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The Sovereign Individualist: Political Obligation and the Condition of Justice

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THE SOVEREIGN INDIVIDUALIST

POLITICAL OBLIGATION AND THE CONDITION OF JUSTICE

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MA THESIS PHILOSOPHY: PHILOSOPHICAL PERSPECTIVES ON POLITICS AND THE ECONOMY

Supervised by Dr. B.J.E. Verbeek, Leiden University

Preface

With the completion of this thesis, I have completed nine years of studying at Leiden University. It therefore comes as no surprise that the notion of individual autonomy has not only been the focal point of my research, but has also been an important theme to me personally. In the past few years, my own search for independence has inspired my curiosity about the perspectives and motivations of others. During my bachelor's, I was eager to learn about the mindset of people in Russia and other ex-Soviet countries. But my master's in philosophy has provided me with the space and conceptual vocabulary to comprehend such matters.

Working for the Municipality of The Hague has taught me that, to many people, the state can be a faceless and intimidating organisation. In the following 16 months during which I have written this thesis, I have seen a rise in social discontent and political disillusionment. It has convinced me more than ever of the relevance of this subject.

I am exceptionally grateful to Dr. Bruno Verbeek for supervising this research. Thank you for your patience, your encouragement, and your enthusiasm for this project. I am not sure if I would have been able to finish it without your guidance.

I also want to thank my parents for unconditionally supporting me and for motivating and inspiring me daily. Not only during the completion of this project, but throughout my life. Thank you.

Thank you to Mariet, who has been here for a small part of my studies, but for a considerable part of my thesis. Meeting you has made all the difference in these last few months.

I owe so much to *de Hugo*, the friends that I came home to nine years ago. Thank you for stimulating me to think of new and original arguments with which to entice the dinner table. In particular, I want to thank Daan and Kathinka for always being welcome, and Josette for your care and wisdom.

Abstract

This thesis explores the philosophical legitimacy of the claim to political autonomy made by so-called *sovereign individualists*: individuals who reject the authority of the state and believe they are not morally obligated to obey its laws. While often dismissed as conspiracy theorists or extremists, these individuals articulate a principled form of dissent that has yet to be meaningfully addressed within political philosophy.

The thesis argues that existing normative frameworks, particularly theories of civil disobedience and secession, are inadequate for interpreting sovereign individualist claims. Civil disobedience theories presume a shared sense of justice and societal membership, which sovereign individualists explicitly reject. Likewise, secessionist theories rely on collective identity, territorial claims, and the formation of new states; criteria that do not apply to individuals seeking personal political independence.

By analysing how sovereign individualism challenges foundational assumptions about political obligation and justice, this thesis reveals a conceptual gap in the philosophical literature. Current theories contain normative assumptions about justice and social belonging that exclude alternative forms of autonomy by default.

The central conclusion is that sovereign individualism cannot be fairly assessed using existing theories. Instead, its rise demands new philosophical tools capable of evaluating political disobedience that does not fit the traditional liberal or democratic paradigms. Recognizing this gap is essential for a fuller understanding of political legitimacy, personal autonomy, and the moral boundaries of state authority.

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1 - Introduction

In the contemporary political landscape of liberal democratic societies, there has been a surge in the number of individuals who have proclaimed themselves to be 'autonomous'. They do not recognise the state's authority over them and believe that they do not owe the state any political obligation. The central conviction of liberal democracies is the idea that people must be free to decide who governs them, but the current societal and philosophical consensus is that 'autonomous' individuals are taking this notion too far. Their corresponding acts of disobedience are considered to be illegitimate, which is an understandable conviction given today's predominant theoretical perspective. However, this thesis portrays that there is no philosophical theory that allows us to make such a judgement. It is therefore inaccurate to dismiss people without a proper consideration of their claim.

Even though the generally held notion is that such people only exist on the margins of political society, research has shown that claims made against state authority are actually a more common phenomenon (AIVD 2024, 19). The trend of people contesting their obligations to the state has been gaining traction over the past few decades and was notably inspired by the Sovereign Citizens Movement in the United States that emerged during the 1960s and 1970s (AIVD 2024, 11; SPLC n.d.). At present, similar movements exist in the Netherlands, Germany, Sweden, Belgium, the Czech Republic, Canada, and the United Kingdom (AIVD 2023, 19; Institute for Strategic Dialogue 2022).

1.1 Sovereign individualists

'Autonomous' individuals regard their active consent to be the ultimate justification for obligation to the state. Consequently, they argue that by withdrawing their consent, they can be absolved from their obligation to the state. In this thesis, the people who make this claim will be referred to as 'sovereign individualists'.[1] What generally characterises sovereign individualism is the belief that one has not been taken into account in political decision-making, and the belief that the state's policies are infringing upon one's basic rights, which is why an individual claims to withdraw oneself from state authority indefinitely.

There are multiple types and gradations on the spectrum of individuals pushing back against state authority, both in terms of actions and foundational beliefs. In terms of

[1] Note that I will not refer to these people as "citizens", as the American Sovereign Citizen Movement does, as this conception introduces the suggestion of citizenship, which is exactly what is being contested here. It also differs per person whether one believes to be a citizen of some alternative state or other, or to be no citizen at all. Some sovereign individualists use alternative interpretations of legal history to substantiate the belief that a predecessor of the state they currently reside in still exists, and that they are therefore citizens of that previous state. See, for instance, subsections of the Reichsbürger Movement (Guhl and Hammer 2022).

actions, there is a range from the reluctant acceptance of the status quo of obligation to the active pursuit of partial or total removal of interference by the state. Despite this variety, the essence of sovereign individualism is the claim to 'removed obligation': the suspension of political obligation to the state. For the sovereign individualist, this removal of obligation to the state implies that the individual considers themselves to have ultimate authority, and therefore sovereignty.

Sovereign individualists may also diverge when it comes to the exact beliefs that have inspired their claim. It causes most people in liberal democratic societies to respond sceptically to them, as a frequent perspective on sovereign individualism is that the people who express claims to individual autonomy are seen as conspiracy theorists (AIVD 2023). Even though it is true that among sovereign individualists the idea of exemption from obligation is often derived from and encouraged by the belief in conspiracies, this does not have to be the case. Once again, whether the origins of a person's motivation lie in a misconstrued understanding of history and political affairs or an anarchist, libertarian, or other worldview, what is central to the sovereign individualist movement is the resulting claim to autonomy.

This claim is all that this thesis will consider. The research aims to take the sovereign individualist seriously and to try to understand their claim to autonomy. Contrary to current practice, the aim is not to formulate a moral judgement on the legitimacy of the claim itself. Instead, I aim to show that a moral judgment of sovereign individualism is not possible within existing theory. In doing so, this thesis uncovers that there is reason to believe that a justifiable case for sovereign individualism could be made. The mere possibility of the claim to individual autonomy being morally justifiable would force us to take a closer look at situations of removed obligation.

1.2 A philosophical hiatus

Until now, most of the research into the phenomenon of sovereign individualism has come from the perspective of sociology or security studies. Such projects aim to assess the potential threat of violence posed by people denying the state's authority, formulate a criminological perspective through a connection to the belief in conspiracy theories, or analyse the economic factors that contribute to people's marginalization in society. As insightful and valuable as these research angles are, the case of sovereign individualists is yet to be thoroughly examined from a philosophical perspective. And it is vital that we do because the existence of sovereign individualists poses a problem for the philosopher's understanding of authority and obligation.

I propose to start the analysis by considering sovereign individualism through the lens of existing theories of removed obligation, namely theories of civil disobedience and theories of secession, as they are two of the most widely accepted perspectives when it comes to judging the legitimacy of suspended or removed political obligation (Mokrosinska 2012, 1).

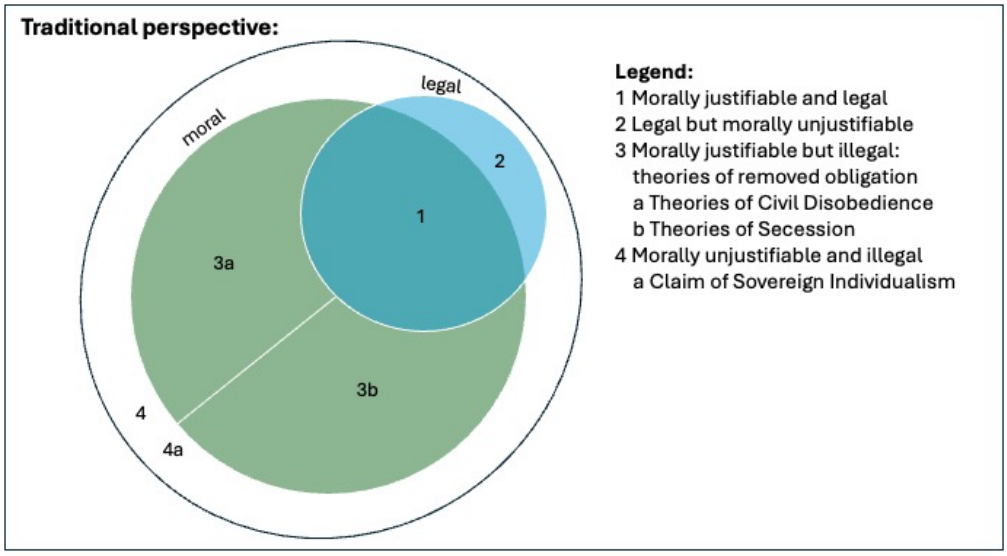

Image 1: Graphical portrayal of the traditional interpretation of removed obligation

Image 1 portrays a graphical reflection of the traditional philosophical interpretations of the realms of moral and legal legitimacy. These legal and moral realms often overlap (1), but do not do so completely. If they did, it would mean that we live in a perfectly just society, which is generally accepted to be non-existent (Raz 1994, 350; Beran 1987, 149; Simmons 2002, 17). The fact that we live in a nearly just society implies that there are morally unjustifiable laws (2), and morally just claims which are illegal (3). To uncover which claims are illegal yet morally justifiable, philosophers have formulated theories of removed obligation, most notably theories of civil disobedience and theories of secession (3a and 3b). If a claim does not meet these theories' conditions, they argue, it is morally unjustifiable (4). However, I would object that if a claim does not meet these specific conditions, this does not necessarily mean that it should be discarded as such. Instead, there may be more instances of morally legitimate removed obligation than have traditionally been accounted for, as is portrayed in *Image 2* (4a → 3c).

