kingdom than to the citizens of this formerly independent state. He notes that, “With the cession of Sarawak on July 1, 1946, the British Colonial Empire was increased by an area almost as large as England and a population of some 487,000 persons, according to a count made in 1940. On the surface, it would appear that Sarawak took a retrograde step in terms of surrendering its independent statehood to enter a colonial empire.”²²⁰ In any case, nostalgia for the “White Rajahs” still lingers as evidenced by the continued interest taken by James Brooke, the great grandson of Anthony, who routinely involves himself in the internal affairs of Sarawak, such as the preservation of the distinctive architecture of the region, apparently with the widespread encouragement of the indigenous population.²²¹

Unfortunately, for those who pine for the return of the “White Rajahs,” that notion seems but a forlorn hope. Even at the present time, “In some of the Malay kampongs [native villages] there are still irreconcilable foes of cession, who sigh for the return of the King over the Water: but they are no more significant than the Jacobites of the eighteenth century . . . As yet the peoples of Sarawak live in harmony, the harmony which the Brookes brought to them.”²²² This rare national harmony is possibly the most positive and enduring legacy of the Brooke dynasty of the “White Rajahs.”

Unlike micronationalist endeavors of the nineteenth and pre-nineteenth centuries in the Western Hemisphere and Asia, European micronations of this era tend to have been established

²²⁰ Seitelman, “The Cession of Sarawak,” 35.

²²¹ John Teo, “Preserve Kuching’s Architectural Heritage,” *New Strait Times*, September 26, 2008, http://www.nst.com.my/Current_News/NST/Columns/2359683/Article/index_htm1-44k-20 (accessed September 26, 2008).

²²² Runciman, *The White Rajahs*, 266.

by indigenous populations. In contrast to Sedang, Sarawak, Redonda, Araucania, and others previously mentioned, it is rarely the case that a would-be monarch from outside of the continent has attempted to establish a government in a small area of Europe with himself as its titular head. More often, it has been a situation in which such independent political entities have been established in connection with the predominant feudal political system of the Middle Ages. Also, in a traditional jurisprudential sense, these tiny European states typically enjoy a more well founded claim to some measure of legitimacy. The Principality of Seborga, situated in the Italian Alps, is one example of such an entity.

Like Redonda, and owing in part to its ancient lineage, a chronicle of the history of Seborga is necessarily lengthy. Also, as was the case previously in regard to the Redondan succession controversy, a somewhat detailed account of Seborgan history is in order for the purposes of fully understanding its dissimilarity from the micronationalist entities of the Western Hemisphere and Asia, particularly concerning issues of legitimacy, sovereignty, and recognition. The principality's association especially with the Holy See, as well as other well-established traditional European states, augurs well for its claims to legitimate status. Having for hundreds of years exercised effective control over its internal affairs, the principality has for much of its history enjoyed *de facto*, if not *de jure*, sovereign status. Finally, recognition of the principality has been historically forthcoming from many of its neighbors and, it may be argued, continues in a tacit sense to the present.

The Principality of Seborga is a city-state which was founded in 954. Its territory covers four square kilometers and essentially consists of a medieval castle and the land surrounding it. The government of Seborga claims that the principality is the world's first constitutional monarchy and that its Parliament is the oldest in Europe, predating even the Icelandic *Althingi*. Where its

legitimacy is concerned, it is a fact that, “. . . there is no mention of Seborga in Italy’s Act of unification (1861) or in the declaration of the Italian Republic in 1946.”²²³ According to German historian Wolfgang Schippke, the Italian dictator Benito Mussolini, while at the same time asserting Italian sovereignty over the Swiss canton of *Graubunden*, “. . . wrote in 1934 that ‘for sure the *Principato di Seborga* does not belong to Italy.’”²²⁴

An account of the various justifications for Seborga’s claim to independence and autonomy is almost as tortuously convoluted as the history of the Redondan succession controversy.

Although the Seigneurie of Seborga was referred to in documents dating to the ninth century, its claim to sovereignty originated in 954 C. E. when the Marqui Guido, Imperial Lord of the *Castrum Sepulchro* (or “Castle of the Sepulchre,” as Seborga was then known) and Count of Ventimiglia, bestowed this area to the Abbey of Lerins near Cannes, France. In that year, “*Guido, conte di Ventimigli . . . per una crociata contro i Saraceni, don all’abated del monastero benedettino di S. Onorato in Lerin la Chies di S. Michele in Ventimiglia con apio territorio annesso e il paese di Seborga.*” (“Guido, Count of Ventimiglia, in connection with a crusade against the Saracens, gifted to the abbot of the Benedictine monastery of St. Onorato in Lerin the Church of St. Michael in Ventimiglia along with the territory of the village of Seborga.”)²²⁵

For those who argue in favor of Seborga’s legitimacy in a traditional sense, this document gifting Seborga to the Abbot of St. Onorato is the foundation upon which such claims are made. Through this process, according to the current Seborgan government, Guido unquestionably, “. . .

²²³ Ryan et al., *Micronations*, 55.

²²⁴ Ibid.

²²⁵ Nilo Calvini, *Il Principato di Seborga: Un Millennio di Storia* (Imperia, Italy: Dominici Editore, 1992), 20.

. dissociated Seborga and its surrounding territory from the rest of the County of Ventimiglia.”²²⁶ Guido’s document established a region with a territory of approximately fourteen square kilometers with, “. . . the Castle of Seborga and its surrounding territory ‘cum Metro et Libero Imperio,’ . . . i.e., with full sovereignty” More importantly, it placed Seborga within the purview of the Holy See.²²⁷

Seborga’s relationship with the Holy See represents perhaps its most legitimate claim to sovereignty based upon traditional international law. In 1079, “. . . *il Conti Spedaldo, forse della famiglia di Ventimiglia, dona tutti I beni ch’egli possiede a Sebolcaro (Seborga) . . . donazione che fu causa di lunghisimi fastidi ai monaci*” (“. . . Count Spedaldo, possibly of the family of Ventimiglia, donated all the goods and land he possessed in Seborga . . . this donation being on account of the troublesome monks”)²²⁸ It will be remembered that Count Guido of Ventimiglia had originally donated Seborga to the Benedictine monastery of St. Onorato in Lerin. The “troublesome monks” to whom Spedaldo refers were the monks of the Abbey of Cluny who, “. . . received from Pope Benedetto VII the right to incorporate the Abbey of Lerins into its . . . network . . . The monks of Cluny landed in Lerins in 982 and expelled the monks of Lerins who refuged in their (only) sovereign fief, Seborga”²²⁹ The situation was reversed in 1073 when the “Lerino-Seborgans” reacquired their territory in Lerins. The importance of this series of events, in terms of Seborgan legitimacy, is that for the first time the sovereignty of Seborga, with its Prince-Abbot as head of state, was countenanced by papal authority, and its subservience to the abbey at Lerins was ended. The donation of Seborga a second time by a

²²⁶ Diplomatic and Consular Corps of the Principality of Seborga, *Principality of Seborga: Synopsis of Sovereignty Elements*, Version I, (Principality of Seborga: Seborga Press, 2008), 3.

²²⁷ Ibid.

²²⁸ Conte E. Cais di Pierlas, *I Conti di Ventimiglia: Il Priorato di San Michele* (Turin: Stamperia Reale Della Ditta G.B. Paravia E.C., 1884), 31.

²²⁹ Diplomatic and Consular Corps, *Principality of Seborga*, 4.

representative of the Ventimiglia family to the principality's abbot further enhanced its claim to sovereignty, and shortly thereafter both, ". . . Pope Gregory VII and Emperor Henry IV elevated Seborga to the rank of Imperial Principality of the Holy Empire . . . [and it] . . . was under the . . . protection of the Holy See."²³⁰

Seborga's assertion that it is the home of the world's oldest parliamentary body has generated almost as much controversy as its claim to sovereignty. Although the Seborgan government is unable to pinpoint the precise date on which the *Chapter* was established, an official publication states that well before 930 C. E. there was in Seborga, ". . . a ruling body called [the] 'Seborgan Chapter' or 'Seborgan Parliament,' composed of eight local family heads" These eight members of the *Chapter* enjoyed rights equal to those of the Seborgan prince (who was elected by that body) and, "This equality of rights continued under the [Abbot] of Lerins, the new Lord [of Seborga] from 954" ²³¹

The *Chapter* served in part to provide Seborgan citizens with an historical sense of their independence and a greater measure of social and political equality than was typically the case in the Ligurian region of Italy where the principality is located. While not entirely able to prevent executive abuse and hubris, the *Chapter* acted as a check on the power of the Seborgan head of state and became a symbol of national unity. By contrast, Cervo, another similar principality in the Ligurian region, was well known for corruption, internecine strife, and nepotism, to the extent that, "A glance at the picture of the Cervo elite . . . shows how almost all the principal men of the *castello* were involved . . ." Cervo became, ". . . a jurisdiction of subordinates versus

²³⁰ Ibid., 5.

²³¹ Ibid., 3.

omnipotent court notaries . . . In spite of the law . . . that prescribed sortition . . . corruption had continued.”²³²

Seborga’s contention of sovereignty was further bolstered in 1159 when, “. . . Pope Alexander III entrusted to the care of the Grand Master of the Templars the custody of the Principality ‘as and on behalf of the Abbey of the Holy Island of Lérins.’”²³³ The pope’s decree was based upon the bull of his predecessor Innocent II entitled *Omne Datum Optimum* which was issued in March of 1139 and delineated the rights of the Knights Templar, a medieval monastic order active in the Crusades. The bull states that, “We establish that the house or Temple in which you have assembled for the praise and glory of God and the protection of his faithful . . . with all its possessions and goods which it is known to hold legitimately at present and which may be obtained in the future by grant of bishops, by generosity of kings or princes, by gift of the faithful or by other just means under the guidance of Christ will be under the protection and tutelage of the Holy See for all time to come.”²³⁴

Additionally, the Templar order itself traces its roots back to the Principality of Seborga and one of several Cistercian monastic houses founded in the region by the powerful Bernard of Clairvaux. Established in 1113, the Cistercian house in Seborga was visited in February of 1117 by Bernard who released the abbot and the monks in his charge, “. . . from their vows, and gave a solemn blessing to the whole group, which departed for Jerusalem in 1118”²³⁵ It was this

²³² Edoardo Grendi, “The Political System of a Community in Liguria: Cervo in the Late Sixteenth and Early Seventeenth Centuries,” in *Microhistory and the Lost Peoples of Europe*, ed. Edward Muir and Guido Ruggiero, trans. Eren Branch (Baltimore: John Hopkins University Press, 1991), 122-125.

²³³ Diplomatic and Consular Corps, *Principality of Seborga*, 6.

²³⁴ Malcolm Barber and Keith Bate, *The Templars* (Manchester: University of Manchester Press, 2002), 60-61.

²³⁵ Tim Wallace-Murphy and Marilyn Hopkins, *Custodians of Truth: The Continuance of Rex Deus* (Boston: Weiser, 2005), 117.

group which evolved into, “. . . the order that came to be known as the Knights Templar in Jerusalem in 1118.”²³⁶

Omne datum Optimum, the same papal bull which broadly defined the rights of the Knights Templar *vis- à- vis* the order’s relationship with the Holy See, also conferred upon the Principality of Seborga the status of *Nulius Diocesis*. This status exempted Seborga from the jurisdiction of any other ecclesiastical authority, specifically a bishopric or archdiocese, and any taxation levied by them. This is a particularly important point in regard to Seborga’s assertion of sovereignty in that, “. . . the Holy See grants the ‘Nulius Diocesis’ only to states that it recognizes as sovereign.”²³⁷ As if to make it abundantly clear that the Knights Templar, and by association the Principality of Seborga were independent of any authority save that of the Holy See, the bull even exempted the order from obedience to the ecclesiastical entity originally responsible for its founding. The bull, “. . . ruled that the Order of the Temple [Knights Templar] should be exempt from all intermediary ecclesiastical jurisdiction and be subject only to the Pope. Even the Patriarch of Jerusalem, before whom the founding knights had taken their vows, lost any authority over the order.”²³⁸ The Seborgan government maintains that the rights conferred upon it by the *Nulius Diocesis* clause of the *Omne Datum Optimum* remained in effect until at least 1946. This conclusion is apparently shared by elements of the Italian judiciary as evidenced by the ruling of Judge E. Cannoletta in 2007 in which he states that the *Omne Datum Optimum* provides, “. . . the certain proof that until 1946 Seborga was recognized independent by the Pontifical State through the right to enjoy the so-called ‘Nulius Diocesis’”²³⁹

²³⁶ Ibid., 118.

²³⁷ Diplomatic and Consular Corps, *Principality of Seborga*, 6.

²³⁸ Piers Paul Read, *The Templars* (Cambridge, Massachusetts: Da Capo Press, 2001), 116.

²³⁹ Diplomatic and Consular Corps, *Principality of Seborga*, 6.

In terms of the larger issue of legitimacy in regard to micronationalism, this quality is often thought to derive from the antiquity of a state and/or its recognition by an ancient and well-established nationalistic political entity. Unlike many other younger micronations, Seborga has been clearly recognized and sanctioned by one of the most ancient and widely recognized states, the Holy See. However, as shall be made apparent, even the endorsement of the Pontifical State proved insufficient in regard to the preservation of the sovereign status of the principality.

For example, the provisions of the *Omne Datum Optimum* relating to Seborga's *Nulius Diocesis* status notwithstanding, the principality's claim to autonomy was seriously challenged in 1481 when the entire County of Provence (in which Seborga is located) was absorbed into the Kingdom of France. This created a legal quandary in that, ". . . the monks of Lérins became subjects of the King of France while they themselves held . . . sovereignty rights . . . [in regard to] . . . the Principality of Seborga."²⁴⁰ At the same time, the French government ordered the termination of the principality's practice of minting its own currency which led the Seborgan government to the brink of bankruptcy. As a consequence of these dire financial straits, the Abbey of Lérins attempted to sell the principality, albeit illegally since according to the *Omne Datum Optimum*, as previously observed, it remained, ". . . under the protection and tutelage of the Holy See for all time to come."²⁴¹

In 1729, the abbey found a prospective buyer in the person of king Vittorio-Amadeo II of (Piemonte) Sardinia. The Seborgan government maintains that, in addition to the illegality of this transaction under the terms of the *Omne Datum Optimum*, the document pertaining to it was never registered and, ". . . remained in the personal archive of the King of France until 1787."²⁴²

²⁴⁰ Ibid., 8.