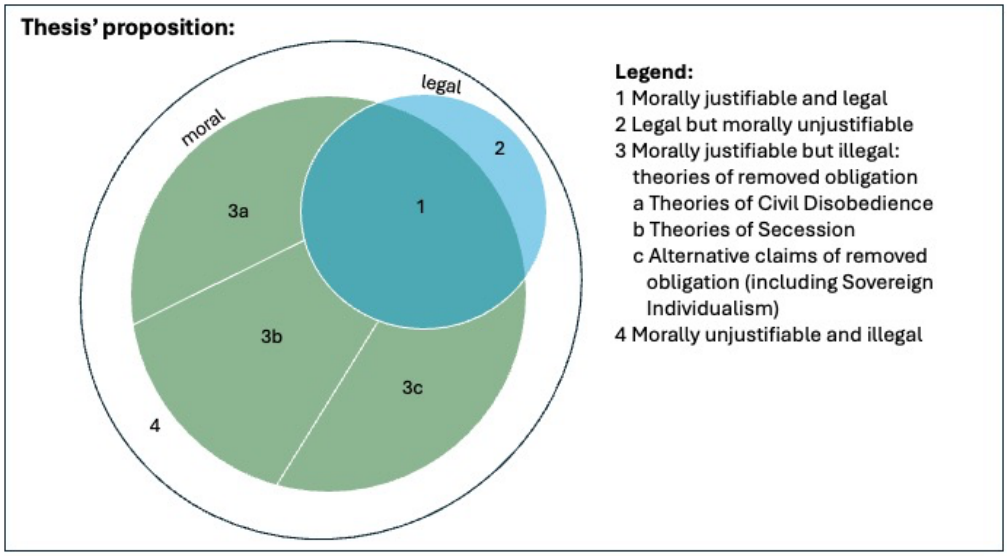

Image 2: Graphical portrayal of this thesis's proposition on removed obligation

My thesis statement is that the conditions formulated in existing philosophical theory are not adequate to deal with claims of sovereign individualism. Indeed, the research in this thesis suggests that there may very well be a 3c-situation, where the claim of sovereign individualism could be classified as morally justifiable removed obligation in its own right. Unfortunately, the current state of theorizing about removed obligation completely rules out this possibility.[2] Although there has been extensive discussion of the conceptions of authority and obligation, current standards of what can be considered legitimate in terms of removed obligation do not allow room for the claims of sovereign individualists.

Hence, the philosophical community lacks the conceptual tools to adequately characterise the sovereign individualist claim. This theoretical hiatus creates uncertainty as to how to assess individuals who reject the state's authority over them. We have boarded up our conception of what types of disobedience are legitimate, without fully realising what other types are discarded as illegitimate. If we apply the standards of political obligation and justice established by our most prevalent theoretical frameworks, and reflected in their conditions for legitimate removed obligation, sovereign individualism would be deemed illegitimate by definition and therefore set aside as the result of a conspiracy theory and nothing more.

Therefore, the research question that this thesis aims to answer is the following: *Why can theories of civil disobedience and theories of secession not accurately interpret the claims of sovereign individualists?* Why can 3a and 3b not account for all morally justifiable claims?

The way that political obligation is tied to the conception of the state as a just institution results in difficulties in determining the legitimacy of different forms of removed obligation, chief among them sovereign individualism. The existing theories of civil disobedience and secession attribute too much value to a predetermined conception of justice, rendering them unable to assess the legitimacy of the sovereign individualist claim.

1.3 Outline of argumentation

The argument of this thesis will be developed in four steps.

The next chapter provides an overview of existing perspectives on political obligation and political authority, to serve as a backdrop for the arguments of the remaining chapters. Chapter 3 discusses several interpretations of civil disobedience and their corresponding conditions for legitimate removed obligation, focusing on John Rawls's theory of civil disobedience. It is argued that his theory cannot account for any form of sovereign individualism. Chapter 4 discusses theories of secession, starting with

[2] I want to stress that whether and in which cases the sovereign individualist claim would in fact be morally justifiable is of secondary importance. This thesis focuses only on the argument that there is currently no framework in place to classify such a claim in its own right.

identifying three key features that make it impossible for this theoretical framework to make sense of the sovereign individualist claim. I proceed by taking a closer look at the views of Allen Buchanan and Christopher Wellman and explain why their conditions for legitimate secession cannot be applied to sovereign individualism. Chapter 5 discusses the implications of the described hiatus for conceptions of political obligation and conceptions of justice and offers recommendations for future theoretical research.

2 - On Political Obligation and Political Authority

2.1 Introduction

In the philosophical discourse, a great deal is said about the scope and limits of political obligation and political authority, and their relation to individual political autonomy deserves proper reflection in this thesis. Together, obligation and authority form the lens through which we regard the relationship between the state and the individual. That is why it is valuable to discuss the different layers that this lens consists of to understand possible perspectives on sovereign individualism.

In this chapter, I start by clarifying the notion of suspended or removed obligation. I proceed to describe the correlation between obligation and authority, and why this correlation is relevant to the case of sovereign individualism. The last section of this chapter examines the different justifications for political obligation and how they assign valuations to individual autonomy.

2.2 Removed obligation

In an attempt to bend legal reality to fit their convictions, subgroups of sovereign individualists tend to appeal to false interpretations of history (AIVD 2024, 11). A more straightforward way to substantiate their claim has been scattered throughout the philosophical tradition, where theorists have repeatedly stressed the distinction between moral and legal obligations to obey the state. It is necessary to identify what is meant by 'political obligation' in this context, to get a grip on the phenomenon of *removed obligation*.

Only in a perfectly just society do our moral obligations fully align with state laws. But as has been discussed in the Introduction, it is generally accepted that no such society exists. After all, there are situations where one might find an act to be morally justifiable, even though it is illegal, and vice versa: an act that is legal, but profoundly immoral. We can thus distinguish a realm of moral obligation that is not covered by the legal framework of a nearly just society. This is the realm that is relevant when assessing the claim of sovereign individualism. The distinction between conceptions of obligation is relevant because even if we say that sovereign individualists have a legal obligation to obey their respective states, it can be contested that they also have a moral obligation to do so.

One conception of moral obligation can be interpreted as a duty to obey the law, based on the notion that it is established by a state which derives its legitimacy from the support of the political community (Simmons 2002, 21). This claim of legitimacy clashes with the convictions of sovereign individualism, which argues that an individual's refusal to consent to the state's authority implies that its laws do not apply to them. This is what is meant by the concept of 'removed obligation': the suspension of the obligation to obey the laws of the state for moral reasons. This concept applies not only to sovereign

individualists but to all who choose to act against their legal obligations for moral concerns (spaces 3a, 3b, and 3c as visualised in *Image 2*).

Both theories of civil disobedience and secession are centred around the tension between moral obligation and legal obligation. Even though the situation of sovereign individualists also concerns a tension between moral and legal obligation, this conflict is not currently reflected in existing normative theories. Sovereign individualism does not fit in existing theories of removed obligation because it claims such a removal for an indefinite time, unlike civil disobedience, and because it concerns a single individual, rather than a collective, unlike secession.

In theories of civil disobedience and theories of secession, specific conceptions of political obligation are reflected in their requirements for legitimate disobedience. Hence, the determined legitimacy of claims of removed obligation is contingent on whether disobedience is in accordance with the theories' corresponding conceptions of political obligation. Theories of civil disobedience consider the individual's political obligation to the state as the legitimate default and, therefore, focus on discussing possible exceptions to this relation. Within this framework, political obligation is something that cannot be definitively given up via a moral claim; it can only be suspended for a short time. Theories of secession reason from the same default of the individual's political obligation to the state, but do formulate exceptions where ties may definitively be severed based on a moral claim. They do not, however, allow for political obligation to be removed for individual moral concerns, but only ever for grievances shared by a collective.

2.3 The correlation of obligation and authority

There is another aspect of the discussion concerning political obligation that needs to be addressed (before I start to unfold the arguments presented in this thesis), which is the correlation between political obligation and political authority. This section demonstrates that the dissolution of obligation affects the dissolution of authority and vice versa. The exploration of the correlation between these concepts is vital because it indicates the effects that the sovereign individualist claim of removed obligation could have on the legitimacy of state authority.

One can argue that political obligation and political authority are connected because liberal democratic societies do not merely claim the right to have control over their citizens in a passive sense but also claim their active support, loyalty, allegiance, and obedience (Simmons 2002, 18-19). Essentially, if disobedience had no bearing on the state's authority, the state would lack one of the inherent aspects of statehood: the allegiance of its subjects. Indeed, political obligation can be regarded as a prerequisite for political authority (Morris 2004, 200; Mokrosinska 2012, 2). In this sense, political obligation is a crucial element of what defines political authority.

Consent theorists argue that political authority is not only defined by, but also owes its legitimacy to, explicit political obligation. From this perspective, authority is derived

from the obligation of those who consent to obey the laws of the respective authority (Raz 1988, 99). This reasoning also ties political obligation to authority, but on a (semi-)voluntary basis. In situations where such (semi-)voluntary submission to authority is not possible, one would only be morally required to obey in case of dealings with coordination problems that are beneficial to the individual (Raz 1988, 100). In this sense, one could argue that if there is less freedom for voluntary political obligation, the legitimacy of political authority diminishes.

Joseph Raz disagrees with this perspective of consent as the ultimate form of political obligation, arguing that state authority can be legitimate independently from the consent of its subjects (1988, 104). According to him, legitimate authority comes from the state's competence to serve people in living out their pre-existing moral obligations. In this sense, one could still argue that a person's moral obligation to individual autonomy is intrinsically valuable, and that state authority can only be deemed legitimate if the state can amplify and support this autonomy.

It can be derived from these perspectives that removed obligation has negative consequences for the legitimacy of political authority. If an individual has no political obligation to obey the state, it is possible that the sovereign individualist claim can be justifiable in particular situations. In that case, their claim to removed obligation weakens the claim to political authority that states make concerning these individuals.

2.4 The justification of political obligation

A third aspect of political obligation relevant to the arguments made in this thesis further examines its justification. A government's appeal to the obligation of civilians can be perceived through several different theories concerning the justification of political obligation; some see its foundation in fairness, reciprocity, natural duty, or gratitude (see, for instance, Morgan-Knapp 2022, and Klosko 2020). Another widely accepted proposition is formulated in consent theory, which holds that persons can consent to subject themselves to the authority of a state in some more or less explicit form, resulting in political obligations toward that state (Beran 1987).

It is striking how opponents and proponents of the claim of sovereign individualists seem to be operating from different theoretical camps concerning the justification of political obligation. For example, one who sees the sovereign individualist claim to removed obligation as illegitimate may oppose it by arguing that compliance is a logical repayment for the state's provision of collective goods, or that it is only fair to follow the law as our neighbours do because we are all morally equal, or that it is an individual's natural duty to contribute to a just society (fairness, reciprocity, natural duty, or gratitude).

In contrast, the approach that is taken by sovereign individualism most closely resembles that of consent theory (Van Leeuwen 2023, 32-33). This framework suggests the option of choice: to either consent and submit to the social contract, or not. The resulting freedom allows the argument that political authority is only legitimate if it is

chosen by its subjects, and that there is room for a person to legitimately contest their political obligation (which in other approaches seems to be set in stone).

All justifications of political obligation provide a form of individual moral reasoning but diverge in their perspectives on the balance between the inherent value of individual freedom and the instrumental value of political society. These distinctions play a pivotal role in how theories of civil disobedience and theories of secession assess legitimacy and are a key indicator for their conceptions of justice and political obligation.

3 - Theories of Civil Disobedience

3.1 Introduction

In January 2024, the Dutch tax authority seized all assets of a hair salon because of overdue payments (Isik and Kouwenhoven 2025). The salon was owned by a woman who felt she was not required to pay taxes over the income she earned with her own work: “It was not about the money for me, but about making a statement” (my translation; Isik and Kouwenhoven 2025). The owner protested, not only with the Dutch government but also by appealing to a sovereign individualist ‘Common Law Tribunal’ (Common Law Nederland Earth 2023), but this did not stop tax officials from proceeding with the seizure.

The owner’s refusal to pay taxes can, at first glance, be taken as an example of civil disobedience. She was intentionally disobedient and aimed to convey a public message. The authorities were aware of her position. These are all descriptive aspects of the concept of civil disobedience. But there are also normative conditions that do not seem to be satisfied in this case. She acted on her own accord instead of on shared political principles, and she was certainly not willing to accept the legal consequences.

It seems that philosophical theory would be unsure as to how to classify the legitimacy of her behaviour. That is why this chapter aims to answer the question of why theories of civil disobedience cannot accurately interpret the claims of sovereign individualists. It aims to describe space 3a in *Image 1* and *Image 2* in the Introduction, and to explain why space 3c is distinct from it.

Theorists have formulated several conditions for acts of civil disobedience to be justifiable, which in turn have been heavily debated. (see, for instance, Rawls 1971; Bedau 1991; Shelby 2007; Pasternak 2019) The most notable condition in this discussion is that the disobedient actor should be in full recognition of the state as just, and their action targets only a specific aspect of the state that is deemed unjust. The sovereign individualist, however, is not merely trying to be disobedient in the face of one feature; they want to completely remove themselves from interference by the state that claims authority over them.

Theoretically, the line that separates civil disobedience from plain disruptive behaviour is that of moral legitimacy, the line between what we think of as right and wrong. But this division is not as clear-cut as it appears to be. If illegal acts do not satisfy the criteria of justified civil disobedience, it does not follow that they cannot be justified at all. Instead, one can contend that the concept of civil disobedience contains only a subsection of all legitimate but unlawful behaviour. In that case, existing theories of civil disobedience are not adequate when mapping out all kinds of morally acceptable, but legally intolerable, claims of removed obligation. If so, claims of sovereign individualists can be legitimate, even if they cannot be classified as civil disobedience. To put it

plainly, theories of civil disobedience cannot be the only way to assess the moral legitimacy of unlawful claims.

This chapter aims to scrutinise what is currently considered civil disobedience and why this concept contains an inherent character of legitimacy. This allows us to find the theory's foundational assumptions that have prevented an objective consideration of sovereign individualism. To do so, this chapter will use John Rawls's theory and definition of civil disobedience as a starting point. Rawls's theory of civil disobedience is embedded in his theory of justice, both of which are intensely discussed in philosophical literature. I will refer to some of these discussions to demonstrate that sovereign individualism cannot be conceived as a form of civil disobedience.

3.2 Rawls's theory of civil disobedience

There have been numerous interpretations of the concept of civil disobedience. Not only have media outlets used the term extensively in times of societal turmoil, but the topic has also gained traction in philosophical discourse. Although authors diverge on its precise definition, all confirm the value of civil disobedience and justify its use in several ways.[3] With such a variety of interpretations comes different kinds of underlying postulations of civil disobedience. Accordingly, we need to be aware of Rawls's theory's postulations and the respective weights it assigns to them, to understand why a certain kind of act is proclaimed to be legitimate civil disobedience or not.

But why use Rawls's theory as a starting point in the first place? Others are critical of his propositions and offer alternative theories for conceptualizing civil disobedience. The frequency of this critique is one of the reasons why Rawls's theory will be the focal point of this chapter. It provides a good basis for analysing the philosophical discussion, because it has been so fundamental in determining the modern politico-philosophical paradigm. In addition, Rawls's straightforward formulation of the theory, in the form of a list of conditions that need to be met for civil disobedience to be legitimate, gives us a clear view of the levels at which a conception of civil disobedience might be disputed.

John Rawls defines civil disobedience as

> [...] a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government. By acting in this way one addresses the sense of justice of the majority of the community and declares that in one's considered opinion the principles of social cooperation among free and equal men are not being respected. (Rawls 1971, 364)

[3] Although not coining the term himself, Henry David Thoreau's publication of his refusal to pay taxes in protest against his government's war in Mexico contained the first widely recognised discussion of civil disobedience (Thoreau 2008). Martin Luther King's *Letter from Birmingham City Jail* (1963) served as inspiration for John Rawls's condition of nonviolence in his own definition of civil disobedience (on which more to come) in 1971. Joseph Raz, on the other hand, formulated a slightly different conception by focusing more on the role of moral autonomy as pivotal, instead of adhering to prespecified conditions (1979).

Straightaway, we see that this definition contains two pivotal aspects that will be discussed in this chapter: the social aspect of addressing the community and the 'sense of justice'. They are relevant because they are not conceptual requirements like some other conditions in the theory (e.g., nonviolence), but they are ingrained in all facets of the theory.

The social aspect is reflected in the definition through the desire to change the legal status quo within the existing political system. Acts of civil disobedience are meant to address the majority of the community, which has an inherent social connotation. The person committing the act of disobedience is appealing to others to align a specific unjust policy with the overall (nearly) just character of the system once again. For an unlawful act to be morally justifiable, this social appeal is a rightful and necessary ingredient for a possible rectification of an unjust policy in a relatively just society.