²⁴¹ Barber and Bate, *The Templars*, 60-61.

²⁴² Diplomatic and Consular Corps, *Principality of Seborga*, 10.

A nineteenth century account of events portrays the king's attempted purchase of Seborga as an unscrupulous attempt to, “. . . change a free, ancient, and quasi-independent state into a land of servitude . . . (. . . *mutare una libera, antica e quasi indipendente signoria contro terre che gli recavano servitu . . .*).²⁴³

Despite the unsuccessful attempt by Vittorio-Amadeo II to annex Seborga, the House of Savoy which dominated the Kingdom of (Piemonte) Sardinia *did* occupy the principality in 1730 continuing, however, to recognize the legitimacy of its prince. Seborga's somewhat ambiguous legal status was subsequently clarified in part by the Concordat of 1741 enacted between the House of Savoy and the Holy See, particularly its clause pertaining to the status of *Jus Patronatus*. A previous, “. . . concordat of 1727 with the House of Savoy gave the new Kingdom of Sardinia only a share of the rights it asked for, but a second of 1741 obliged Benedict XIV to permit church appointments in the state to be regulated exclusively to royal preferences”²⁴⁴ Negotiated primarily as the result of dissatisfaction with papal interference in civil affairs, particularly among the Houses of Savoy and Bourbon, ecclesiastical influence in this regard, “. . . ended with . . . [the] . . . 1741 concordat (there was a second in 1745) and the final abolition of the Holy Office's authority in questions of state.”²⁴⁵ Although at first blush these developments might be seen as auguring against Seborga's claim to sovereignty, the *Jus Patronatus* clause of these agreements, while preserving the principality's independence, conferred upon the House of Savoy the responsibility of appointing Seborga's local priest. In keeping with legal custom dating to the Middle Ages, “The *Jus Patronatus*, that a lord who has founded a church appoint a clergyman of his own choice, goes back to the sixth century . . .

²⁴³ Domenico Carutti, *Storia del regno di Vittorio Amedeo II* (Firenze: LeMonnier, 1863), 194.

²⁴⁴ Stewart J. Brown and Timothy Tackett, *The Cambridge History of Christianity* (Cambridge: Cambridge University Press, 2006), 26-27.

²⁴⁵ *Ibid.*

Accordingly the house or castle ‘is in possession of immunity’ and represents the ‘organizational center and legal focal point’ of the dominion of the lord.” Hence, while diminishing ecclesiastical authority over civil affairs in Seborga, the Concordat of 1741 preserved its status as an independent protectorate state as guaranteed by this agreement between the Holy See and the House of Savoy.²⁴⁶

In 1791 the French government established the short-lived Ligurian Republic (1791-1805) in the region in which Seborga is located. This republic annexed several small “Imperial Fiefs” (*fedui impriali*) inside of and adjacent to its borders, including Vecchio, Arquatta, Francavill, Torriglia, Montegiardino, Stalanello, and Ronco. Conspicuous by their absence from this group are the principalities of Monaco and Seborga. Additionally, the Regency Council of the Kingdom of (Piemont) Sardinia acknowledged the sovereignty of Seborga in August of 1791 specifically to avoid its being annexed by the Ligurian Republic.²⁴⁷ This is particularly significant in regard to Seborga’s claim to sovereignty in that when the Kingdom of (Piemont) Sardinia became the Kingdom of Italy in 1861 there was no reference made to Seborga in the Act of Unification.²⁴⁸

However, the French occupation under which the Ligurian Republic was founded *did* lead to a *de facto* annexation of Seborga, although this was not formally stated in any official documents. The 1797 Treaty of Campo Formio, under which the Ligurian Republic was founded, essentially concluded a peace agreement between the French under Napoleon Bonaparte and the Austrian government. The Austrians were, therefore, the only European power which recognized the republic and, once, again, Seborga’s inclusion in it was never

²⁴⁶ W. Grossman, “Toleration—*Exercitium Religionis Privatum*” *Journal of the History of Ideas*, No. 1, (1979): 130.

²⁴⁷ Diplomatic and Consular Corps, *Principality of Seborga*, 14.

²⁴⁸ Ryan et al., *Micronations*, 55.

officially acknowledged. The treaty was primarily an agreement between Austria and France recognizing each other's hegemony over certain regions and, "By the Peace of Campo Formio . . . Austria gained . . . a promise that [France] would use its influence to help the emperor obtain Salzburg and part of Bavaria. In return the Austrians . . . recognized the Cisalpine and Ligurian republics established under French influence in northern Italy."²⁴⁹

With the defeat of the French under Napoleon I, the Congress of Vienna was convened by the victors and the two Treaties of Paris (1814 and 1815) had far reaching implications in terms of Seborga's claim to sovereignty. Essentially, the treaties' intent was to reward those nations allied against France and punish those who supported the French cause.²⁵⁰ The victorious European powers who had defeated Napoleon, ". . . resolved that Italy should be pecked to pieces; and so she was, and remained so until 1859. No nation came out of the Congress of Vienna as maltreated as Italy . . . In the north the kingdom of Sardinia, including Piedmont, Liguria, and Sardinia, was allotted to the House of Savoy ruled over by Victor Emanuel I . . ."²⁵¹ Although Seborga was never formally a part of the Ligurian Republic, the Congress of Vienna effectively returned the principality to the House of Savoy. However, the treaties produced by the Congress also ceded, ". . . the Roman state to the Pope . . .,"²⁵² implicitly recognizing the Holy See as an autonomous political entity, and, by extension, validating the sovereignty of Seborga as a protectorate enjoying the aforementioned right of *Jus Patronatus* provided for in the Concordat of 1741 concluded between the papal state and the House of Savoy. The crux of the matter is that Seborga's claims to sovereignty have always been

²⁴⁹ C.W. Crawley, *The New Cambridge Modern History: War and Peace in an Age of Upheaval* (Cambridge: Cambridge University Press, 1965), 255.

²⁵⁰ Diplomatic and Consular Corps, *Principality of Seborga*, 15.

²⁵¹ Giovanni Luzzi, *The Struggle for Christian Truth in Italy* (New York: Fleming H. Revell Company, 1913), 246.

²⁵² *Ibid.*

ultimately founded upon its relationship with the Holy See. The Treaties of Paris, apart from legitimatizing the authority of the House of Savoy over the Ligurian region, contain absolutely no provisions which can in any way be construed as negating the relationship between the Principality of Seborga and the Holy See.

Prior to the Italian unification of 1859, the Sardinian monarch Alberto I drafted and published the *Statuto Albertino* which essentially became the new constitution of the Ligurian region, nullifying to some extent provisions of the Concordat of 1741. It was utilized in particular for the purposes of, “. . . the annexation of the free cities of the Ligurian coast . . .,” particularly Roquebrune and Menton in 1849.²⁵³ Faced with a growing demand for greater civil liberties, Alberto and other heads of state in the region sought to satisfy their subjects through such constitutional arrangements which provided for elected legislative bodies. This dissent was largely associated with and fueled by the, “. . . movement to unify Italy (called the ‘Risorgimento’) . . . [which] . . . gained momentum during the revolutions of 1848. In an attempt to pacify the revolutionary spirit King Carlo Alberto (1798-1849), of the Kingdom of Sardinia . . . granted constitutions extending limited civil and political rights.”²⁵⁴ Article V of the *Statuto Albertino* concerns the annexation of territory, a process initiated by the king and considered valid upon the approval of both chambers of the Sardinian parliament. Unlike the previously mentioned Roquebrune and Menton, which were absorbed into the Kingdom of Sardinia through this legislative process, Seborga continued to retain its sovereign status under the auspices of the Holy See. Further, Alberto’s successor, “Vittorio Emanuele II (1820-1878), who became King

²⁵³ Diplomatic and Consular Corps, *Principality of Seborga*, 16-17.

²⁵⁴ James T. Richardson, *Regulating Religion: Case Studies from Around the Globe* (New York: Kluwer Academic/Plenum Publishers, 2004), 203.

of Sardinia when his father abdicated in 1849 . . . did not abrogate his father's constitution . . . and the Statuto eventually became the first constitution of the Kingdom of Italy.”²⁵⁵

The unification of the Italian peninsula which resulted in the Kingdom of Italy was a long, arduous, and sometimes violent process which lasted from approximately 1859-1871. Suffice it to say that by 1871 the kingdom had been established and included most of the peninsula. However, one of the bitterest opponents of the *Risorgimento* (or unification movement) was the Catholic Church. The papacy resisted until, “Following favorable plebiscites, the Papal States were annexed to the emergent kingdom of Italy (1859-60). The pope's temporal power ended when Rome was seized, was annexed by plebiscite, and became the capital of a united Italy (1870-71).”²⁵⁶

It is not entirely true that the papacy was left completely bereft of temporal power as a result of its annexation into the Kingdom of Italy. Although rejected by the papacy, “. . . the Kingdom of Italy . . . issued . . . the ‘Law of the Guaranties’ (sic) . . .” that respected the status of the Holy See in regard to certain aspects of its temporal authority. In particular, “. . . Article 15 of . . . Title II . . . [states] . . . that, *‘nella collazione dei benefizi di patronato region nulla è inovato.’* (‘In the matter of attributing the benefits of Royal Patronage, nothing is . . . [altered].’)”²⁵⁷ This is especially significant in terms of Seborga's claim to autonomy in that it reaffirmed the papacy's privilege of exercising the right of *Jus Patronatus* upon which Seborga's independence had been based since the early eighteenth century. Although the pope repudiated the Law of Papal Guarantees, he apparently realized that, “. . . he had no choice . . . and relegated himself to

²⁵⁵ Ibid., 204.

²⁵⁶ Erwin Fahlbusch and Geoffrey William Bromley, *The Encyclopedia of Christianity: E-I* (Cambridge: Wm. B. Eerdmans Publishing, 2001), 782.

²⁵⁷ Diplomatic and Consular Corps, *Principality of Seborga*, 17.

the Vatican offices . . . where he ruled the church as the self-described ‘prisoner of the Vatican.’”²⁵⁸

This arrangement under the “Law of Guarantees” notwithstanding, the Kingdom of Italy seemingly took it upon itself to sever the relationship between Seborga and the Holy See in 1884, “. . . when King-Protector Umberto I appointed separately the priest Francesco Semeria and the mayor Giovan Battista Aproso . . .” in the principality.²⁵⁹ However, the government of the principality maintains that this procedure did not alter Seborga’s sovereign status. The principality posits that even in this instance its sovereignty was never called into question by the Italian government at that time. Indeed, “On the pediment of the first mayor’s seat in Piazza San martino (sic), the arms of the Principality are visible and dated 1896.”²⁶⁰ Also, a statue of Umberto I in the principality dated 1920 is inscribed, “. . . to the protecting dynasty . . .”²⁶¹ which indicates that, at most, the Seborgan government at that time regarded the king’s decision to unilaterally appoint the local priest and mayor independent of the Holy See as the act of a state which intended to protect the principality’s autonomy.

In any case, under international law, such a *de facto* annexation is considered inadequate in terms of negating the *de jure* sovereignty which the annexed state previously enjoyed. This interpretation of international law emerged in the twentieth century. In the previous century, however, “The traditional prescriptions of the law of territorial acquisition developed a fluid scenario . . . when the European powers were actively competing for acquisition of territory . . .” and the, “. . . development of the law on the acquisition of sovereignty over territory took into

²⁵⁸ Fahlbusch and Bromley, *The Encyclopedia of Christianity: E-I*, 782.

²⁵⁹ Diplomatic and Consular Corps, *Principality of Seborga*, 18.

²⁶⁰ *Ibid.*

²⁶¹ *Ibid.*

account . . . the needs only of the European . . . powers in their relations *inter se*.”²⁶² The Holy See, having been reduced territorially to Vatican City, was no longer in a position to counter Umberto’s decision to appoint the local Seborgan priest and mayor. Nevertheless, it must be once again emphasized that at no time did the government of Italy claim to have annexed Seborga, nor was its relationship to the Holy See ever negated by the Vatican.

The next instance regarding Seborga’s status concerning its claim to sovereignty as viewed by a legitimate Italian government occurred in 1921. As a result of the principality’s not having participated in the nineteenth-century organization of Communes, it was the opinion of the dictator Benito Mussolini in 1929 that it was outside of Italian jurisdiction, although Seborga as a municipality was established in 1921.²⁶³ Mussolini’s stance on this issue is all the more remarkable given his penchant for territorial acquisition in North Africa and even in parts of Europe. For examples, Mussolini’s fascist government asserted that the Swiss canton of Graubunden properly belonged to Italy by virtue of its official Rheto-Romance language. Fears of Italian annexation of Graubunden, “. . . came to a head in 1938 when the inhabitants, alarmed by the extravagant territorial claims of Fascist Italy, backed by the gratuitous assertion that Rheto-Romance is an Italian dialect, successfully brought pressure on the Federal [Swiss] Government to secure its recognition as the fourth national language of Switzerland . . .,” thereby distinguishing it from the Italian spoken in some of the southern cantons.²⁶⁴ The implication is that if the Italian fascist government was emboldened to the extent that it felt confident of the legitimacy of annexing an established Swiss canton, it would have had little compunction in regard to the similar annexation of a tiny principality surrounded by Italy. It has been speculated

²⁶² Surya Prakash Sharma, *Territorial Acquisition, Disputes, and International Law* (The Hague: Martinus Nijhoff Publishers, 1997), 161.

²⁶³ Diplomatic and Consular Corps, *Principality of Seborga*, 18.

²⁶⁴ W.D. Elcock, *The Romance Languages* (London: Faber and Faber Limited, 1960), 479.

that Mussolini's position *vis-à-vis* Seborga may have been due to his gratitude toward Ligurian fascists, including some from the principality, who were active in the early days of the movement. Whatever the reason, the dictator wrote emphatically in 1939 that, "The Principality of Seborga does not belong to Italy."²⁶⁵

The Seborgan government asserts that the principality's sovereign status was further confirmed after World War II in that no document explicitly designating the principality as being within the territorial jurisdiction of Italy was ever drafted by the Allies prior to the establishment of the Constituent Assembly in 1946. The same is true for both the Vatican and the Republic of San Marino, both of which are widely recognized by traditional, "legitimate" governments throughout the world.²⁶⁶ Further, "The failure to institute regional autonomy illustrates a major problem with the 1948 constitution. The Constituent Assembly left many of the principles enunciated in the constitution to be implemented later by enabling legislation. As the long delay in establishing the regions shows, crucial parts of the document were enacted late or not at all."²⁶⁷ Such may have been the case concerning Seborga. In other words, where sovereignty is concerned, the principality may have "slipped through the cracks" of the 1948 Italian constitution.