At the same time, the definition asks the disobedient actor to address other people's 'sense of justice'. The particular 'sense of justice' that Rawls is aiming at would then be expressed on three levels; 1) someone partaking in a civil disobedient act recognises the state within which one operates as relatively just, 2) one agrees that there is a set list of conditions which can define behaviour as civil disobedience in the first place, and 3) one accepts that the consideration of such conditions only applies when Rawls's two principles of justice, especially the principle of equal liberty, are seriously violated (Rawls 1971, 372).

There is a complicated normative claim ingrained in this definition of civil disobedience, resulting in a rather rigid understanding of what is identified as legitimate civil disobedience. It shows that the 'definition' not only contains conceptual conditions for what civil disobedience is, but also comprises conditions for when it is justified.

3.2.1 The conditions for legitimate civil disobedience

A closer examination of the conditions in this theory of civil disobedience is required to see how it relates to the sovereign individualist case. The following list sums up the conditions that John Rawls argues should be met for an act to qualify as civil disobedience and for it to be legitimate:

1. The protester displays fidelity to the rule of law (e.g., the constitution)
2. The act is motivated by shared political principles that underlie the political order
3. The act is public
4. The authorities are given due notice
5. The protester is willing to accept the legal consequences of their action
6. The act is nonviolent
7. The act is a last resort (Rawls 1971)

With the earlier-mentioned aspects of 'community' and 'sense of justice' in mind, I want to highlight several controversial conditions in the Rawlsian definition of civil disobedience.

The condition of expressing fidelity to law can be reflected by intentionally refraining from violence (Rawls 1971, 366), which would convey the idea that civil disobedience aims to persuade others of one's opinion, rather than to coerce a majority of people into yielding to a minorities' wishes. Rawls considers violence to be contrary to the expression of fidelity to law, infringing upon others' civil liberties, and therefore illegitimate (Rawls 1971, 366).

Does this mean that a lack of violence thus satisfies the requirement of fidelity to law? Not necessarily, because the 'expression' of fidelity to law involves not only the intention of the disobedient actor but also the interpretation of its observer. Authorities can deny that certain protests are peaceful and act repressively as a result (Celikates 2016, 984). In addition, one can act without violence but still not be considered to display fidelity to law when one is not willing to accept the legal consequences of one's actions. The requirement to express fidelity to law is therefore not a defining characteristic for civil disobedience, but rather a justificatory one.

Avia Pasternak (2019, 395-396) argues that violence can present a necessary tool in the service of maintaining a democratic society, in that it can counterbalance undemocratic trends of systemic injustices. She points out that Rawls has specifically based his theory on the assumption that civil disobedience is carried out in a nearly just society, but that those who feel inclined to resort to political violence often live in a harshly different reality. She argues that we should therefore not dismiss acts of political violence as illegitimate a priori.

Another disputed condition is that a legitimate act of civil disobedience must only serve as a last resort (Rawls 1971, 373). It is stressed by Rawls that legal routes to change should never be abandoned, after all, it is always possible to exercise one's right to free speech in a relatively just society (Rawls 1971, 373).

Nevertheless, it has been objected that upon choosing a political direction, grievances that diverge from the majority can be systematically blocked from the deliberative arena by a democratic majority (Markovits 2005, 1925). Acts of civil disobedience could in such cases be used as a tool for drawing the attention of a passive and 'complacent' elite (Moraro 2019, 69). The use of civil disobedience as a political tool should, according to this argument, not be restricted to situations of last resort as Rawls would argue it should be.

This condition shows how actions of sovereign individualism could be discarded as unjustified civil disobedience from a Rawlsian perspective, because they act disobediently without apparent indication that they act as a last resort. Markovits' argument gives us a reason to suspect that there is more going on, precisely because of the content of the claim of sovereign individualism: an aversion to the communal nature

that is inherent to civil disobedience. Here I am referring to a lack of civility in a social sense, a conceptualization I will elaborate on in the next section.

This brief discussion of Rawls's conditions shows us that there is a blurred line between defining what civil disobedience is and determining when civil disobedience is justified. Rawls does not distinguish the two sufficiently, making it difficult to establish where exactly sovereign individualism would be. Moreover, the discussion shows that the theme of a shared sense of justice in Rawls's formulation is problematic when it comes to sovereign individualism. Scrutinising his conditions shows that the aforementioned 'community' aspect and the 'sense of justice' aspect of his definition are ingrained in all of them, but still cannot effectively answer when obligation to the political community is required, and what behaviour is justified. The circumstances of the actions of sovereign individualists suggest that their claim does not fit Rawls's definition of civil disobedience.

By focusing on such underlying principles in amendments and alternatives drawn up by other philosophers, we may better understand how theories of civil disobedience overlook the claim of sovereign individualists.

3.3 Questioning the foundations of theories of civil disobedience

The previous section shows that there is ample discussion as to whether Rawls's conditions for legitimate civil disobedience are the right ones and whether his definition should be altered to make the theory more comprehensive. Critics have also disputed the foundations of Rawls's theory of civil disobedience. These foundations are inspired by his conception of justice as fairness. I do not want to suggest that Rawls uses a wrong conception of justice, and that another conception would be able to interpret the sovereign individualist claim. Rather, I would argue that Rawls defines civil disobedience in terms of a specific conception of justice, which is exemplary for all approaches to civil disobedience. Therefore, this section aims to more closely scrutinise the themes that inspire theories of civil disobedience. I argue that there are three reasons why sovereign individualism cannot be comprehended in terms of civil disobedience.

First, the notion of 'civility' reflects a social conception that cannot take into account the sovereign individualist objective. Second, a narrow definition of civil disobedience provides a moral imperative that cannot be applied to sovereign individualists. Third, the interpretation of the relationship between state and individual as reactive is too restrictive to comprehend the grievances of sovereign individualism.

3.3.1 Civility as legitimacy and the social conception of civil disobedience

The communal conception of civil disobedience is immediately noticeable in its title. The term 'civil' is inherently relational, as Piero Moraro (2019, 30) points out: "at the core of a civil disposition, there is a willingness to get along with others on good terms, to follow common rules." The relational nature of being seen as 'civil' stands in direct

contrast to the position of sovereign individualists, whose aim is to withdraw from political 'civilisation'.

Usually, this notion of civility is juxtaposed with the alternative concept of uncivil disobedience. Moraro (2019, 52) states: "civil disobedience aims for cooperation with the rest of society, uncivil disobedience, on the other hand, often stems from distrust in the government and in future cooperation with it." The notion of uncivil disobedience might sound more fitting to the claim of the sovereign individualist, but this is not the case, because Moraro goes on to define uncivil disobedience as an act that infringes upon another person's autonomy (2019, 33), which sovereign individualists expressly reject (Van Leeuwen 2023, 17).

Others define uncivil disobedience as a form of civil disobedience that does not meet the requirement of nonviolence but is justified nonetheless (Pasternak 2019, 394). This aspect is also not an essential characteristic of sovereign individualism, which is why uncivil disobedience is not an appropriate classification. Sovereign individualism lacks civility, not in the aspects comprised in the notion of uncivil disobedience, but in its rejection of a shared sense of socio-political belonging.

When considering Rawls's theory in particular, there are two conditions of which the formulation visibly depends on this social character: the 'public' condition (Rawls 1971, 366), which states that an act of civil disobedience should be expressed openly and accessibly, and the condition of shared principles, which states that an act should be motivated by the shared political principles that underlie the political order (Rawls 1971, 365). Moreover, Rawls's definition of civil disobedience emphasizes the importance of its use as a tool for persuasion, rather than coercion. The act of persuasion, too, is inherently social: a person would only legitimately use disobedience if they aim to appeal to the community's shared sense of justice (Rawls 1971, 376).

Piero Moraro sees this idea of a shared sense of justice as a social limitation, contending that it is our unconditional, natural duty to respect others' autonomy, including those who act in ways we might perceive as wrongful (2019, 31). The value he ascribes to individual autonomy goes beyond Rawls's conditions for when civil disobedience is morally permitted, as the conditions impose constraints on what forms of disobedience can be considered legitimate, thereby limiting the options for the individual's right of autonomy (Moraro 2019, 31).

However, a strong emphasis on the value of individual autonomy cannot be convincingly united with any conception of civil disobedience, because the social character of civil disobedience is not only entrenched in its conditions for legitimacy, but also its underlying perception of obligation to the state as default. In addition, Moraro's formulation of a natural duty to respect others' right of autonomy does not concretise in which circumstances disobedience would be justified and in which it is not, nor does it suggest in what way this respect ought to be expressed.

Nevertheless, Moraro's arguments expose how the absence of social character in extreme forms of individualism equates to a lack of civility. Without the link of civility as justification, Rawls's theory is not equipped to interpret the claim of sovereign individualism as either justified or unjustified, nor is any other theory of civil disobedience.

In addition to the social nature of his conditions, Rawls bases his conditions for legitimate civil disobedience on the conception of justice as fairness. This endorsement indicates that, in his theory of civil disobedience, political options are restricted for those who do not adhere to the majority's principles of justice (Markovits 2005, 1939; Moraro 2019, 55). The concept of fairness refers to the "symmetry of everyone's relation to each other" (Rawls 1971, 12). As sketched by the hypothetical deliberation in Rawls's original position, the idea is that there are equal relations between deliberative parties in a political society.

The challenge is that the sovereign individualist believes they are excluded from deliberations about political organisation. In reality, it means that they feel that their perspectives on justice and obligation are not being taken into account in political decision-making, and that therefore, the resulting 'shared sense of justice' does not represent them (because it is not a product of a symmetry of relations). It is important to specify this moral reasoning underlying the sovereign individualist claim of removed obligation, because it underlines that the claim not only clashes with descriptive aspects of civil disobedience, but also with the justification of its social normativity.

In addition to this perceived exclusion from the deliberative process, many sovereign individualists believe that the state actively interferes with their autonomy by infringing upon their human rights (by claiming tax payments or reprimanding for disobedient acts, for instance) (Van Leeuwen 2023, 27). The possibility of the state acting unjustly is not accounted for in liberal theories of civil disobedience, because they are based on the idea that legitimate political obligation is only owed to states that are 'just' in the first place. Thus, theories of civil disobedience need to employ a fixed baseline conception of what is just in order to determine when one can be exempt from their obligation to the state. The incorporation of this fixed baseline conception of justice (justice as fairness in Rawls's case), excludes the possible legitimacy of a claim to removed obligation which is based on an indictment of the prevailing conception of justice.

To summarise, the communal and social normativity implied in Rawls's theory of civil disobedience (and its foundations in his theory of justice) suggests that (dis)obedience must be an expression of civility, in that it reflects a shared sense of socio-political belonging. At the same time, the essence of the sovereign individualist claim is the wish to remove oneself from society's boundaries. However, it is counterintuitive to dismiss the sovereign individualist claim to autonomy purely on the basis of it not being of a communal nature. Autonomy should not be contingent on collective agreement; it is an intrinsic moral right.

3.3.2 The narrow definition of civil disobedience as a means to an end

In addition to the inherent social character of civil disobedience and its underlying theory of justice, Rawls's restricted conception of civil disobedience implies a moral imperative that is not congruent with the sovereign individualist claim. To show this, this section dissects the two conceptual components of his theory. It was remarked earlier that Rawls's definition of civil disobedience consists of a descriptive and a normative component, which respectively correspond to his perception of what civil disobedience *is* (definition) and when civil disobedience can be *justified* (conditions). This combination will be referred to as the narrow conception of civil disobedience.

As stated previously, the narrow conception of civil disobedience that was used by John Rawls and Hugo Bedau is the following: "[...] a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government" (Rawls 1971, 364).

The first aspect one notices in this definition is that it includes the consideration of removed obligation concerning legal duties. Not only is the act of disobedience in violation of the law, but it is also aimed at challenging the existing legal framework. This is the descriptive component.

The second aspect is that the definition includes a moral imperative, because it contains the recognition of social persuasion (as discussed extensively in the previous section) and of disobedience as a tool for systemic change. It is imperative in that the definition does not consider an act of civil disobedience as legitimate unless it meets these requirements. Disobedience is not enough; one must be disobedient in *this way* to be considered legitimate. The two factors of social persuasion and disobedience as tool for a political cause make up the normative component.

Not only is the act of civil disobedience in its narrow definition considered to be intended to appeal to the sense of justice of the majority, but it also indicates a desire to bring about change *within* the existing structure of government. This indication confirms a recognition of the validity of the government in question. The emphasis on respect for the existing political society is reflected by the moral standard that is implicit in the definition. However, this moral imperative poses a difficulty when the classification of sovereign individualism is concerned, because the sovereign individualist does not merely use disobedience as a means to an end. Indeed, their disobedience is the essence of their claim: to act outside the boundaries of what the state's authority demands is the goal in itself.

Although the narrow interpretation is often used for classification today, a broader conception of civil disobedience was formulated early on by Henry David Thoreau (2008). Overtaken by other theories of civil disobedience, today Thoreau's traditional stance is usually referred to as conscientious refusal. John Rawls was the first to acknowledge that the distinction between his own theory and Thoreau's is that the

traditional conception lacks the aspect of social persuasion and is therefore more broadly applicable (1971, 368). In other words, this theory of broad civil disobedience (or conscientious refusal) contains no inherent norm of persuasion that should be met to be able to speak of legitimate civil disobedience. Nevertheless, Thoreau's theory does contain the idea that disobedience serves as a means to an end: to signal to the government that one does not agree with its policy and aims to see it altered.

For another broad definition of civil disobedience, we might take a look at Howard Zinn. He formulates civil disobedience as "the deliberate, discriminate violation of law for a vital social purpose" (Zinn 1968, 119). Zinn elaborates that there is a social value in the disobedience of bad laws, because people's scrutiny of the moral legitimacy of the rule of law is a deliberative tool that is essential to democratic development. It is clear that Zinn has a less strict interpretation of justified civil disobedience than Rawls does, but contrary to Thoreau, Zinn expressly includes the aspect of social persuasion as a defining characteristic. From his perspective, the aspect of social persuasion is imperative for civil disobedience to function as a tool to "close the gap between law and justice" (1968, 119).

The difference between the narrow and broad definitions is that the latter is better able to include claims of individual autonomy because it does not carry as strong a moral normative claim. This small but significant distinction brings us back to the idea that the moral realm, as opposed to the legal realm, contains a diverse set of views and conceptions on what entails a good life. By including a stronger moral imperative, the narrow definition of civil disobedience has already made a choice on what conceptions of disobedience are justified and which are not.

We might even argue that some of Thoreau's objections align with what we hear the sovereign individualist proclaim today. The idea that people "should be men first, and subjects afterwards" (2008, 440), resembles the controversial distinction that some sovereign individualists make between the natural 'human' and legal 'person' (my translation; De Boer 2023). In the same spirit, Thoreau pointed out that "to be strictly just, [the government] must have the sanction and consent of the governed" (2008, 473).

Would this, therefore, mean that the claim of autonomy made by sovereign individualists could be classified as civil disobedience if we simply apply a broader definition, such as conscientious refusal? Unfortunately, this is not the case. In the broad interpretation of civil disobedience, a justifiable act of dissidence is still seen as a means to an end (see Thoreau 2008), sometimes supported by social persuasion (see Zinn 1968). As mentioned, the sovereign individualist does not claim a right to autonomy with any social purpose in mind, nor do they mean to change specific policies.[4] Although

[4] Despite the aim to withdraw from society instead of aiming to change it, sovereign individualists usually do not physically move out of the respective states. One reason for this is that they may be unable to, but the value of territory in questions of sovereignty can also be contested. This notion will be explored more extensively in Chapter 4.

the broad definition of civil disobedience is more lenient, it does not give up its inherent moral imperative completely.

In short, despite differences in the degree to which the moral imperative is conveyed, both the narrow and broad definitions of civil disobedience contain a normative aspect that rules out the intentions behind sovereign individualist acts by default.

3.3.3 Liberal versus democratic theories of civil disobedience

Finally, we can turn towards a different perspective on civil disobedience to see if there are definitions that can interpret the claim of the sovereign individualists. For this, one can draw the line between liberal and democratic views of civil disobedience. While the liberal view bases the question of legitimate civil disobedience on the violation of basic rights, democratic disobedience considers civil disobedience to be more procedural in nature (Moraro 2019, 67). This section will examine whether either of them provides a description fitting of sovereign individualism.

The original liberal definition of civil disobedience, as formulated by Rawls, says that civil disobedience is legitimate if it is in response to a violation of equal basic liberties by the state (Rawls 1971, 372; Moraro 2019, 66). As a result, it is very substantive in its conditions for legitimacy. Even protests that intuitively seem legitimate are ruled out by this definition because they are not a direct infringement of a specific basic right.[5]

As discussed earlier, the liberal definition is also contingent on certain notions of equality and justice (Moraro 2019, 67), but most of all, the liberal definition of civil disobedience implicitly views it as a responsive practice. In this sense, disobedience attempts to limit the democratic process by responding to the implementation of a certain law by the majority. This responsive role positions the protester outside of the democratic system. The justification of such acts is seen as a defence against the possibility of democratic governments acting unjustly.

Justifying disobedience from a perspective outside democracy may seem fitting for sovereign individualism, which claims to push back against the unjust acts of a government via a removed obligation to the political body. However, the sovereign individualist is not reactive in the way that the liberal interpretation of disobedience proscribes. The sovereign individualist does not relate to the legislation of a government in the way protesters do, according to the liberal interpretation, where action is taken as a reaction to unjust legislation. The responsive role suggests a relation of authority between citizen and state: first, the state abuses its authority, then citizens disregard that authority to try to rectify the situation. But sovereign individualists disregard authority because they do not recognise the state as an authority. They are not aiming to rectify anything; they aim to claim space for themselves. Liberal theories of civil

[5] For example, initiatives calling for governments to actively contribute to the improvement of social justice or the prevention of climate change. Piero Moraro (2019) calls them procedural issues.

disobedience are therefore too restrictive: they cannot account for the legitimacy of protest without a direct cause, including sovereign individualism.

As an objection to this omission, Daniel Markovits (2005) suggested the democratic interpretation of civil disobedience, an alternative perspective on the role of political authority within the democratic system. He makes use of the understanding of democracy as a value in itself, stimulated by public deliberation and the respect for beliefs and ideals (Markovits 2005, 1915). The resulting definition of civil disobedience is therefore more procedural. It does not have a foundation of one understanding of justice. Rather, it is focused on the democracy-enhancing purposes of civil disobedience. In this sense, the protester is viewed as acting from within the democratic system. The theory's aim is not to push a specific liberal agenda, but to stretch the space for political options within the arena of democratic deliberation (Markovits 2005, 1940; Celikates 2016, 986).