Additionally, it will be recalled that during the *Risorgimento* of the mid-nineteenth century Seborgan claims to sovereignty were reinforced by the *Statuto Albertino* enacted by Alberto I of the Kingdom of Sardinia which eventually became the first constitution of the Kingdom of Italy.²⁶⁸ As previously stated, Article V of the *Statuto* required the approval of the king and both

²⁶⁵ Diplomatic and Consular Corps, *Principality of Seborga*, 18.

²⁶⁶ *Ibid.*, 19.

²⁶⁷ Spencer Di Scala, *Italy: From Revolution to Republic, 1700 to the Present* (Boulder, Colorado: Westview Press, 2004), 311.

²⁶⁸ Richardson, *Regulating Religion*, 203-204.

chambers of the Sardinian parliament in regard to the annexation of territory and no such procedure was ever undertaken for the purpose of incorporating Seborga into either the Kingdom of Sardinia or the subsequent Kingdom of Italy. The 1948 constitution, “. . . differed from the 1848 *Statuto* in that it was a “closed” document that could no longer be modified by Parliament’s ordinary legislation . . .the *Statuto* had been altered by Fascist manipulation of the legislative process to build their dictatorship and was never repealed.”²⁶⁹ It would appear, therefore, that the integrity of Seborga’s sovereign status confirmed by the Italian Fascist regime and unaltered by the 1948 constitution, retained its validity or at least went unchallenged by the postwar Italian government.

As a result of the June 2, 1946 national referendum the Constituent Assembly was established by, “. . . a narrow margin of just 54 percent (out of almost 24 million voters) . . . [as] . . . Italians abandoned the Savoy dynasty in favor of a republic.”²⁷⁰ The subsequent constitution, “. . . incorporated the Lateran Accords . . .” which extended to the Vatican a, “. . . permanent, favored status.”²⁷¹ As regards Seborga sovereignty, these developments were significant in that the rejection of the House of Savoy at this time negated its territorial claims, including its *de facto* occupation of the principality in 1730 which resulted in the *Jus Patronatus* provisions of the 1741 Concordat between the Kingdom of (Piemonte) Sardinia and the Holy See. As it was the *Jus Patronatus* which obliged the Vatican to acquiesce to the demands of the House of Savoy concerning ecclesiastical appointments within its territorial jurisdiction, the rejection of the monarchy by the Italian voters during the 1946 referendum rendered the Concordat of 1741 null and void, restored on a permanent basis the special status of the Holy See *vis-à-vis* the Italian

²⁶⁹ Di Scala, *Italy: From Revolution to Republic*, 308.

²⁷⁰ Charles L. Killinger, *The History of Italy* (London: Greenwood Publishing Group, 2002), 160-161.

²⁷¹ *Ibid.*, 161.

state, and, by implication, reinstated Seborga's status as a sovereign entity based upon its relationship with the Vatican as delineated by the *Omne Datum Optimum* papal bull of 1139.²⁷²

The Seborgan government points to the works of Catholic clergymen Monsignors Don Palmero and Allaria Olivieri as an indication of the support of the Holy See for the sovereignty of the principality following the establishment of the Constituent Assembly in postwar Italy. Palmero, who served as the local Seborgan priest from 1952-1963, is credited with having written and published the first modern history of the principality, *Seborga: Mille Anni di Storia* (1963), after having received permission from the Vatican to do so. Under similar circumstances, Olivieri authored and co-authored several books on the history of the principality, including *Il Fatto Seborga* (2000).²⁷³

Popular twentieth-century support within Seborga itself regarding the assertion of its independence received impetus with the election of Mayor Giorgio Carbone in 1963. Carbone, “. . . head of the local flower growers cooperative, began promoting the idea that the town regain its historic status as a principality similar to Monaco.”²⁷⁴ In a subsequent election, “Enough of Seborga's residents were keen enough on reclaiming their historical destiny; they voted Carbone—who became known as Georgio (sic) I, Prince of Seborga—head of state.”²⁷⁵ One immediate practical benefit of these developments was an increase in tourism due to publicity regarding the new re-assertive principality. In a 1994 referendum, a new constitution was ratified by 304 out of 308 voters. Later that decade, the Seborgan electorate voted for, “. . .

²⁷² Barber and Bate, *The Templars*, 60-61.

²⁷³ Diplomatic and Consular Corps, *Principality of Seborga*, 22.

²⁷⁴ Alan Lew, C. Michael Hall, Dallen J. Timothy, *World Geography of Travel and Tourism: A Regional Approach* (Oxford: Butterworth-Heinemann, 2008), 111.

²⁷⁵ Ryan et al., *Micronations*, 55.

independence from Italy, although this has never been acknowledged by the Italian government”²⁷⁶

The new constitution, known as the “General Statutes,” was part of Giorgio’s comprehensive program to revitalize long dormant Seborgan institutions. His efforts in this regard earned him the title of “the Refounder.” In addition to his election as head of state and the ratification of a new constitution, the prince arranged the departure of the Italian police and army from the principality, opened (with official Italian consent) a Seborgan consulate in Cuneo (Piemonte), established a customs post on the highway between Seborga and Bordighera, obtained the authorization of the Italian government for the recognition of Seborgan automobile license plates within Italy, and reopened the seventeenth-century Seborgan mint (Zecca), reestablishing Seborga’s traditional currency, the Luigino. (In one of the principality’s several successful cases in Italian and European courts, the Luigino was excluded from the European Union’s Value Added Tax or VAT.)²⁷⁷

On January 20, 2006, Giorgio I announced his abdication, “. . . claiming his nation required ‘new energy.’” Characteristically, given the provincial nature of the principality, “Insiders also speak of a quarrel with the town mayor about the style of new paving around the ancient Cistercians Church of San Bernardo.”²⁷⁸ However, the prince failed to follow through on his announced abdication and continues to reign presently. A succession crisis of sort subsequently developed when a woman, identifying herself as Princess Yasmine von Hohenstaufen Anjou Plantagenet, claiming descent from the German Hohenstaufens dynasty of the thirteenth-century

²⁷⁶ Lew et al., *World Geography of Travel and Tourism*, 111.

²⁷⁷ Diplomatic and Consular Corps, *Principality of Seborga*, 27.

²⁷⁸ Ryan et al., *Micronations*, 55.

Holy Roman Empire, contacted the Seborgan government claiming to be the principality's rightful sovereign. Her claims were dismissed out of hand by the prince.

Pre-twentieth century European micronations (of which the Principality of Seborga is an excellent example) would seem by traditional standards to enjoy a much more substantive claim to legitimacy owing to their typically having been originally established in connection with the medieval European socio-political system. Claims of sovereignty by these European micronations are also bolstered by the status of other diminutive states on the continent, such as Vatican City, Monaco, Lichtenstein, and San Marino, all of which are almost universally recognized by large, powerful, traditional nations throughout the world. Perhaps most importantly, in terms of legitimacy, such micronations are both inhabited and *governed* by indigenous populations and heads of state in marked contrast to both the Asian and South American micronations previously examined, which are usually characterized by native populations under the domination of foreigners.

There is also a primary distinction between the pre-twentieth century Asian micronations discussed in this chapter and those found in *North America* (such as Madawaska and the Indian Stream Republic) in that the former, while often established by individualistic opportunists, were essentially a manifestation of the European colonialism common during that era. While sometimes motivated in part by altruistic considerations, as may have well been the case concerning the Brooke dynasty of Sarawak, these individuals seem to have been primarily concerned with the self-aggrandizement and pursuit of wealth which often characterized similar efforts in Central and South America. If not completely accurate as regards Brooke, Orelie-Antoine, Shiel, and others, it is almost certainly true of Meyréna and the Kingdom of Sedang and certainly of MacGregor and his virtually fabricated Principality of Poyais.

By contrast, the pre-twentieth century North American micronations seem primarily to have been founded in keeping with principles espoused during the American Revolution and previously throughout British history. Their establishment reflects a keen awareness and respect for Anglo-American judicial, political, and social traditions. (Indeed, it has been suggested Madawaska was not so much a micronation as an attempt to unify that region with the State of Maine and counter British claims to the territory.) Also, pre-twentieth century North American micronations were usually founded as a result of a collective effort on the part of their inhabitants, as opposed to the imposition of sovereign authority by an individual from outside of the region.

The importance of *all* of these examples is the fundamental influence they have had on the burgeoning micronationalist movement of the twentieth and twenty-first centuries. The most successful, such as Sarawak and Seborga, have served to inspire those involved in the movement and are indicative of the potential for legitimacy, sovereignty, and recognition by the world's traditional nations. At the same time, the variety of political systems, motivational factors, and the means by which pre-twentieth century micronations were founded have resulted in a plethora of modern imitators attracted to the movement by many of these same considerations. Twentieth and twenty-first century micronationalism has evolved into a rich tapestry, one of the basic components of which is its challenge to traditional notions of statehood. Like their predecessors, modern micronationalists continue to redefine orthodox notions of nationalism and sovereignty, emboldened by the successes of the past. These twentieth and twenty-first century micronationalist endeavors will be examined in more detail in the following chapter.

CHAPTER SIX

MICRONATIONS OF THE
TWENTIETH AND TWENTY-FIRST CENTURIES
AND THE FUTURE OF THE MOVEMENT

It seems reasonable to assume that there is some relationship between the modern micronationalist movement of the late twentieth and early twenty-first centuries and the widespread establishment of alternative lifestyle communal settlements in the 1960s and 1970s, particularly in North America. Both the communal and micronationalist movements of these respective eras are characterized by motivations on the part of their founders involving either the rejection of traditional authority or a desire to establish political entities of their own choosing without outside interference in their affairs. Also, both movements may be properly referred to as “countercultural” phenomena.

Additionally, some elements of the 1960s counterculture sought to utilize technology for the furtherance of their aims. Many perceived that, “For this wing of the counterculture, the technological and intellectual output of American research culture held enormous appeal. Although they rejected the military-industrial complex as a whole, as well as the political process that brought it into being, hippies from Manhattan to Haight-Ashbury read Norbert Wiener, Buckminster Fuller, and Marshall McLuhan. Through their writings, you Americans encountered a cybernetic vision of the world, one in which material reality could be imagined as an information system.”²⁷⁹ The immersion of the modern micronationalist movement in the Internet culture represents the realization of that “cybernetic vision.”

²⁷⁹ Fred Turner, *From Counterculture to Cyberculture: Stewart Brand, the Whole Earth Network, and the Rise of Digital Utopianism* (Chicago: University of Chicago Press, 2006), 1-4.

The communal movement of the 1960s and 1970s also served particularly as a precedent for modern landed micronations, as opposed to their “cybernation” counterparts. Throughout North America, “Between 1967 and 1970 . . . tens of thousands of young people set out to establish communes, many in the mountains and the woods . . . For these back-to-the-landers, and for many others who never actually established new communities, traditional political mechanisms for creating social change had come up bankrupt.”²⁸⁰ The notion of political bankruptcy in association with traditional concepts of nationalism is also one of the basic underpinnings of modern micronationalist philosophy. Further, the parallels between the counterculturalists of 1960s and 1970s and the modern micronationalist movement are strikingly illustrated by the similarity of many of their aims. The ecologically-oriented Northern Forest Archipelago and the “underground” *vonu* lifestyle advocated by the Association of Free Isles are two of the most obvious examples in this regard.

The establishment of micronations in the twentieth and twenty-first centuries has not significantly contributed to the resolution of issues concerning a definition of “nationhood,” or to a consensus regarding the necessary conditions for “legitimacy” and “sovereignty.” In the absence of definitive pronouncements on these issues by either the academic or legal communities, one is rather compelled to conclude that such concepts are nebulous at best and that it is only through the functional interplay of entities which regard themselves as “nations” that even a modicum of clarity may be achieved in regard to these matters. That is to say, it would seem that states are defined as such (insofar as that is possible) primarily through their interaction with each other.

This conclusion, of course, flies in the face of the declarative theory of nationhood upon which many twentieth and twenty-first century micronations base their claims of legitimacy and

²⁸⁰ Ibid.

sovereignty. Concerning such claims, it will be remembered that there is a school of thought within the international legal community which maintains that states exist *a priori* and that their recognition of each other is, once again, “. . . nothing more than a ‘declaration’ of an already existing fact, that, in turn, implies an already existing legal relationship.”²⁸¹ This is certainly a primary tenet of the modern micronationalist movement.

The problem with this interpretation is that it seemingly contributes little in regard to a clarification of the issue of statehood in a definitional sense, nor does it address questions of legitimacy and sovereignty. The declarative theory of nationhood notwithstanding, as a practical matter, it begins to appear increasingly obvious that states achieve an identity, however tenuous, as a result of their contact with each other. That is not to say that a self-proclaimed state is less legitimate as a result of its lack of recognition by other states, but rather that it is limited as to its ability to function *as* a nation in a traditional sense in the absence of such recognition.

Where modern micronations are concerned, it is precisely the issue of recognition that seems to distinguish them one from another. For some, the quest for recognition (particularly from larger, older, and more traditional states) is a primary focus of their national agenda. Others seem generally unconcerned with the issue of recognition by traditional nations and even disdainful of the prospect, conducting their affairs in isolation or establishing communities consisting of other largely unrecognized micronations. There are also the so-called “cybernations:” projects involving socio-economic or political simulations, fantasy-based exercises in fictional creativity, and forums devoted to personal diversion and/or self-promotion.