Nevertheless, Markovits' theory of democratic disobedience has its problems; it is objected that not all views are "compatible with the underlying values of democracy" (Moraro 2019, 71). The claim of sovereign individualists is an excellent example, because democracy cannot be enhanced by including those who do not wish to partake in a democratic society. For sovereign individualists, there is no interest in political deliberation to create a general will. They strive for the discontinuation of interaction on a legal or political level and, therefore, are too radical for any incentives to change the democratic process from within. The need for separation reverts to the 'social' argument and the 'means to an end' argument, which shows that sovereign individualists do not view their disobedience as a tool of persuasion, but as a goal in itself: acting without the need for a government's approval. Both the reactive nature of the liberal approach and the deliberative nature of the democratic approach are therefore not able to comprehend the claim of sovereign individualism.

3.4 Conclusion

To summarise, this chapter started with a discussion of John Rawls's theory of civil disobedience and discussed three aspects that prevent it from comprehending the sovereign individualist claim of removed obligation.

The recurring essence of civil disobedience, not only in Rawls's theory but also in the alternatives discussed, is that it is a form of political activism, in that the act is meant to convey a social message and achieve a political goal. Sovereign individualism cannot be comprehended by theories of civil disobedience because it widely diverges from its essence in three aspects.

Sovereign individualism does not entail the social connotation that is implied in theories of disobedience through the notion of 'civility'. The Rawlsian interpretation of legitimate civil disobedience is a product of this notion, which is congruent with his conception of justice.

Sovereign individualism does not comply with the moral imperative embedded in theories of civil disobedience. The unclear distinction between the descriptive and normative aspects in theories of civil disobedience leaves us with an inherently prescriptive definition regarding social persuasion and intention.

Sovereign individualism is neither reactive nor deliberative in communicating grievances, because the sovereign individualist acts without the direct incentive of (supposedly unjust) government action, and without the need for approval of the general will.

I want to stress that this chapter has not aimed to discuss the question of whether sovereign individualism is justifiable in itself, but only whether its claim to removed obligation can be interpreted via a conceptualisation of civil disobedience. This chapter shows that it cannot, by demonstrating that the underlying principles in theories of civil disobedience clash with the convictions of sovereign individualism. Because sovereign individualism cannot be classified in terms of civil disobedience, it is also false to assume that sovereign individualists are engaging in *unjustified* disobedience; we should not judge their claim following theories of civil disobedience at all.

4 - Theories of Secession

4.1 Introduction

In 2023, security studies professor Jelle van Buuren made reports of services that allegedly allow people to purchase plates proclaiming their homes to be embassies of a personal sovereign entity (Van der Kraan 2023; Kras 2023). Supposedly, some people are taking steps to mark the territory of their homes as politically separated from the state in which they are located. Whether it is a widespread practice or not, it is an interesting case to consider because the separation of territory brings up questions regarding the definition and requirements of legitimate secession. These people's desire to remove their obligation to the state seems to have manifested itself through the separation of territory, but why would geographical boundaries be a necessary marker for political independence? Can the sovereign individualist claim to removed obligation be interpreted as individual secession?

Like theories of civil disobedience, theories of secession deal with removed obligation to the state, not as a tool to convey a political message (as is the case with civil disobedience), but as a goal in itself. That is why Chapter 4 aims to examine the sovereign individualist case from the perspective of secessionist theories and investigate whether we can interpret the claims of sovereign individualists as a claim of justified secession.

To start this investigation, we will turn to existing theories. The philosophical debate has brought forth a set of general conditions for the legitimacy of secession (see, for example, Buchanan 1997; Moore 1998; Wellman 2005). First, this chapter will shed light on three key elements that render theories of secession ill-equipped to understand the sovereign individualist claim, before delving into two of them more extensively. In addition to the key elements, the secessionist theories of Allen Buchanan and Christopher Wellman are shown to contain extra requirements that make them even less susceptible to dealing with the question of the legitimacy of sovereign individualism.

During this investigation, the chapter will therefore aim to answer the question of why theories of secession cannot accurately interpret the claims of sovereign individualists.

4.2 Obstructive elements in theories of secession

Three characteristics of secessionist theory are relevant when applying it to sovereign individualism. The first is that the right to secession is always exercised by a collective of people who have some type of special relation to one another. Secondly, successful secession from one state suggests the founding of another. Thirdly, a presupposition is that claims to secession are motivated by special relations to territory. This section elaborates on why these elements in secessionist theory are obstructive when trying to determine the legitimacy of sovereign individualist claims.

4.2.1 The collective

It is broadly accepted that secession emerges from a community whose members are united by a distinctive relational tie or shared identity (e.g., Beran 1987; Buchanan 1997; Moore 1998; Wellman 2005). Philosophers diverge on how exactly a group is to be defined, usually focusing on ethnicity, cultural identity, or civil status (Moore 1998, 2-4). Regardless, the general understanding of secession as a collective effort stands in juxtaposition with the concept of self-determination, which is often provided as the moral foundation of justified secession.

For example, Daniel Philpott (1998, 80) advocates for the right to self-determination of national communities from a liberal democratic perspective. This school of thought considers self-determination to be a basic right, which allows the author to make a case for the general right to secession, only limited by the requirement of just behaviour.

Interestingly, here a jump is made from the liberal conception of self-determination, which may refer to either the individual or the collective, to the secessionist understanding of self-determination as a collective right specifically.

Philpott defines self-determination as "a legal arrangement that gives a group independent statehood or expanded powers within a federal state" (1998, 81). Although he states that this right to collective self-determination is based on individual moral autonomy, it is unclear why individual moral autonomy should not lead to individual self-determination.

Similarly, Harry Beran, who comes from a perspective of obligation through consent, argues that the individual moral right to determine one's political relations results in a "sovereignty of the people" (1987, 39). He then uses this popular sovereignty as the basis for his formulation of the right to secession.

The more constrictive perspective on self-determination dictates that a group has a right to self-determination in the case of past injustices (Philpott 1998, 80). The experience of such injustice oftentimes becomes the defining characteristic of the secessionist group (Philpott 1998, 83). This leads to a risk of entanglement of defining and justificatory elements, as we shall see with the discussion of Allen Buchanan's remedial right only theory later in this chapter.

4.2.2 The "new state" doctrine

Secondly, theorists assume that the act of secession, once realized, inherently calls for the establishment of a new state. The faith in a global hegemony of states is such that it seems that authors do not even consider the possibility of individuals living outside of a state. As a result, little is written about what happens after separation, because any past secessionist claim made by a group or individual that did not result in building a new state (e.g., anarchist movements) would not be deemed legitimate.

The issue is that for sovereign individualists as well, there is usually no intention of forming a new state in the familiar form, as sovereignty is claimed on an individual level.

While some claims suggest they want to continue living as a one-person entity, there are others who aim to develop alternative forms of organisation. These types of organisations would merely be intended to navigate inevitable social interactions (Common Law Nederland Earth 2023).

Nevertheless, even in such cases, organisations lack the defining traits that we ascribe to states, such as a legal order, a monopoly of legitimate use of force, or ultimate political authority (Morris 2004). Because we cannot speak of the creation of a new state as it is familiar to secessionist theory, the sovereign individualist claim to secession would never be taken seriously.

4.2.3 Territory

The third fundamental element is that secession is accompanied by an assertion of territorial entitlement. In general understandings of political authority, geographical location is a significant part of the claim to sovereignty.

For instance, Simmons expresses that among other defining characteristics, states claim the right to control a particular piece of land (2002, 19). This centralisation of interaction in one place fosters the creation of special moral relations, resulting in the particularity of political obligation (Simmons 2002, 29).

According to Morris, "geography acquires a new significance, the territorialization of political obligation," in that it serves not only as a way of keeping out aliens, but as an indication that the laws of a particular state apply to all who find themselves within its borders (2004, 197).

Christopher Wellman, whose theory of secession will be discussed extensively later on, argues that states must be "territorially contiguous" in order to function, which is why complete freedom of association is not feasible (2005, 3). The problem is that, in setting this territorial requirement, he appears to view the state as an institution of intrinsic value rather than as a tool for collective self-determination.

As discussed in the previous section, the sovereign individualist does not mean to create a new state as we currently know it. Nevertheless, the importance of territory in the definition of statehood has consequences for our understanding of what it means when one separates from the state. According to existing definitions of statehood, a secessionist claim to sovereignty must include a claim to territory. Whether this is necessary depends on where authority comes from: the possession of land or the people who live there.

Secessionist theories recognise the importance of geographical location in determining who the people seceding are, which is why theories (ascriptive accounts in particular) use territory as a decisive characteristic in determining the legitimacy of a secessionist claim (Moore 1998, 2-3). The requirement of a contiguous territory suggests that a multitude of people aim to secede as a collective entity, where this challenge is not likely to exist in individual secession.