In regard to the first category, of those modern micronations that actively seek recognition from traditional states or are compelled by circumstances to come to some sort of

²⁸¹ Brad R. Roth, *Governmental Illegitimacy in International Law* (Oxford: Clarendon Press, 1999), 124.

accommodation with them, the aforementioned Principality of Sealand is perhaps the most well-known example of the twentieth and twenty-first centuries. As previously observed, the Sealand government considers the dispatch of diplomatic personnel to the principality by the West German government during the 1978 hostage crisis there tacit recognition of its legitimacy. Also, the determination by British courts that Sealand is territorially located outside of the jurisdiction of the United Kingdom is touted as both *de facto* and *de jure* recognition of the principality by Her Majesty's government.²⁸²

The broader implications for statehood where the Machiavellian, Grotian, and Kantian schools of thought are concerned do not address specific, documented aspects of international law upon which micronationalist claims to legitimacy are often based. Once again, perhaps no other document is so widely used for this purpose as the Montevideo Convention of the Rights and Duties of States. Article 3 of that document in particular reads, "The political existence of the state is independent of recognition by other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts."²⁸³

Originally primarily intended as a means of dealing with international relations in the Western Hemisphere, the Seventh International Conference of American States, held in Montevideo, Uruguay between December 3-26, 1933, is remembered as one of the most effective of all such conferences relating to Pan-American foreign policy. In spite of the conference's focus on Pan-American affairs, the proceedings took on a decidedly "Old World" and global flavor through

²⁸² Ryan et al., *Micronations*, 48-51.

²⁸³ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 166.

the inclusion of representatives from Portugal, Spain, and the League of Nations. Additionally, the conference was reflective of a tendency among American states toward greater coordination between themselves and European entities in the interest of improved international relations.

Ambitious in breadth and scope, the conference agenda included eight chapters and dealt with twenty-eight substantive topics, including literary, social, economic, political, and scientific matters. In all, the conference approved the adoption of ninety-five resolutions. There were also six conventions adopted which dealt not only with the rights and duties of states, but nationality, political asylum, extradition, women's rights, and the teaching of history as well. In addition to Article 3 of the Convention on the Rights and Duties of States, other articles are pertinent to micronationalist claims of legitimacy.

Article 1, for instance, defines the criteria for statehood as provided for by the convention. It reads, "The state as a person of international law should possess the following qualifications: *a*) a permanent population; *b*) a defined territory; *c*) government; and *d*) capacity to enter into relations with the other States."²⁸⁴ As well as Article 3, this article has been cited, particularly by landed micronations, to justify claims to sovereignty.

Article 7 of the same document seems to have applied in the rare cases in which modern micronations have interacted successfully with older, traditional, *legitimate* states. It observes that, "The recognition of a state may be express or tacit. The latter results from any act which implies the intention of recognizing the new state."²⁸⁵ A case in point involves the modern micronation of Sealand, the state founded on an abandoned World War II gun platform off the

²⁸⁴ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 165.

²⁸⁵ *Ibid.*, 167.

coast of England by former pirate radio magnate Paddy Roy Bates (Prince Roy) on September 2, 1967 as an independent principality.

In 1978, in Prince Roy's absence, his son Michael was held hostage by German-born Sealand citizen Professor A. G. Achenbach and a group of conspirators from the Netherlands. The prince returned to Sealand on a helicopter with a group of armed men and secured the release of his son. At this point, the Dutch citizens were repatriated in compliance with widely recognized international law.

As for Achenbach, as a citizen of Sealand, he was placed in custody facing charges of treason. The British government refused to take steps to secure his release, despite appeals from West Germany and the Netherlands. The West German government was eventually compelled to dispatch a diplomatic representative to Sealand to convince Roy to release Achenbach. The prince touted this coup as evidence of diplomatic recognition of Sealand by the West German government as provided for by Article 7 of the Montevideo Convention on the Rights and Duties of States.²⁸⁶

Article 8 specifically addresses issues concerning territorial integrity, interventionism, and other matters pertaining to the integrity of the state. It affirms that, "No state has the right to intervene in the internal or external affairs of another."²⁸⁷ For micronationalists, Article 4 is of virtually equal importance to Article 3 in regard to the legitimacy of their fledgling and largely unrecognized states, providing that, "States are juridically equal, enjoy the same rights, and have equal capacity in their exercise. The rights of each one do not depend upon the power which it possesses to assure its exercise, but upon the simple fact of its existence as a person under

²⁸⁶ Ryan et al., *Micronations*, 9-11.

²⁸⁷ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 167.

international law.”²⁸⁸ Article 3 is a formal codification of the sentiment expressed by Molossian President Kevin Baugh when he declared that his country exists, “. . . because we exist, nothing more or less.”²⁸⁹ Within the micronationalist community itself, Sealand has entered into diplomatic relationships with a number of modern, well-established self-proclaimed states, including the Republic of Molossia and Machias (both located in North America and both having been in existence for more than twenty years).

In a different sense, the issue of recognition (or the lack thereof) is fundamental as regards the establishment of the Justus Township within the territorial borders of the United States in the late 1990s. At one point, this entity enjoyed the dubious distinction of being one of the first, if not the only, micronationalist entity to have its entire population placed under arrest and prosecuted by the government of a more powerful, traditional state. Established near Jordan, Montana, the Justus Township was founded by an association of disgruntled, out-of-business ranchers under the leadership of LeRoy Schweitzer. Referring to themselves as “Freemen,” the citizens of Justus Township rejected the legitimacy of the federal government, exempting themselves from taxation and governmental regulations of the United States, that require, “. . . drivers’ licenses, car insurance, Social Security numbers, building inspections, even ZIP codes.”²⁹⁰ The township declared itself independent of the federal and state governments and established its own legal and judiciary systems. Schweitzer was arrested several times for fraud and all township citizens were arrested by federal authorities in June of 1996.²⁹¹

²⁸⁸ Ibid., 166.

²⁸⁹ His Excellency Kevin Baugh (President, Republic of Molossia), in discussion with the author, 6 March 2007.

²⁹⁰ Evelyn A. Schlatter, *Aryan Cowboys: White Supremacists and the Search for a New Frontier, 1970-2000* (Austin: University of Texas Press, 2006), 147.

²⁹¹ Ibid.

Some observers contend that the Justus Township is not an appropriate example of a modern micronation in that, while its government asserted its legitimacy and independence (particularly from the federal authority of the United States), its founders did not characterize their efforts as being specifically nationalistic. Here again one is confronted with the ambiguity concerning concepts of nationality and the semantic constructs utilized to define various social units, including nations. Although those who established Justus Township did not specifically describe it as a “nation,” it enjoyed (albeit briefly) much greater autonomy than many other self-described micronationalist entities in North America who maintain their existence only through compliance with the federal laws and regulations of the governments of the United States and Canada, probably the most significant of which is remission of tax revenue. Whether or not the Justus Township may be accurately described as a “micronation,” it certainly exhibited many of the primary characteristics traditionally associated with sovereignty and independence as related to nationalistic political entities.

Unlike Sealand, and owing to its having been situated within the borders of the United States, the government of the ill-fated Justus Township did not seek recognition out of motivations involving prestige, nor to justify its own legitimacy, but rather out of a desire to be left alone by the American government. It proved to be just one of the more extreme manifestations of a more widespread movement opposed to excessive federal authority in the United States which became known as the “Sagebrush Rebellion.” Originating in the western states, this movement eventually elicited support from other regions as well. A story in the September 17, 1979, issue of *Newsweek* noted, “. . . One measure of the anger now firing up in the West is the way it has united an otherwise maverick group of states and rugged individualists with a sense of common

cause . . .”²⁹² As R. McGregor Cawley observed in *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics*, “It is not surprising . . . that the Sagebrush Rebels believed their complaints might have currency with an audience larger than disgruntled public land users.”²⁹³ Part of that “larger audience” included the micronationalist community, many members of which, while not condoning the violent aggression associated with projects such as the Justus Township, nevertheless identified with the concepts of local autonomy that fueled the “Sagebrush Rebellion.”

Such interest and interference in the affairs of micronations by traditional governments is not limited to the United States, nor has it always been generated due to the establishment of an independent entity within such governments’ borders. Under the leadership of coin-dealer and real estate developer J. Michael Oliver, the Republic of Minerva was founded on two coral reefs located 260 miles northeast of the Kingdom of Tonga in the South Pacific. Prior to Oliver’s involvement in the area, the reefs were primarily considered a navigational hazard. Then Oliver contracted an Australian firm to provide a dredging vessel which began pouring sand between the two reefs. Late in 1972, the area contained approximately fifteen acres of inhabitable land and Oliver declared the Republic of Minerva a sovereign nation. He hoped to attract investors to continue the (literal) expansion of his fledgling state.

In the meantime, however, the nearby governments of the Cook and Fiji Islands, and particularly the Kingdom of Tonga, viewed these developments with alarm. In addition, powerful traditional nations, such as Britain, France, and the United States, were also concerned. These “. . . great powers . . . have a number of dependencies in the area and

²⁹² Tom Matthews, Gerald C. Lubenow, Martin Kasindorf, and Gloria Berger, “The Angry West vs. the Rest,” *Newsweek*, (17 September 1979): 31-32.

²⁹³ R. McGregor Cawley, *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence, Kansas: University of Kansas Press, 1993), 72.

the last thing they wanted was a precedent for secession. The idea of each flyspeck island and reef being an independent country would present them with a nightmare of a situation to control.”²⁹⁴

Finally, the King of Tonga arrived on the new island with a contingent of his palace guard. Under the king’s direction, the Tongan flag was raised as the national anthem was performed and the island was formally declared a royal protectorate of the Kingdom of Tonga. The king and his men departed and the island was eventually destroyed by natural erosion.²⁹⁵

Both the Republic of Minerva and the Justus Township ran afoul of established authority in part because they were located on territory claimed by nations more powerful than themselves and/or were viewed as a threat to those nations. Unlike Sealand, an abandoned World War II gun platform of no strategic or economic value to any traditional nation on either side of the English Channel, the leaders of these micronationalist projects made the fatal mistake of antagonizing states willing and able to impose their will upon the territory in question. This would seem to indicate that the desirability of recognition on the part of micronations as a means of validating their sovereignty should, as a practical matter, be regarded as a secondary consideration. For recognition by traditional states to have any meaning an aspiring micronation must continue to exist and function. It must also enjoy a modicum of control over the territory it claims which is, of course, impossible once superior forces of a traditional state have intervened and secured the area for themselves.

However, in the twentieth and twenty-first centuries, antagonism of a more powerful neighbor has not always resulted in the destruction of the micronation involved. Some of the micronations which have escaped this fate in the face of hostility from vastly more influential traditional

²⁹⁴ Strauss, *How to Start Your Own Country*, 118.

²⁹⁵ *Ibid.*, 116.

neighbors are established as intended havens for cultural, political, ethnic, and racial groups who face perceived persecution in larger, well-established states. This phenomenon is also evident even among *traditional* sovereign nations. The founding of Israel in response to the persecution of Jews in Europe before and during World War II is an example. Though it might not be appropriate to read too much into the analogy, Israel, like most micronations, is not universally recognized by all other traditional states, particularly in the Arab world.

As stated above, another similarity between Israel and many modern micronations is its status as a “haven” nation with the fundamental “right of return” for world Jewry. In the micronationalist community, one such “haven” micronation is the Gay and Lesbian Kingdom (GLK), originally established in response to an Australian government decision not to recognize same-sex marriages. Its current justification in regard to legitimacy and sovereignty is its self-proclaimed purpose of providing asylum for the international gay, lesbian, bisexual, and transgendered (GLBT) communities. The Gay and Lesbian Kingdom was established on Cato Island off the coast of Queensland on June 14, 2004, when its Declaration of Independence was delivered to the Australian Governor General and Prime Minister. Its aspirations to membership in the United Nations are primarily based upon its perception of itself as a homeland for an oppressed minority dominated by a foreign imperialist government.²⁹⁶ To date, the Australian government has taken no overtly hostile action against the kingdom.

The GLK tactic of appealing to the United Nations in order to establish its legitimacy and gain widespread recognition from traditional nations places the kingdom within the category of micronations for whom these issues are paramount. If the criteria for the status of “nationhood” do indeed include such recognition, the GLK appears to be following time-honored and widely

²⁹⁶ Ryan et al., *Micronations*, 39.

sanctioned procedures in this regard. For this and other reasons, most objective observers might be inclined to conclude that the GLK is more deserving of “legitimate” status than those micronations whose claims in this sense are primarily based upon little more than the declarative theory of statehood. In any case, by appealing to the United Nations, the GLK has associated itself with an international body whose membership includes most of the “traditional” states of the world and one which has consistently included the GLBT community as part of its official structure since the 1993 UN World Conference on Human Rights in Vienna.²⁹⁷

GLK Administrator Jason Alexander has maintained that his nation’s role as a haven state for the international GLBT community meets the United Nations’ requirements for membership and that, “The gay and lesbian government thinks this analysis sufficient reason for an independent . . . homeland.” Explaining that the GLK government allows its inhabitants to enjoy dual citizenship, he adds, “. . . they [citizens] will be granted permanent residence in the kingdom should they wish to stay and live . . . Much the same way, Israel has a right to return for the Jewish people of the world.” GLK monarch Emperor Dale I welcomes, “. . . refugees from around the world like Israel does for Jews.”²⁹⁸

Ironically, Israel itself borders yet another “haven” micronation, the State of Akhzivland, which was compelled to seek tacit recognition from the Jewish state in order to maintain its territorial integrity. Akhzivland’s president, Eli Avivi, is a Tel Aviv Jew born in British – administered Palestine before the conflict of 1947. While wandering through Israel in 1952, Avivi discovered the deserted village of Akhziv north of Nahariya. Its original Palestinian inhabitants had been displaced by the conflict and fled to Lebanon. Avivi moved into the only

²⁹⁷ Didi Herman and Carl Franklin Stychin, *Sexuality in the Legal Arena* (London: Continuum International Publishing Group, 2000), 261.

²⁹⁸ Jason Alexander (Administrator, Gay and Lesbian Kingdom), in discussion with the author, e-mail, 20 March 2007.

house still standing and established the village as the sovereign State of Akhzivland after leasing the land from the Israel Lands Authority.²⁹⁹ Apparently sympathetic to the plight of displaced Palestinians, Aviv maintained that the territory was being held “in trust” pending the return of its former Palestinian residents, although given the circumstances this would seem highly unlikely. (Nevertheless, Akhzivland became a “haven” of sort for non-conformists and others outside of the mainstream of conventional society.) Initially, Avivi and his newly-sovereign nation were left unmolested by Israeli authorities.³⁰⁰

The issue of at least *tacit* recognition by the Israeli state became essential to Akhzivland’s sovereignty when, in 1970, Israel’s national park service became interested in annexing the area. In Akhzivland’s first and only armed conflict, Avivi fended off government bulldozers with an assault rifle and was arrested on the charge of “establishing a country without permission.” There are varying accounts of the eventual disposition of the case, but the Israeli government eventually abandoned its annexation plans and has not interfered with Avivi or Akhzivland since. President Avivi views this development as tacit recognition of his state, similar to the dispatch of West German diplomatic officials to Sealand in the 1970s.³⁰¹

Like the Gay and Lesbian Kingdom, Akhzivland allows its few inhabitants to retain their status as citizens of the nation of their birth. Essentially, this constitutes a dual citizenship policy on the part of the Akhzivland government which is heartily endorsed by the president. During a 1970 press conference held to protest the incursion by the Israeli national park service into Akhzivland, Avivi emphasized his military service to Israel and his status as a citizen of both the Jewish state *and* Akhzivland. Originally unconcerned about recognition, he maintains that the

²⁹⁹ Daniel Jacobs, Shirley Eber, and Francesca Silvani, *Israel and the Palestinian Territories: The Rough Guide* (London: Rough Guides, 1998), 233.

³⁰⁰ Ryan et al., *Micronations*, 48-51.

³⁰¹ *Ibid.*

issue was thrust upon him by the aggressive action taken against his state by the Israeli government at that time.³⁰² In any case, the resolution of this issue in Akhzivland's favor (unlike the conflict between the Justus Township and the United States or the Republic of Minerva and the Kingdom of Tonga) is a somewhat rare example of a micronationalist state prevailing in a confrontation with a more powerful, traditionalist neighbor.

In terms of assessing Akhzivland's claims to legitimacy in a traditional sense, its having prevailed in the conflict with Israel (at least to the extent of not having been annexed by the national park service) and its dual citizenship policy may objectively be said to bolster its assertions in this regard. Similar to the Gay and Lesbian Kingdom's attempt to associate itself with the United Nations, Akhzivland's close association with Israel lends an air of traditional legitimacy to this micronationalist undertaking. Also, as a practical matter, the Israeli government is now highly motivated to maintain Akhzivland's territorial integrity as the diminutive state has become popular with tourists who flock to this tiny Mediterranean settlement to stay at its hostel and have their passports stamped by the president.³⁰³ If the State of Akhzivland cannot be said to satisfy all the criteria of a traditional legitimate state, its relationship with the Israeli government and international reputation serve to ensure its continued existence.

While contemporary ventures, including the Principality of Sealand, the Justus Township, the Republic of Minerva, the Gay and Lesbian Kingdom, the State of Akhzivland, and others demonstrate the wide variety of procedures utilized by modern self-proclaimed states in grappling with questions concerning legitimacy, the pre-twentieth century micronations of

³⁰²Eli Avivi (President, State of Akhzivland), in-person discussion with the author, State of Akhzivland, 6 November 2007.

³⁰³ Jacobs et al., *Israel and the Palestinian Territories*, 233.

Europe, Asia, and the Americas examined earlier also illustrate the diverse manner in which the issue of recognition has historically been addressed within the community. As is the case where micronations of the twentieth and twenty-first centuries are concerned, these earlier states developed their various approaches to this issue based largely upon the considerations which motivated their founders. However, one characteristic relatively common to pre-twentieth micronations, as opposed to their modern counterparts, is that they were usually established with the intention of eventually enjoying recognition from older, traditional states and, in some cases, their establishment may be seen as a furtherance of European imperialist policies common to that era. By contrast, modern micronationalist states tend to eschew imperialist ambitions and few consider themselves an extension of European colonialism.

The pre-nineteenth century North American micronations, however, differ from their South American and Asian counterparts of that era in that the two most prominent examples, the Indian Stream Republic and the Republic of Madawaska, cannot accurately be said to have been founded for imperialistic purposes. While it is true that both of the micronations were established in part as a reaction to British colonial designs in their regions and the resultant conflict with the United States, these states themselves did not seek to expand their territory or spheres of influence through the domination of an indigenous people. Instead, both were founded primarily out of a desire on the part of their leaders and citizens to either maintain order in a relatively lawless region and/or to ally themselves with the United States in regard to border disputes with British Canada. In the case of both of these micronations, recognition seems to have been at most a secondary consideration, although sovereignty, the right and ability to manage their own affairs, most certainly informed the procedures undertaken to establish themselves as independent states.

In the case of the Indian Stream Republic, motivations concerning sovereignty aside, the issue of recognition certainly seems *not* to have been uppermost in the minds of its founders. Indeed, the aforementioned desire to maintain order in the region and eliminate lawlessness, as well as the failure of Britain and the United States to agree on jurisdictional issues in the area, provided much of the impetus for the establishment of the republic. As previously noted, “The time had come,” they reasoned, “to make laws for the protection of citizens. . .” and Indian Stream intended to exist as a, “. . . sovereign, and independent state . . . till . . . we can ascertain to what government we properly belong.”³⁰⁴

If the short-lived Indian Stream Republic ever had any hope of attaining sovereignty and recognition it would have been due to the unsettled nature of the border region between the United States and Canada at that time. Also, the situation was further complicated by a much weaker American federal government than that which exists today and the correspondingly more powerful position of state governments during that era. Although the legislation which incorporated the republic into the township of Pittsburg, New Hampshire, was enacted in 1840, the border dispute issue was not officially resolved by the British and American governments until negotiations led to the Webster-Ashburton Treaty of 1842, allowing Indian Stream to function independently for at least eight years. In contrast to the Indian Stream experiment, modern North American micronations are at a distinct disadvantage in terms of their quests for sovereignty and recognition owing in large measure to the overwhelmingly pervasive authority of the federal governments in the United States and Canada, the long established borders between states (or provinces) and nations, and the promptness with which any disputes of this nature may be currently dealt with (as in the case of the Justus Township). In regard to Indian

³⁰⁴ Doan, *Indian Stream Republic*, 164-165.

Stream's success in maintaining a modicum of independence for almost a decade, Strauss observes, "With transportation and communication what they are today, places like that don't just get forgotten by the existing nations for such periods of time any more."³⁰⁵

The establishment of the Republic of Madawaska, though it also involved the same border dispute as led to the founding of Indian Stream, was motivated by at least one other consideration: the dissatisfaction of French settlers in the Aristook Valley with the British government of Canada. Whereas the Madawaskan president John Baker apparently considered himself an American citizen and may have envisioned Madawaska as a sort of protectorate buffer zone between the United States and Canada, the French settlers who were instrumental in the establishment of the republic seem to have been more determined to achieve actual independence and sovereignty.³⁰⁶ The designs of the French in the Madawaska region, particularly the Acadians, set a precedent for modern micronationalist movements, especially "haven" projects (like the Gay and Lesbian Kingdom and the State of Akhzivland) and independence or secessionist movements (such as Justus Township) which reject what their founders perceive as an overly powerful and oppressive central government. The lack of clarity concerning the Madawaskan founders' intentions is also mirrored in the internecine conflicts common to many contemporary micronations. (The seemingly irresolvable Redondan succession controversy is an example.) The possibly divergent goals of Madawaska's founders also serve to underscore the difficulties involved in determining the meaning of nationhood and the resolution of fundamental issues concerning recognition, sovereignty, and independence. (After all, if micronationalist leaders and governments cannot agree among themselves

³⁰⁵ Strauss, *How to Start Your Own Country*, 101.

³⁰⁶ Scott, *Ties of Common Blood*, 44-45.

concerning their goals and perceived status, how much more difficult must it be then for anyone *else* to classify them in regard to their political status.)

The significance of these issues and their relevance to the micronationalist movement, particularly from the nineteenth century to the present, is perhaps most strikingly illustrated by the attempt of French attorney Orelie-Antoine de Tounens to establish the “Kingdom of New France” in the Araucania and Patagonia regions of modern Chile. Orelie-Antoine’s approach to issues of recognition and sovereignty set his endeavor apart from the eighteenth and nineteenth century North American ventures in that he attempted to justify the establishment of his kingdom within the context of international law and he was perhaps the first micronationalist leader in the Americas to do so. In addition to rejecting Chilean and Argentine claims in the regions based upon what he viewed as a flawed concept of international “*eminent domain*,” he further discounted these nations’ assertion that Araucania and Patagonia were within their territorial jurisdiction as a result of “*right of conquest*” since neither area had ever been militarily pacified by either country nor by their Spanish predecessors.³⁰⁷ Orelie-Antoine’s interpretations represent one of the first attempts in the Americas to validate a micronationalist undertaking by basing it on well-established legal precedents long recognized by traditional nations. By doing so, he also called into question time-honored concepts involving the definition of nationhood and other attendant concerns which now inform the perceptions of modern micronationalists, particularly in association with the declarative theory of statehood.

He may also have come closer than any other micronationalist in the Americas to achieving recognition by traditional states due to the apparently genuine and widespread support he received from the indigenous Mapuche people of the Araucanian and Patagonian regions during

³⁰⁷ LePot, *El Rey de Araucania y Patagonia*, 27-30, 73-74.

his brief reign. The military prowess of the Mapuche in their support, not only of Orelie-Antoine, but also in pursuit of their own independence (which they maintained for over 350 years against challenges by the Incas, Spanish, and the recently founded republics of Chile and Argentina) emphatically demonstrate the importance of the informal “might makes right” principle where international relationships are concerned. As the experience of Orelie-Antoine and the Mapuche illustrates, the concepts of nationhood and recognition are inextricably associated with military capability as well as popular support.

Gregor MacGregor’s fraudulent (and virtually fictitious) Principality of Poyais, on the other hand, serves to illustrate that in the nineteenth century it *was* possible for a micronation to secure recognition from a great European power . . . even if that micronation’s existence was in question. Predating James Brooke’s ascension to the throne of Sarawak by almost twenty years, MacGregor’s success in convincing the Court of St. James to recognize the Principality of Poyais attests to the significance and effectiveness of savvy promotional skills in achieving the recognition which many micronations crave. Whereas Orelie-Antoine almost realized this objective by virtue of his legal skills and the martial qualities of the Mapuche who supported him, MacGregor actually succeeded in this regard through the sheer force of his personal charisma and his experience in regard to affairs of state at the highest levels. His attendance at the coronation of King George IV, for instance, provided MacGregor with the perfect opportunity, “. . . to promoted the development of the territory in whatever way he could.”³⁰⁸ So successful was he in this endeavor, that his friend, “. . . William John Richardson was gazetted as chargé d’affaires at the Legation of the Territory of Poyais in the United Kingdom of Great

³⁰⁸ Sinclair, *The Land That Never Was*, 32.

Britain . . .” with “. . . proper accreditation to the Court of St. James”³⁰⁹ The negative consequences for the micronationalist community in regard to the brazen audacity and greed exhibited by MacGregor manifest themselves in the modern era by widespread skepticism of the legitimacy of self-proclaimed nations, particularly on the part of prospective investors in ventures of this nature. The New Utopia project of Howard Turney in the 1990s is a case in point, the result of which was his prosecution for violations of U.S. Security and Exchange Commission regulations.³¹⁰

Also in the Americas, the Kingdom of Redonda briefly enjoyed recognition by the United Kingdom, apparently absent any concerted effort on the part of its sovereign to influence British authorities in this regard. (The London Colonial Office recognized the Kingdom of Redonda shortly after its establishment in 1865.)³¹¹ However, unlike Orelie-Antoine or MacGregor, the first Redondan monarch seemed relatively unconcerned with the issue of recognition or with the territorial integrity of Redonda itself. Instead, as has been previously noted, Mathew Phipps Shiel (Philippe I) devoted himself to the establishment of an “aristocracy of the intellect” and his kingdom became more of a literary society than a political entity. Apart from Shiel’s coronation and at least one visit to Redonda in 1979 by Jon-Wynne Tyson (Juan II), the various contenders for the throne have conducted affairs of state at a distance.³¹²

At this juncture, and in connection with the fundamental underlying issues of statehood as they related to the micronationalist community, it is worth noting once again that some observers view the Redondan succession controversy as a petty affair of no great consequence. However,

³⁰⁹ Ibid., 39.

³¹⁰ Menefee, “Republics of the Reefs,” 81-111.

³¹¹ Nicholson, *Antigua, Barbuda, and Redonda*, 33.

³¹² De Fortis, “A History of Redonda,” 30.

it is precisely the intensity with which the issue of succession has been addressed, not only by contenders for the Redondan throne but also others not even directly related to the kingdom, which exemplifies the fervor with which many micronationalists in the twentieth and twenty-first centuries have pursued their goals and the serious nature of their interest in the fledgling nations and their histories. As previously noted, the lengthy analysis of the Redondan succession controversy which has been offered here is intended to illustrate this point. The history of this controversy is no more convoluted than accounts of court intrigue among European principalities during the Middle Ages and equally important in understanding perceptions of broader concepts of nationalism, particularly within the micronationalist community. Indeed, the issue of succession is at the heart of Redondan national identity and has sustained interest in the kingdom for almost one hundred fifty years. (The *legitimate* state of Israel only recently celebrated its sixtieth anniversary in 2008.) Especially where the modern micronationalist community is concerned, the Redondan succession controversy is reflected in similar occurrences within more recently established states such as the Kingdom of Talossa and the Republic of Molossia. Most importantly, this aspect of Redondan history underscores the uncommon dedication of modern micronationalists to their countries, often in the absence of recognition by “legitimate” nations, acknowledgement of their sovereignty, or precise definitions of the meaning of statehood by either the academic or legal communities.

Outside of the Americas, the Kingdom of Sedang and the Territory of Sarawak serve as Eastern counterparts to the deceit of MacGregor in regard to the Territory of Poyais and the apparently genuine regard for an indigenous people displayed by Orelie-Antoine toward the Mapuche of Araucania. Sedang’s Meyréna (Marie I) resembles MacGregor in terms of the unscrupulousness with which he founded his kingdom and his subsequent attempts to gain

recognition from European governments. By contrast, Rajah James Brooke of Sarawak compares favorably with Orelie-Antoine concerning his affection for his subjects and the widespread support offered by them to his dynasty.