In the case of sovereign individualism, identity does not need to be inspired by the connection to a specific territory, as much as to the earth or nature itself (Indigenes Volk Germaniten, n.d.). The requirement of contiguous territory for legitimate secession is therefore not applicable to sovereign individualism, allowing more space for individual freedom of dissociation.

4.3 Additional challenges

In addition to the three key elements which prevent sovereign individualism from being properly understood by secessionist theory, there are aspects of certain theories which make it even more difficult to consider the sovereign individualist claim to removed obligation from this perspective. Two of these theories, Buchanan's remedial right only theory (or RRO for short) and Wellman's self-determination theory, will be elaborated on in this section.

4.3.1 Buchanan's theory of remedial right only

One of the first who aim to categorise theories of secession was Allen Buchanan, who argued that when it comes to determining the legitimacy of a claim to removed obligation, the only acceptable justification is that of a remedial right to secession (1997, 34).

His argument is an example of just-cause theories, which assert that the act of secession is deemed legitimate only on the condition that the original state has treated the collective in question unjustly (Moore 1998, 6). The fulfilment of this condition may be easily evaluated in instances of clear systemic injustice, where a power imbalance has resulted in unfair conduct towards people based on civic, ethnic, or other affiliations, but there is a theoretical blind spot that makes it difficult to assess the question of legitimacy when it comes to the treatment of people as individuals, as is the case in the situation of sovereign individualists.

Buchanan defines remedial right only theories (or RRO) as an approach that asserts "that a group has a general right to secede if and only if it has suffered certain injustices, for which secession is the appropriate remedy of last resort" (1997, 34-35). Several aspects of this definition are relevant to the discussion in this section.

Like other authors, we see that Buchanan approaches the topic of secession through the lens of the collective, but he takes it even further: he views the state as a tool for implementing justice, rather than a reflection of certain groups living within a given territory (Buchanan 2004, 62). Whether a group has a legitimate claim is therefore determined by the behaviour of the state and not by the claim of the group itself (Buchanan 1997, 37). This ties into his dismissal of the idea of a primary right to secession, which supports the inherent right to secession regardless of conceptions of just treatment.

In addition, Buchanan's definition of RRO stresses the strict remedial right to secede only in the case of systemic injustice, as the appropriate remedy and last resort, which leads us to consider the theory's perception of what justice, or a lack thereof, would entail. He adheres to the conception of natural duty of justice, arguing that "even if there were no global basic structure of cooperation or any form of interaction whatsoever among individuals across borders, we would still have a limited obligation to help create structures that provide all persons with access to just institutions" (Buchanan 2004, 55).

The recognition of rights for persons in the absence of a basic structure of cooperation (what some sovereign individualists call "humans" instead of the institutionalised alternative: "persons" (my translation; Van Leeuwen 2023, 30)) is what makes the natural duty of justice an enticing approach when considering the legitimacy of the claim of sovereign individualism. Nevertheless, Buchanan's interpretation of natural duty will prove to be problematic in the next section.

4.3.2 Challenging Buchanan's remedial right only theory

The element of systemic injustice that is central to Buchanan's remedial right only theory may serve as a foundation in the discourse of secession, but it provides a challenge when considering the legitimacy of the claim of removed obligation of sovereign individualists. This section draws attention to the theory's inability to do so.

Firstly, Buchanan's conception of how a group is defined and how this conception is used in his argument are complexly interconnected. As previously mentioned, RRO views the state as a tool for implementing justice, rather than a representation of a pre-existing collective identity. From this perspective, the boundaries of a group are determined by which people have been treated unjustly as a result of the violation of their fundamental rights (Buchanan 1997, 35).[6] In short, Buchanan conflates the descriptive question of what a group is, with the normative question of when secession is justified; a group is not a group until treated unjustly.

This leads to a conceptual problem because we see that Buchanan uses the notion of 'group' to describe what legitimate secession is, while also defining who belongs to a group by using the concept of legitimate secession. The definitions of both concepts are thus dependent on one another.

Even without this conflation as a weakness in the argument, RRO is unable to consider individual cases of injustice, because the inclusion of the notion of 'group' in the definition of legitimate secession excludes individuals wanting to secede as sovereign entities.

The second critical aspect of Buchanan's definition is his advocacy for the only form of legitimate secession to be based on remedial right, as opposed to an inherent (or

[6] The only other provided means of characterisation of which people belong to a group is that the concentration of people in a certain territory (Buchanan 1997, 35), an aspect of secessionist theory which has been discussed in the previous section.

primary) right. It is presented as a specified version of a general (not special) right to secede, which is a right that is not bound by any promise, contract, or special relationship (Buchanan 1997, 34). The general right to secession might be a sound starting point for determining the justifiability of the sovereign individualist claim. But to limit legitimate secession to situations where a violation of basic rights has been proven is too strict to be accepted as a general right.

To only accept secession as a last resort and remedy for such blatant injustices means that there needs to be an agreement to respect basic rights in the first place. In other words, a remedial right to secession is contingent on a state upholding its agreement to respect its citizens' basic rights.

A result of RRO's conditions being too strict is that it "places a heavier burden of proof on the secessionists" than primary right theories do (Moore 1998, 5). This burden of proof is not coherent with a general right to secede, because it is once again a reflection of a previous agreement of respect between state and subject. Only when proof of unjust behaviour of the state is deemed significantly convincing (as judged by the international order or even the original state itself), a group would be justified in seceding.

In contrast to the remedial right approach, the alternative primary right approach respects this inherent right to self-determination. Where RRO views legitimate secession as dependent on the presence of what one argues is unjust treatment,[7] a primary right approach bypasses this condition. This is more fitting when looking for a framework with which to deliberate the legitimacy of sovereign individualism. If there is a general right to self-determination, the default entitlement of individuals to live within or outside a certain society cannot be compromised by the behaviour or judgement of the state.

This brings us to the final critical aspect of Buchanan's theory, relating to his natural duty of justice argument (2004, 55). Buchanan contends that natural duty forms the basis for the remedial right only theory, as he interprets natural duty as the moral obligation to make sure that all persons have equal access to just institutions. Buchanan believes that states are the best way to ensure justice institutionally, which is why he argues that secession would only be legitimate as a remedy for living under the rule of an unjust state.[8] Whether a state is unjust would then need to be proven through the presence of systemic injustice.

However, Buchanan's reasoning that natural duty (to ensure access to just institutions for all) translates to a duty of obligation towards the state narrows down the

[7] The conception of what is unjust treatment is opaque and oftentimes debated in a pluralist society, making the condition of systemic injustice even more unstable. It is a common disadvantage of just-cause theories of secession to focus on "procedural mechanisms" as a solution for contested interpretations of justice (Moore 1998, 6).

[8] After all, if a society is not unjust, there would be no reason to secede.

conception of natural duty to a degree where it cannot comprehend the intentions of the sovereign individualist (2004, 62).

Suppose people have such a natural duty as Buchanan describes. If people have been treated unjustly by the state, it follows that not only this group is released from the duty to support the unjust state, but all citizens, because every citizen has the natural duty to maintain a just society and does not owe obligation to an unjust state (Buchanan 1997, 35). The result would be revolution, not secession.

It implies that a person would be absolved of their political obligation because the state, as the object of this duty, becomes unfit. This insertion of the state as the link between political obligation and just institutions is in contrast with the definitive nature of natural duty, which a person cannot be absolved from. The transactional and associative features of political obligation to a certain state cannot be reconciled with the general duties in Buchanan's account (Simmons 2002, 30-31).

Even so, one might still contend that once people have the capability of access to just institutions through his proposal of the state, the people's natural duty of justice is fulfilled. A sovereign individualist might then still choose not to make use of this capability. This freedom, however, is not recognised in Buchanan's conviction that secession is only justifiable as a remedial right.

Many sovereign individualists have their own interpretation of natural duty, often referred to as 'Natural Law' or 'Common Law' (Common Law Nederland Earth 2023; Van Leeuwen 2023, 16-17). These interpretations generally come down to the duty to respect the integrity of all individuals and refraining from acts that may harm this integrity. This interpretation of natural duty is not institutionalised and therefore does not entail problematic transactional and associative features like Buchanan's account of natural duty.[9]

Overall, the use of the notion 'group' in the definition of legitimate secession, the special relations implicated in remedial right, and the statist notion of natural duty are all obstructive when trying to apply Buchanan's theory of remedial right only to sovereign individualism. Buchanan places too much emphasis on the role and behaviour of the state in the definition and preservation of justice, and not enough on the value of self-determination for individuals.

4.3.3 Wellman's self-determination theory

The second example of a secessionist theory that places constraints on the consideration of the sovereign individualist claim (in addition to the three pointed out in section 4.2) is Christopher Wellman's theory of secession (2005), which relies on the right to self-determination of nations. Unlike Buchanan, Wellman champions a primary

[9] Some sovereign individualists offer the alternative of tribunals made up independent and equal individuals to judge possible transgressions against this 'Natural Law' (Common Law Nederland Earth 2023).

right to secession, arguing that groups are allowed to secede even when there has not been proof of unjust treatment by the state (Wellman 2005, 1). What makes his theory even more noteworthy is his argument that a group does not have to share a cultural identity to qualify for justifiable secession. Both of these perspectives are essential in a theory of secession, which might accurately review the legitimacy of the sovereign individualist claim.