It is also reasonable to assert that both the Sedang and Sarawak ventures were, in a sense, extensions of imperialist ambitions on the part of the great European powers in those regions. In the case of Meyréna and Sedang, although the would-be monarch initially enjoyed limited endorsement from colonial officials, most notably Résident-supérieur Rheinart of the French protectorate of Annam, he failed to achieve full recognition by the French government, support from local chieftains of the Indo-Chinese Central Highlands notwithstanding. It has been speculated that, in contrast to Brooke's recognition from the British government, French authorities may have looked askance upon Meyréna's micronationalist aspirations due to the Siamese claims concerning the Sedang region, as well as extensive gold deposits which were thought to be in the area at that time and potential for lucrative trade owing to the auriferous rivers located within his fledgling kingdom.³¹³ In any case, the lack of French support for and recognition of Meyréna undoubtedly sealed the fate of his kingdom as a short-lived micronationalist experiment.

Conversely, it was precisely the unqualified support of the British government for James Brooke's Sarawakan rajahship which most significantly served to guarantee the success and perpetuation of his dynasty. Also, as opposed to Orelie-Antoine and Meyréna, whose indigenous support was based primarily upon alliances with local leaders, the rajahship was bestowed upon Brooke by the Rajah Muda Hasim, an official of the Brunei Sultanate which was recognized as a legitimate government by the United Kingdom. Brooke's successful suppression of the Dayak

³¹³ Salemink, *The Ethnography of Vietnam's Central Highlanders*, 51.

rebellion served British interests in Sarawak by restoring peace and allowing European commercial interests to conduct their business unimpaired by internal strife within the territory.³¹⁴ Sarawak's eventual incorporation into the British Commonwealth following World War II suggests that the government may have viewed Brooke's rajahship as conducive to its interests to that point. Brooke's success in Sarawak is yet another example of the veracity of Strauss' observation that to achieve recognition, ". . . a new nation must be powerful enough to force another nation to recognize it . . ." or be ". . . sufficiently subservient to such a nation to make it advantageous for that nation to recognize it . . ." ³¹⁵ (It may be posited that the latter characterized Switzerland's relationship with Nazi Germany, as well as the unilateral recognition of Transkei, Bophuthatswana, and Venda by the South African apartheid government.)

If Brooke's Sarawakan rajahship prospered largely because of the legitimate circumstances involved in its establishment and its recognition by the British government, the Principality of Seborga would seem to combine these elements and others in regard to its claims of legitimacy and sovereignty. Its current quest for recognition, particularly by the Italian government, is largely based upon its antiquity and especially its relationship to the Holy See. Like the Redondan succession controversy, the detail afforded the history of the principality in this work is intended in part to illustrate that point. Unlike more recent micronations, Seborga is shielded from assertions that its claims to legitimacy are frivolous by virtue of its status as an ancient political entity, its having been recognized by other nations on or near the Italian peninsula for over one thousand years, and its unbroken affiliation with the Catholic Church in both an ecclesiastical and political sense, as exemplified by its protectorate status under the auspices of the Vatican.

³¹⁴ Low, *Sarawak; Its Inhabitants and Productions*, xiii-xvi.

³¹⁵ Strauss, *How to Start Your Own Country*, 6.

The significance of Seborga's antiquity and its affiliation with the Holy See in regard to its having secured limited recognition from the government of Italy (as well as a handful of other European states) is illustrated by the ephemeral *Repubblica delle Rose* (Republic of the Roses or Isle of the Roses) which was located near the Italian peninsula. This micronationalist project was initiated by Giorgio Rosa, an engineering professor from Bologna, early in the 1960s when he erected a structure in the Adriatic Sea approximately eight miles from the Italian coast near the city of Rimini. (The Italian government at that time claimed territorial waters to a distance of three miles from the shore.) The structure housed several businesses, as well as a post office and a bank. On May 1, 1968, Rosa declared *Repubblica delle Rose* an independent state, incurring the wrath of Italian authorities who thirty-three days later directed military forces to invade the newly-established republic. Intervention was justified by references to, “. . . ‘national security, illegality, tax avoidance, maritime obstruction and pornography.’” The Italian Navy destroyed the structure early in 1969.³¹⁶

It may be reasonably assumed that Seborga's ancient status and its association with the Vatican has shielded it from a similar fate. For example, while *Repubblica delle Rose* was invaded and destroyed, one of the most significant accomplishments of the revitalized Seborgan government involved the *evacuation* of the Italian police and military from the principality. Those sympathetic to the cause of *Repubblica delle Rose* suggest that the Italian aggression which lead to its demise, “. . . illustrates the extent to which existing countries are willing to brush aside written law if they think a new-country project has the potential to seriously inconvenience them.”³¹⁷ (The operative phrase here is “new-country project,” in contrast to Seborgan antiquity.) In a show of micronationalist solidarity, the Seborgan government itself is on record

³¹⁶ Ibid., 131-132.

³¹⁷ Ibid., 132.

as having condemned Italian aggression against *Repubblica delle Rose* in a statement characterizing the invasion and the republic's subsequent destruction as, ". . . without any legal . . . [basis] . . . neither national or international."³¹⁸

Is this, in fact, the case? Like Sealand, the sovereignty claim of *Repubblica delle Rose* is based largely on its location in international waters, outside of Italian jurisdiction. The distance from shore a nation may claim as territorial waters is a subject of ongoing controversy in the international legal community. However, at the time of Rosa's sovereignty declaration in 1968 the Italian government claimed a three-mile limit, seemingly placing the republic well outside of its jurisdiction. In any event, regardless of the precise limit of territorial waters in regard to a given state, there is a pervasive consensus among international bodies of maritime law that domestic authority does not extend *beyond* that limit. For example, a report from the UN Secretary General to the General Assembly dated August 27, 1998, reads in part, "There . . . [is] . . . general agreement that the validity of any unilateral imposition of . . . [maritime] . . . sanctions through extraterritorial application of domestic legislation must be tested against the norms and principles of international law. The principles . . . [include] . . . those of sovereignty and territorial integrity, sovereign equality, non-intervention, self-determination and freedom of trade."³¹⁹ The Italian invasion and destruction of *Repubblica delle Rose* would appear to have violated these principles of international maritime law and bolstered the republic's claims to sovereignty, legitimacy, and self-determination.

Many modern micronationalist entities avoid weighty issues of recognition, sovereignty, independence and the precise meaning of statehood almost entirely through a variety of

³¹⁸ Diplomatic and Consular Corps, *Principality of Seborga*, 28.

³¹⁹ Barbara Kwiatkowska, Netherlands Institute for the Law of the Sea, Harm Dotinga, *International Organizations and the Law of the Sea* (The Hague: Kluwer Law International, 2000), 111.

procedures. With a few exceptions, such as Seborga, the Justus Township, Sealand, the Gay and Lesbian Kingdom, Akhzivland, and others, the founders of most twentieth and twenty-first century micronations seem to realize that recognition of their states by older, traditional nations is not forthcoming. Some make little or no effort to secure such recognition, opting only for associations with other micronationalist entities similar to themselves or existing as “hermit” states virtually eschewing contact with the outside world. Although this procedure has traditionally been utilized by mercantile interests to avoid taxation and/or restrictive trade regulations, the establishment of “states” on ships under flags of convenience in international waters is another method used by micronationalists to maintain their independence in lieu of recognition by powerful, well-established nations.³²⁰ (The Principality of Sealand was indirectly founded in this way as a result of Paddy Roy Bates’ early career as a “pirate radio” magnate in the North Sea.) As previously mentioned, there are also the cybernations which can be said, in a cartographic sense, to exist only as “legends” in the minds of their creators, thus avoiding considerations of the fundamental issues of nationhood altogether. Finally, there are the micronationalist entities which combine the aforementioned “hermit” approach with, “. . . underground living—that is living within the boundaries of existing countries, but out of sight and mind of the existing government.”³²¹

In North America, the modern micronation of Molossia is one of those states which appears to avoid the issue of recognition by older, traditional states entirely, seemingly content to restrict its interaction with other countries almost exclusively to the micronationalist community. One of the oldest micronations within the borders of the United States, the Republic of Molossia under the leadership of His Excellency President Kevin Baugh, is divided into two provinces, Harmony

³²⁰ Strauss, *How to Start Your Own Country*, 139-146.

³²¹ *Ibid.*, 93.

and Desert Homestead. Harmony Province, in which the capital city of Espera is located, is within the borders of the State of Nevada near Virginia City. Desert Homestead Province is located near the city of Twenty-Nine Palms, California. The republic has been referred to as, “. . . a light-hearted antidote to the gun-totin’, government-hating secessionists so common to micronations on the North American continent . . .” such as the Justus Township and others of its ilk.³²²

During a 2007 interview, Baugh spoke about his nation, his motivations in regard to its founding, its history, and the future of the micronationalist movement, particularly concerning the issues of sovereignty, recognition, and national identity. Molossia was originally founded by Baugh and his associate James Spielman, formerly James I. Baugh states, “The initial establishment . . . [of Molossia] . . . back in 1977 was completely on our own, although . . . [we were] . . . inspired by the fictional nation of Grand Fenwick in . . . [the film] . . . ‘The Mouse That Roared’ . . . My mentors in the micronational world were . . . all very serious land-based micronations . . . They helped me through the initial phases of bringing Molossia to life online and teaching me the importance of actually claiming land as opposed to remaining purely virtual”³²³

Being a “land-based” micronationalist entity is fundamental to the Molossian sense of national identity and ensures the country a modicum of sovereignty, insofar as that is possible. With the purchase of land in 1998, Baugh was faced with a decision in regard to whether or not to accept taxation imposed upon it by the United States and Nevada. Molossia chose to avoid the issue, or perhaps to mitigate against the negative impact avoidance of such taxation might have had upon its sovereignty, by semantically redefining this requirement originating from powerful

³²² Ryan et al., *Micronations*, 62-63.

³²³ Kevin Baugh (President, Republic of Molossia) in e-mail discussion with the author, 6 March 2007.

foreign governments. Baugh concedes that Molossia does indeed pay taxes to both governments, but refers to the process as “foreign aid.” “We think that sounds much better than ‘tribute,’” he says, adding that, “It just isn’t good business to annoy countries such as the U.S. in favor of some tiny upstart country with no economic benefit to them.”³²⁴

Baugh maintains that, apart from taxation, Molossia enjoys *de facto* sovereignty in that it is allowed to exist virtually unmolested by any outside government. In any case, Molossia enjoys widespread recognition within the contemporary micronationalist community. However, he is not altogether sanguine regarding the future of the movement in North America, particularly where the issue of sovereignty is concerned, nor in terms of First Amendment guarantees which allow micronationalists to at least *assert* sovereignty whether or not it is actually recognized.

Baugh predicts that, “. . . there are two directions that the micronational world could go. First, I tend to think that the U.S. is moving toward a strong, very authoritarian government in the near future. This type of government will certainly ban micronations . . . effectively ending the movement in the U.S. If this does not happen, I see little change . . . in the future. Virtual micronations will continue to come and go with dizzying speed and landed micronations will continue to emerge at the sedate pace that they do now . . . We’ll just go happily along on the fringe of society, raising our flags and enjoying our tiny countries without much variation for a long time to come.”³²⁵

As previously observed, Baugh asserts that Molossian sovereignty is based primarily upon the declarative theory of nationhood as codified by the Montevideo Conventions on the Rights and Duties of States. To again quote Article 3 of that document, which reads, “The political existence of the state is independent of recognition by other states. Even before recognition the

³²⁴ Ibid.

³²⁵ Ibid.

state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts.”³²⁶ As the United States is a signatory to these conventions it would at first blush seem a violation of the intent of the document for the American government to question the legitimacy or sovereignty of states such as Molossia, unless they are perhaps viewed as secessionist. (Other “internal micronations” within the United States, such as the Kingdom of Fergus, pursue a dual citizenship policy, thereby avoiding the appearance of any secessionist tendencies.) A strict interpretation of the Montevideo Conventions unquestionably leads to the conclusion that the Republic of Molossia and other micronationalist entities within the borders of the United States are just as entitled to autonomy as any of the recognized “legitimate” states of the world.

Equal in importance to issues of sovereignty and legitimacy when discussing Molossia or other “internal micronations” within North America is the concept of free speech which, as previously noted, guarantees micronationalists the right to at least posit their sovereignty as factual. The possible authoritarian bent of a future American government, of which President Baugh is fearful, suggests that civil libertarian elements within American society should consider themselves natural allies of the micronationalist movement. Whether actual diplomatic recognition of these “internal micronations” is ever forthcoming, and that seems unlikely in the extreme, the right of their founders to *proclaim* sovereignty and legitimacy is an inalienable right under the First Amendment of the American Constitution of fundamental importance to all parties, regardless of questions concerning micronationalist autonomy.

³²⁶ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 166.

As opposed to the Molossia and other “internal micronations” on the North American continent, states founded on ships registered under flags of convenience are perhaps the most convenient method for micronationalists to enjoy the greatest measure of autonomy in the shortest time. Such “states” represent, “. . . a class of activities that may not be nations, in the strict sense of the term. However, they provide a scope of action normally associated with sovereign entities.”³²⁷ Indeed, there are micronationalist experiments currently being conducted on such ships and proposals for additional projects in the future. Where the achievement of sovereignty and independence is concerned, this method of establishing micronationalist entities may well hold the most promise of success in a practical sense. Ships under flags of convenience which are used for micronationalist projects, “. . . are typically stationed just outside territorial waters near population centers on land . . . [and are] . . . registered under the flags of small nations that specialize in issuing such registrations with a minimum of strings attached, such as Panama and Liberia.”³²⁸ It is unwise for micronationalists to establish states on unregistered vessels as this would invite reprisals by “legitimate” nations for piracy under international law.

The establishment of micronations on ships or other floating structures has come to be known as “seasteading,” and one of its major contemporary advocates is anarchist Patri Friedman, grandson of noted economist Milton Friedman. Aided by contributions from wealthy donors, one of whom, investor Peter Thiel, contributed \$500,000 in 2008, Friedman has established the Seasteading Institute to promote micronationalist ventures at sea. Thiel’s contribution specifically is currently being used to construct, “. . . some small, cheap seasteeds to

³²⁷ Strauss, *How to Start Your Own Country*, 139.

³²⁸ *Ibid.*

provide a little non-state infrastructure and get things rolling (or floating, as the case may be).”³²⁹ Friedman concedes that, “There aren’t many people who are wiling (sic) to drop their lives and move to the ocean.” Instead he envisions these micronationalist entities beginning, “. . . as a one week vacation, but then it could grow and eventually become permanent.” Optimistic regarding the success of seasteading, he adds, “Starting a new country is actually a much less hard problem than, say, a libertarian winning a U.S. election.”³³⁰

While seasteading provides its participants with a direct and less time consuming path toward a modicum of traditional sovereignty and legitimacy than its land-based micronationalist counterparts, the so-called cybernations, unencumbered by territory or infrastructure, avoid these issues altogether by largely restricting themselves to internet simulations of political and diplomatic activities on websites, including the Micronational News Network and the League of Micronations. Military conflicts, diplomatic relationships, elections, and legislative activity are all simulated online utilizing blogs, bulletin boards, and mailing lists. In the case of cybernations, the absence of physical locations essentially renders moot concerns associated with questions of legitimacy, sovereignty, independence, or recognition.

However, some cybernations expand their activities to include actual territorial claims or develop a synthetic identity containing both actual and virtual components. Of this type of micronation, the Kingdom of Talossa is perhaps the best known. Talossa is a sort of hybrid between those micronationalist states which claim sovereignty over an actual physical space and completely imaginary cybernations. Talossa was originally located in the bedroom of its teenage

³²⁹ *Reason Online*, “Homesteading On the High Seas: Floating Burning Man, ‘jurisdictional arbitrage,’ and other adventures in anarchism” (by Katherine Mangu-Ward, <http://www.reason.com/news/show/126198.html-35k> (accessed January 19, 2009).

³³⁰ *Ibid.*

founder, Robert Ben Madison (Robert I) and founded on December 26, 1979.³³¹ Originally a one-citizen state, Madison began granting Talossan citizenship to friends and acquaintances in 1981.

After expanding Talossan territorial claims to include, “. . . a large part of the city of Milwaukee, Wisconsin . . .,” Robert was briefly deposed in 1986, regaining the throne after a brief interregnum in 1988. Whether or not Talossa may be properly regarded as a “legitimate” state, it developed into a micronationalist success story, enjoying the support of tens of thousands of citizens. Ironically, it was Talossa’s success in recruiting citizens which lead to its untimely demise, at least according to Madison, who asserts that with Talossan success, “. . . all the worst excesses of the global micronational movement emerged.” Although there are still online entities claiming to represent Talossa, Madison insists that no one representing the original project is any longer involved.³³² Apparently disgusted with incessant internecine conflict within Talossa, and the movement in general, Madison has referred to the micronationalism as, “. . . a psychopathic, self-absorbed hobby.”³³³

Although it is in many respects another type of cybernation in that many of its activities are restricted to the Internet, the Dominion of British West Florida (DBWF) has taken an unconventional, and some might say unrealistic approach, to issues pertaining to sovereignty and recognition by attempting to affiliate itself with the already widely recognized and historically venerable United Kingdom. Claiming territory, “. . . bounded by the Mississippi River and Lake Pontchartrain in the west by 32.5 degrees latitude to the north, the Gulf of Mexico to the south

³³¹ Stephen Mihm, “Utopian Rulers and Spoofs, Stake Out Territory Online,” *New York Times*, 25 May 2000, sec. G, 7.

³³² Ryan et al., *Micronations*, 101.

³³³ R. Ben Madison, (formerly Robert I, Kingdom of Talossa), in e-mail discussion with the author, 28 February 2007.

and the Apalachicola River to the east . . . ,” the DBWF bases its legitimacy, “. . . on the proclamation of 1763 . . . [by which] . . . Britain won the region as spoils from the French and Indian War, exchanging it with the Spanish for Havana, Cuba.” Of course, for over two hundred years the area in question has been claimed by the United States and the governments of Mississippi, Florida, Alabama, and Louisiana.³³⁴

According to the interpretation of the government of the DBWF, its sovereignty was established in 1763. However, the current government was first organized by a renewed claim issued in 2005 initiated by then Acting Governor-General Robert, Duke of Florida, as the “Third Restoration.” It is perhaps hardly surprising to learn that in spite of repeated attempts to communicate with Her Majesty’s government in order to obtain official British royal endorsement of the DBWF, there has been no reply from the government of the United Kingdom regarding this matter. In an extreme understatement a DBWF official complained, “The most difficult aspect of my duties . . . is to properly determine the Crown’s intent.”³³⁵

Baron von Servers, Marquess of Mobile and Acting Governor-General in and for the Dominion of British West Florida, explains that the founders of the DBWF chose to seek recognition from the British Crown, as opposed to establishing their own, completely independent nation, because, “We have chosen to restore what never truly was: an independent God and Crown government in West Florida . . . By restoring the Crown in Right, and establishing a new Government we get the best of both worlds . . . [and] . . . the historical continuity of the British Crown” One understandably wonders if Anglophilia has played any part in the establishment of the DBWF and whether or not any members of its government have ever actually been to the United Kingdom. To these points, Server replies, “As an English

³³⁴ Ryan et al., *Micronations*, 139.

³³⁵ *Ibid.*, 140-141.

speaker, I . . . have some natural inclination towards my cultural heritage . . . among the members of our Government, I have been to the United Kingdom, as has the Speaker of the House of Commons and the Solicitor-General . . . The Speaker of the House was . . . [in fact] . . . born there.”³³⁶ Motivations for the establishment of the DBWF aside, as well as the tenuous connections some members of its government may have to the United Kingdom, it is obviously doubtful that this micronationalist venture will ever receive the recognition from the British Crown that it so ardently desires, although its founders are to be commended in respect to their novel approach to issues concerning sovereignty and recognition.

Should cybernationalist entities such as the Kingdom of Talossa or “actual-virtual” hybrids such as the Dominion of British West Florida be taken seriously in regard to their claims of legitimacy? The great nationalistic concepts are represented by nebulous and ambiguous terms (sovereignty, legitimacy, autonomy, recognition) which remain largely undefined in a practical sense by both the legal and academic communities. However, in reference once again to the Montevideo Conventions on the Rights and Duties of States (possibly the only widely recognized document of international law which may be interpreted to support the legitimacy of *some* contemporary micronations), pure cybernations would not seem to meet the criteria for nationhood outlined in Article 3 in that, not having claimed any actual geographical or substantive territory, the defense of their “integrity and independence” is not a relevant issue. The statement in Article 3 to the effect that, “Even before recognition the state has the right to defend its integrity and independence . . .” would seem to imply that the nation in question is

³³⁶ Baron von Servers (Marquess of Mobile, Acting Governor-General in and for the Dominion of British West Florida), in e-mail discussion with the author, 6-8 March 2007.

endowed with actual territory, or at least substantive resources, it seeks to preserve.³³⁷ By traditional standards, then, it would seem that the “land-based” micronations, such as the Republic of Molossia, enjoy a much more plausible claim to legitimacy than the purely virtual cybernations.

However, in the case of both Talossa and the DBWF, cybernations which, in addition to their online presence, *do* lay claim to physical territory take these Internet creations out of the purely virtual realm and into the physical. However, where both Talossa and the DBWF are concerned, the territorial claims they make (Talossa to Milwaukee and the DBWF to a substantial region of the American Southeast) are largely negated by these areas being firmly under the control of and administered by other vastly more powerful governments. Additionally, the populations of these areas do not recognize the authority of the micronationalists who claim sovereignty over the territory in which they reside, if they are even aware of them.

Turning that situation on its head, the innovative micronationalist strategy employed by the Association of Free Isles seeks to locate its population in territory controlled by an overwhelmingly powerful government while maintaining its own integrity and national identity by remaining out of sight and out of mind and keeping the sovereign power under which they live unaware of their presence. Founded in the United States during the early 1960s by, “. . . groups polarized around the teachings of Ayn Rand . . .,” the group originally proposed to purchase islands or undeveloped land just as many other micronations have done. In time, however, the group’s emphasis turned to the so-called “underground living” concept, the establishment of a state without territory consisting of citizens who resided in an already existing

³³⁷ U. S. Department of State, *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*, Washington, DC: Government Printing Office, 1934, 166.

nation, but who would be able to maintain a degree of sovereignty by conducting their affairs without the knowledge of that nation's government.³³⁸

Such a strategy necessarily entails a nomadic lifestyle and members of the Free Isles group began living in campers, vans, and other vehicles far removed from major population centers in the United States. They christened their lifestyle "vonu" and published an instructional newsletter, *Vonulife*, to attract prospective citizens. Sizable factions of the group eventually located themselves in the mountains of Washington State and eastern Oregon. Communication between them and anyone outside of the Free Isles community became increasingly infrequent to the extent that their current location is unknown and their fate has become something of a mystery. If these factions remain active, one may reasonably assume that their members were indeed successful in achieving sovereignty to some degree by means of "underground living."³³⁹

In terms of assessing claims to legitimacy, in a traditional sense, on the part of the Association of Free Isles, the issue of sovereignty would seem to be a paramount consideration. In that regard, it is important to arrive at a concise definition of the term. Sovereignty is said to mean, ". . . supreme power esp. over a body politic . . ." or ". . . freedom from external control . . ."³⁴⁰ To a certain extent, the Association of Free Isles would seem to satisfy both of these criteria. However, like the technologically-oriented cybernations, no territorial claims are involved, nor, according to the "vonu" agenda may they be expected. Even the hybrid "actual-virtual" cybernations, such as the Kingdom of Talossa and the Dominion of British West Florida, are characterized by claims to sovereignty over physical territory, however unrealistic or tenuous those claims may be. The "underground living" strategy precludes sovereignty in a

³³⁸ Strauss, *How to Start Your Own Country*, 93.

³³⁹ Ibid.

³⁴⁰ Merriam-Webster's Collegiate Dictionary, 11th ed., Springfield, Massachusetts: Merriam-Webster, (2003), s.v. "sovereignty."

conventional sense as there is no territorial “integrity” to be defended and “independence” is maintained only so long as the government which controls the territory in which the citizens of the Association of Free Isles reside remains ignorant of their whereabouts and any activities engaged in by them which it might find objectionable. In any case, the unorthodox approach taken by proponents of the “vonu” lifestyle would seem to indicate that the limited “sovereignty” it seeks to create is a primary goal of the association and that it is not particularly concerned with legitimacy in a traditional sense.

Whatever means are employed by micronationalists to achieve sovereignty, it is reasonably clear that the issue is inextricably linked to the “might makes right” principle in regard to international affairs. The essence of the concept of “sovereignty,” at its most fundamental level, involves the ability of those who exercise it to conduct their own affairs unimpaired and unmolested by external forces. Owing to a paucity of resources, as well as the absence of any substantial military capability, the vast majority of modern micronationalists are compelled to achieve such limited sovereignty as is possible for them through the various methods which have previously been described. Although not completely unknown, it is extremely rare for a modern micronation to successfully challenge the authority of a stronger traditional neighbor concerning any dispute between them. The few examples of micronationalist success in such situations have usually been found in the arena of international or domestic law (Sealand, Akhzivland, Seborga, *et al*), although it is obvious that the law itself is not a deterrent to powerful nations intent upon violating the sovereignty of weaker neighbors, including recently founded micronations. (The invasion and destruction of the Republic of the Roses is an example. Its location in universally recognized international waters did nothing to mitigate against its untimely demise at the hands of the Italian government.)

One is inclined to conclude, therefore, that Snyder's "elusive subject" of nationalism and its meaning may in the end involve mere semantic constructs. If one accepts that groups of people are the one indispensable component of statehood and national identity, distinctions made between cities, states, tribes, nations, countries, alliances, provinces, regions, territories, confederations, principalities, and so on seem less imperative and primarily semantic in nature. Also, and this is an especially important assertion among modern micronationalists, the right and ability of any given group of people to organize themselves in a particular manner and identify such an organization as they please (whether as nation, city, tribe, or any other designation they may deem appropriate) is one of the most fundamental characteristics typically associated with nationalism, and especially with the concept of sovereignty upon which so many nationalistic entities are based. Regardless, the elusive nature of nationalism, especially where its precise meaning is concerned is most likely a permanent phenomenon, the efforts of the academic and legal communities to reach a consensus on the subject notwithstanding.

Historian Peter Novick describes the dissensus within the academic community regarding the issue of objectivity during the late twentieth and early twenty-first centuries in scriptural terms by quoting the final verse of the Book of Judges in which the writer laments that, "In those days there was no king in Israel; every man did that which was right in his own eyes."³⁴¹ The dissensus within the academic and legal communities in regard to the issue of nationalism has produced a similar result. Where micronationalists in particular are concerned, the absence of a "king in Israel" is largely viewed in a positive light and has encouraged them to establish their own nationalistic entities in whatever manner seems "right" in *their* own eyes.

³⁴¹ Novick, *That Noble Dream*, 628.

REFERENCES

LIST OF REFERENCES

- Alexander, Jason, (Administrator, Gay and Lesbian Kingdom). In discussion with the author, e-mail, 20 March 2007.
- Allan, Victor, "The Prince of Poyais." *Diversions of History*. introduced by Peter Quennell. London: Allan Wingate, 1954.
- Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London and New York: Verso, 1991.
- Avivi, Eli, (President, State of Akhzivland), in-person discussion with the author. State of Akhzivland. 6 November 2007.
- Barber, Malcolm, and Keith Bate. *The Templars*. Manchester: University of Manchester Press, 2002.
- Baugh, Kevin, (President, Republic of Molossia). In e-mail discussion with the author, 6 March 2007.
- Benelea I, Her Majesty, (Reigning Sovereign, Kingdom of Fergus). In personal discussion with the author, 21 January 2009.
- Brown, Stewart J. and Timothy Tackett, *The Cambridge History of Christianity*. Cambridge: Cambridge University Press, 2006.
- Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics*. London: Macmillan, 1977.
- Calvini, Nilo. *Il Principato di Seborga: Un Millennio di Storia*. Imperia, Italy: Dominici Editore, 1992.
- Carutti, Domenico. *Storia del regno di Vittorio Amedeo II*. Firenze: LeMonnier, 1863.
- Cawley, R. McGregor. *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics*. Lawrence, Kansas: University of Kansas Press, 1993.
- Crawley, C.W. *The New Cambridge Modern History: War and Peace in an Age of Upheaval*. Cambridge: Cambridge University Press, 1965.

REFERENCES (continued)

- Daughton, James Patrick. *An Empire Divided: Religion, Republicanism, and the Making of French Colonialism, 1880-1914*. Oxford: Oxford University Press, 2006.
- De Fortis, Paul. "A History of Redonda." *The Kingdom of Redonda: 1865-1990*. Edited by Paul de Fortis. Wirral, Cheshire: Aylesford Press, 1991.
- Des Vergnes, André. *Antoine de Tounens (1825-1878): Le conquistador François fondateur du Royaume d'Araucania et de Patagonie*. La Rochelle: Quartier Latin, 1979.
- Di Pierlas, Conte E. Cais. *I Conti di Ventimiglia: Il Priorato di San Michele*. Turin: Stamperia Reale Della Ditta G.B. Paravia E.C., 1884.
- Di Scala, Spencer. *Italy: From Revolution to Republic, 1700 to the Present*. Boulder, Colorado: Westview Press, 2004.
- Diplomatic and Consular Corps of the Principality of Seborga. *Principality of Seborga: Synopsis of Sovereignty Elements*, Version I. Principality of Seborga: Seborga Press, 2008.
- Doan, Daniel. *Indian Stream Republic: Settling a New England Frontier, 1785-1842*. London: University Press of New England, 1997.
- Dumbauld, Edward. *The Life and Legal Writings of Hugo Grotius*. Norman, Oklahoma: University of Oklahoma Press, 1969.
- Elcock, W.D. *The Romance Languages*. London: Faber and Faber Limited, 1960.
- Fahlbusch, Erwin, and Geoffrey William Bromley. *The Encyclopedia of Christianity: E-I*. Cambridge: Wm. B. Eerdmans Publishing, 2001.
- Fergus, Howard A. *Gallery Montserrat: Some Prominent People in Our History*. Kingston, Jamaica: Canoe Press, 1995.
- Gil-Montero, Martha. "The Elusive Reign of Orelie-Antoine." *Americas*. Vol. 42, No. 5, (1990).
- Gregor, A. James. *The Ideology of Fascism: The Rationale of Totalitarianism*. New York: The Free Press, 1969.

REFERENCES (continued)

- Grendi, Edoardo. "The Political System of a Community in Liguria: Cervo in the Late Sixteenth and Early Seventeenth Centuries," *Microhistory and the Lost Peoples of Europe*. Edited by Edward Muir and Guido Ruggiero. Translated by Eren Branch. Baltimore: John Hopkins University Press, 1991.
- Grossman, W. "Toleration—*Exercitium Religionis Privatum*" *Journal of the History of Ideas*. No. 1, (1979).
- Hammond, Otis Grant, M. A., ed., *Collections of the New Hampshire Historical Society*, vol. 11. Concord, N. H.: New Hampshire Historical Society, 1915.
- Hasbrouck, Alfred. "Gregor MacGregor and the Colonization of Poyais, between 1820 and 1824." *Hispanic American Historical Review*. Vol. 7, No. 3 (November 1927).
- Herman, Didi and Carl Franklin Stychin. *Sexuality in the Legal Arena*. London: Continuum International Publishing Group, 2000.
- Hickey, Gerald Cannon. *Kingdom in the Morning Mist: Mayraena in the Highlands of Vietnam*. Philadelphia: University of Pennsylvania Press, 1988.
- Hroch, Miroslav. "From National Movement to Fully Formed Nation." *New Left Review*. 198 (March 1993).
- Jackson, Kevin. "A Writer At Large: The Kingdom of Redonda." *Independent on Sunday* (Independent Newspapers UK, Ltd.), 2 March 2003.
- Jackson, R. H. *Quasi-States: Sovereignty, International Relations and the Third World*. Cambridge: Cambridge University Press, 1990.
- Jackson, Robert. *Sovereignty: Evolution of an Idea*. Cambridge: Polity Press, 2007.
- Jacobs, Daniel, Shirley Eber, and Francesca Silvani. *Israel and the Palestinian Territories: The Rough Guide*. London: Rough Guides, 1998.
- James, Paul. *Nation Formation: Towards a Theory of Abstract Community*. London: Sage Publications, 1996.
- Killinger, Charles L. *The History of Italy*. London: Greenwood Publishing Group, 2002.

REFERENCES (continued)

- Kohn, Hans. *Nationalism: Its Meaning and History*. New York: D. Van Nostrand, 1955.
- Kwiatkowska, Barbara, Netherlands Institute for the Law of the Sea, Harm Dotinga. *International Organizations and the Law of the Sea*. The Hague: Kluwer Law International, 2000.
- “Law Cases &c., Court of King’s Bench, Guildhall, Jan. 9. *McGregor v. Thwaites & another.*” *The Annual Register, or a View of the History, Politics, and Literature of the Year 1824*. London: Baldwin, Cradock, and Joy, 1825.
- Le Duc, Thomas. “The Maine Frontier and the Northeastern Boundary Controversy. *American Historical Review*. Vol. 53, No. 1 (October 1947).
- LePot, François. *El Rey de Araucania y Patagonia*. Buenos Aires: Corregidor, 1995.
- Lew, Alan, C., Michael Hall, and Dallen J. Timothy. *World Geography of Travel and Tourism: A Regional Approach*. Oxford: Butterworth-Heinemann, 2008.
- Lewis, Flora. “People and Groups.” *New York Times*. 31 Mar 1990.
- Livermore, Harold V. “New Australia.” *Hispanic American Historical Review*. Vol. 30, No. 3 (August 1950).
- Low, Hugh. *Sarawak; Its Inhabitants and Productions: Being Notes During a Residence in that Country with H. H. the Rajah Brooke*. London: Richard Bentley, 1848.
- Luzzi, Giovanni. *The Struggle for Christian Truth in Italy*. New York: Fleming H. Revell Company, 1913.
- Machiavelli, Niccolo. “The Prince.” *Great Books of the Western World*. Edited by Robert Maynard Hutchins. Translated by W. K. Marriott. Chicago: William Benton, 1955.
- Madison, R. Ben, (formerly Robert I, Kingdom of Talossa). In e-mail discussion with the author. 28 February 2007.
- Matthews, Tom, Gerald C. Lubenow, Martin Kasindorf, and Gloria Berger. “The Angry West vs. the Rest,” *Newsweek*. (17 September 1979).

REFERENCES (continued)

- McIlwain, C. H. *The Growth of Political Thought in the West*. New York: Macmillan, 1932.
- Memoirs of John Quincy Adams, Comprising Portions of His Diary from 1795 to 1848*. Edited by Charles Francis Adams. Philadelphia: J. B. Lippincott, 1875.
- Menefee, Samuel Pyeatt. "Republics of the Reefs: Nation-Building on the Continental Shelf and in the World's Oceans." *California Western International Law Journal*. Vol. 25, No. 1 (Fall 1994).
- Merriam-Webster Dictionary*, 6th ed. Springfield, Massachusetts: Merriam Webster, (2004).
- Merriam-Webster's Collegiate Dictionary*, 11th ed. Springfield, Massachusetts: Merriam-Webster, (2003).
- Mihm, Stephen. "Utopian Rulers, and Spoofs, Stake Out Territory Online." *New York Times* (25 May 2000), sec. G.
- Montesquieu, *Considerations on the Causes of the Greatness of the Romans and their Decline*, David Lowenthal, trans. New York: The Free Press, 1965.
- Moore, Margaret. "Introduction: The Self-Determination Principle and the Ethics of Secession." *National Self-Determination and Secession*. Edited by Margaret Moore. Oxford: Oxford University Press, 1998.
- Morrison, Nick. "It Wasn't Like This In the Brochure." *Northern Echo*. Darlington, U.K.: Newsquest. 17 March 2003.
- Ngowi, Rodrique. "Communities Make Their Own Currency." *Hutchinson News*. 16 January 2009.
- Nicholson, Desmond V. *Antigua, Barbuda, and Redonda: A Historical Sketch*. St. John's Antigua: Museum of Antigua and Barbuda, 1991.
- Novick, Peter. *That Noble Dream: The "Objectivity Question" and the American Historical Profession*. New York: Cambridge University Press, 1988.
- Olien, Michael D. "The Miskito Kings and the Line of Succession." *Journal of Anthropological Research*. Vol. 39, No. 2, "New World Ethnohistory," (Summer, 1983).

REFERENCES (continued)

- Olson, James S. and Robert S. Shadle. *Historical Dictionary of the British Empire*. Westport, Connecticut: Greenwood Press, 1996.
- Openshaw, Johnny. "The Last Page: A Postcard from Patagonia." *Stanford Review*. January 25, 2001, Vol. XXV, no. 6, <http://www.stanfordreview.org>.
- Pegg, Scott. *International Society and the De Facto State*. Singapore: Ashgate Publishing, 1998.
- Popkin, Jeremy D. *Media and Revolution: Comparative Perspectives*. Lexington, Kentucky: University Press of Kentucky, 1995.
- Raymond, W. O., ed. "State of the Madawaska and Aroostook Settlements in 1831: Report of John G. Dean and Edward Kavanagh to Samuel E. Smith, Governor of the State of Maine." *Collections of the New Brunswick Historical Society* (St. John, N. B.) no. 9 (1914).
- Read, Piers Paul. *The Templars*. Cambridge, Massachusetts: Da Capo Press, 2001.
- Reason Online*, "Homesteading On the High Seas: Floating Burning Man, 'jurisdictional arbitrage,' and other adventures in anarchism." (by Katherine Mangu-Ward, <http://www.reason.com/news/show/126198.html-35k> (accessed January 19, 2009).
- "Report of the Trial of Barnabas Hannawell, Jesse Wheelock, and Daniel Savage." *The Fredericton Royal Gazette*, 19 October 1831. Reprinted in *Remarks upon the Disputed Points of Boundary*, xvii-xix. Colebrooke to Sydenham, 1 May 1840, in George S. Rowell, "John Baker, A Hero of Madawaska," pamphlet, 28 November 1911.
- Richardson, James T. *Regulating Religion: Case Studies from Around the Globe*. New York: Kluwer Academic/Plenum Publishers, 2004.
- Roth, Brad R. *Governmental Illegitimacy in International Law*. Oxford: Clarendon Press, 1999.
- Roth, Henry Ling. *Natives of Sarawak and British North Borneo: Based chiefly on the MSS. Of the late Hugh Brooke Low, Sarawak Government Service*. New York: Truslove and Comba, 1896.
- Rowell, George S., A. M. "John Baker, The Hero of Madawaska." *The Magazine of History with Notes and Queries*. July 1916, Vol. XXIII, No. 1.

REFERENCES (continued)

- Runciman, Steven. *The White Rajahs: A History of Sarawak from 1841 to 1946*. Cambridge: Cambridge University Press, 1960.
- Ryan, John, George Dunford, Simon Sellars, and Simon Hall, *Micronations: The Lonely Planet Guide to Home-Made Nations*. Hong Kong: Lonely Planet, 2006.
- Salemink, Oscar. *The Ethnography of Vietnam's Central Highlanders: A Historical Contextualization, 1850-1990*. Honolulu: University of Hawaii Press, 2003.
- Schlatter, Evelyn A. *Aryan Cowboys: White Supremacists and the Search for a New Frontier, 1970-2000*. Austin: University of Texas Press, 2006.
- Scott, Geraldine Tidd. *Ties of Common Blood: A History of Maine's Northeast Boundary Dispute With Great Britain, 1783-1842*. Westminster, Maryland: Heritage Books, 1992.
- Seitelman, Max. "The Cession of Sarawak." *Far Eastern Survey*. Vol. 17, No. 3 (February 11, 1948).
- Shafer, Boyd C. *Faces of Nationalism: New Realities and Old Myths*. New York: Harcourt Brace Jovanovich, Inc., 1972.
- Sharma, Surya Prakash. *Territorial Acquisition, Disputes, and International Law*. The Hague: Martinus Nijhoff Publishers, 1997.
- Shiel, M. P. Entry in *Living Authors*. New York: H. W. Wilson, 1931.
- Sinclair, David. *The Land That Never Was: Sir Gregor MacGregor and the Most Audacious Fraud in History*. Cambridge, Massachusetts: Da Capo Press, 2003.
- Smith, Anthony D. "The Nation: Real or Imagined?" *People, Nation and State: The Meaning of Ethnicity and Nationalism*. Edited by Edward Mortimer with Robert Fine. London: I. B. Tauris, 1999.
- Snyder, Louis L. *Encyclopedia of Nationalism*. New York: Paragon House, 1990.
- _____. *Macro-Nationalisms: A History of the Pan-Movements*. Westport, Connecticut: Greenwood Press, 1984.

REFERENCES (continued)

- Sprague, John Francis. *The North Eastern Boundary Controversy and the Aroostook War*. Dover, Maine: The Observer Press, 1910.
- Strauss, Erwin S. *How to Start Your Own Country*. Boulder, Colorado: Paladin Press, 1999.
- Teo, John. "Preserve Kuching's Architectural Heritage." *New Strait Times*. September 26, 2008, http://www.nst.com.myCurrent_News/NST/Columns/2359683/Article/index_html1-44k-20 (accessed September 26, 2008).
- Turner, Fred. *From Counterculture to Cyberculture: Stewart Brand, the Whole Earth Network, and the Rise of Digital Utopianism*. Chicago: University of Chicago Press, 2006.
- U. S. Department of State. *Report of the Delegates of the United States of America to the Seventh International Conference of American States, Montevideo, Uruguay, December 3-26, 1933*. Washington, DC: Government Printing Office, 1934.
- Van der Kroef, Justus M. "The Sarawak-Indonesian Border Insurgency." *Modern Asian Studies*. Vol. 2, No. 3 (1968).
- Van Eysinga, Willem J. M. *Huigh de Groot, Een Schets*. Haarlem: H. D. Tjeenk Willink & Zoon, 1945.
- Viroli, Maurizio. *Machiavelli*. Oxford: Oxford University Press, 1998.
- Von Servers, Baron. (Marquess of Mobile, Acting Governor-General in and for the Dominion of British West Florida). In e-mail discussion with the author, 6-8 March 2007.
- Wallace-Murphy, Tim and Marilyn Hopkins. *Custodians of Truth: The Continuance of Rex Deus*. Boston: Weiser, 2005.
- Webster's Ninth New Collegiate Dictionary*, 9th ed. Springfield, Massachusetts: Merriam-Webster, 1988.
- Williams, Lynn. "National Identity and the Nation State: Construction, Reconstruction and Contradiction." *National Identity*. Edited by Keith Cameron. Exeter, England: Intellect Books, 1999. This work is also published in Wiltshire, England: Cromwell Press, 1999.