In his reasoning, Wellman derives the notion of self-determination of groups from individual self-determination (2005, 38). His theory reflects the inclination that secessionist movements are always collective movements, as has been discussed in the case of theories of secession in general. Nevertheless, refuting the need for a shared cultural identity means that Wellman does not adhere to any form of nationalism as a condition to secede, and is therefore associative rather than ascriptive in his argumentation (Buchanan 1997, 40).

Though he advocates for a primary right to secession, Wellman does not support the possible consequence of large-scale separation (2005, 2). Nevertheless, his statist account motivates the perception that if a state's political functions are upheld, secession does not result in a fall into anarchism. His dismissal of the anarcho-libertarian support of an absolute right to freedom of association and therefore an unlimited right to secession reflects his most important condition for legitimate secession: because a state's legitimacy is derived from its functionality (Wellman 2005, 36), it is vital that the political stability of the state must be upheld. This condition comprises not only the effective functioning of the origin state, but also that of the anticipated new state (Wellman 2005, 64).

4.3.4 Challenging Wellman's self-determination theory

When regarding the case of the sovereign individualist claim to self-determination through the lens of Wellman's condition, it is clear that individual secession does not impact the structure or rule of law of the origin state and therefore bears no negative consequences for its effective political functioning. However, the second part of the condition that requires that a "separatist group" would also need to be able to perform political functions itself deserves further consideration.

Despite this requirement, Wellman is unclear about what exactly political functions entail, but we can assume that political functions can be reflected twofold: internally, the separatist entity would need to secure an organised structure of relations of obligation and authority. Externally, a separatist entity would need to be able to maintain relations with other sovereign actors. I shall consider both sides of political functioning in the context of sovereign individualism, starting with the performance of internal political functions.

In the requirement for internal political functionality, Wellman assumes that the separatist entity is a collective of people amongst whom political relations exist. In considering individual secession, however, there are no interpersonal relationships

present within the separatist entity. It is therefore not possible to argue that individual secession does or does not allow for the capability to perform internal political functions. The performance of political functions in this aspect is simply not applicable.

The requirement for external political functionality sets a high bar for the justification of secession. One might concede that an individual is not welcomed in the international arena and taken seriously as an independent political actor and would therefore seem not to be justified in seceding according to Wellman's framework (Wellman 2005, 35). To this point, it can be objected that there are even small states that struggle to live up to this requirement, as recognition of their independence is disputed by other nations, for example.

More importantly, however, is that to determine legitimacy, the effects of individual secession on the global political order should have no bearing on the valuation of individual autonomy. In a sovereign individualist context, the secessionist claim is a direct expression of individual self-determination, because to the sovereign individualist, secession is the only way to permanently remove one's obligation to the state. The rejection of an individual secessionist claim is thus equal to limiting the right to individual self-determination. But the theory is consequentialist in that it sees the legitimacy of a secessionist claim as contingent on whether it fulfils the requirement of external political functioning, i.e., the impact the act has on the seceding actor's political relations. At the same time, Wellman does assert that personal autonomy is intrinsically valuable, and that one is at liberty to make decisions that (others would consider) are detrimental to one's well-being and should not be withheld to do so by the origin state's interference (Wellman 2005, 39-40).

Therefore, rejecting the legitimacy of individual secession due to its impact on the political order as a whole stands at odds with the recognition that individual autonomy is intrinsically valuable. If the right to individual self-determination is to be upheld, the theory, as formulated by Wellman, does not indicate whether the sovereign individualist claim to individual secession can be legitimate or not.

This duality of respect for individual autonomy on the one hand, and the prima facie rejection of individual secession on the other, shows the theory's difficulty in grasping the traits that an entity might possess after a person secedes and becomes an independent political actor while also retaining the rights of an individual.

Like Buchanan's remedial right only theory, Wellman's theory of self-determination also does not help us understand sovereign individualist claims.

Although his approach of individual self-determination is the strongest contender for a secessionist theory capable of judging the legitimacy of the sovereign individualist claim, Wellman's theory still fails in the context of sovereign individualism because it is not able to comprehend forms of sovereign entities other than statehood.

With this, the theory reflects a statist perspective, contending that self-determination is a means for collectives in particular, allowing them to act as autonomous agents in

the global political arena. Could we then not invert his perspective on group autonomy and apply it back to individuals, to have a theory which is capable of discerning whether the sovereign individualist claim is legitimate?

Unfortunately, the previously mentioned duality of the sovereign individualist as both a state-like sovereign entity *and* autonomous individual makes this impossible. The perspective of statism in combination with the requirement for a secessionist entity to be able to "perform the requisite political functions" (Wellman 2005, 35) implies that the theory can only fathom a newly erected sovereign entity to be a state. The theory does not take into account that such an entity might exist of one individual, as is the case with sovereign individualists, and therefore has no answer to the question of whether such a person is morally allowed to secede.

In short, sovereign individualism does not signify the creation of an imperfect state, but of a new sovereign entity. Wellman's theory does not comprehend this. His campaign for self-determination is obstructed by his statism, and the tenacity of what a state is results in the inability to formulate alternative terms of self-determination.

4.4 Conclusion

To summarise, this chapter started with a discussion of three critical aspects present throughout theories of secession which are obstructive to their capability of determining the justifiability of the sovereign individualist claim to removed obligation. The assumption that the seceding entity is made up of a collective of individuals, the idea that secession from the original state implies the establishment of a new state, and the interconnectedness of territory and sovereignty are all obstructive elements in the context of sovereign individualism.

In addition, this chapter considered Buchanan's remedial right only theory and Wellman's theory of self-determination for a more in-depth application to sovereign individualism. Remedial right only theory has been demonstrated not to be useful in this context because of the use of the collective in its definition of legitimate secession, and because of the insertion of the state as the ultimate vessel of justice in its conception of natural duty. In the case of sovereign individualism, self-determination theory has shortcomings in that its vision of individual autonomy as intrinsically valuable clashes with the political functions it ascribes to sovereign entities. The combination of both aspects in one person as an individual sovereign entity cannot be comprehended as a result.

It can be concluded that sovereign individualism cannot be interpreted in terms of secession, which is why theories of secession cannot judge it for its justifiability. We have, however, gained an impression of what theoretical aspects may need to be included when trying to formulate a philosophical perspective on sovereign individualism. These aspects will be elaborated on in the next chapter.

5 - Implications and Recommendations

5.1 Introduction

The last two chapters have discussed in detail why theories of civil disobedience and theories of secession cannot determine the legitimacy of the sovereign individualist claim. This discussion confirms the presence of the hiatus as it has been sketched in the Introduction of this thesis, where *Image 2* was used to portray how the sovereign individualist claim to removed obligation may be morally justifiable, while not being covered by the existing theories of removed obligation.

Chapter 5 discusses the implications that the hiatus has for our understanding of the moral legitimacy of sovereign individualism, discusses possible solutions for this hiatus, and provides recommendations for how to move forward.

5.2 Implications

In this research, I uncovered that theories of civil disobedience and theories of secession are unable to account for the possibility of a justified sovereign individualist claim. Therefore, it is reasonable to theorise as to what the implications of this gap in theory are. At this point in the argument, we might think of three possible interpretations of what it might mean.

The first possibility is that sovereign individualists are irrational beings making an irrational claim. In the case of irrationality, sovereign individualists would not act from moral awareness; therefore, their claim would also not be morally justifiable. But the claim to removed obligation is not an individual anomaly. It is a predisposition that is motivated by moral intuition, which has been recorded to have been articulated in several ways and shared by thousands of people across political borders, which is why there is no clear reason why sovereign individualists would be irrational beings.

The second possibility is that theories of civil disobedience and secession are incomplete. While it is clear that there is a hiatus in philosophical theory, this does not go for the theories in question per se. It would be possible to argue that the secessionist framework in particular offers possibilities to develop arguments for justifiable individual secession (based on the right to individual self-determination, for instance), although there are more conditions than only the collective requirement to keep in mind in this venture. Even so, the existing theories were developed for judging the legitimacy of a specific kind of removed obligation, which is different from sovereign individualism.

Which brings us to the third possibility: both theories of civil disobedience and secession include fundamental assumptions about the situations they were meant to comprehend and are therefore fitting for their respective case studies. This can only mean that if we want to comprehend the situation of sovereign individualism, we need to find our theoretical tools elsewhere.

We can ask if there are theoretical frameworks other than the two discussed in this thesis that would be able to accommodate the sovereign individualist's question of moral justifiability.

The one framework that one could mistake sovereign individualism for would be a form of anarcho-libertarianism. From this perspective, one considers the individual instead of the state as the default sovereign actor. Because of this conception of individual sovereignty, the individual does not inherently owe political obligation to the state (Wolff 1998, 18). This means that there needs to be no formulation of when it would be legitimate to remove obligation as an exception (as is the case with the other two theoretical frameworks discussed), because the absence of obligation is the baseline. This basis of the absence of obligation would mean that there is no need for a justification of the sovereign individualist claim.

Although the individualist perspective of the anarcho-libertarian framework may appear to supply the theoretical tools needed for judging the justifiability of sovereign individualism, it is important to note that sovereign individualism diverges from this framework as well. Sovereign individualism advocates for the inherent autonomy of individuals, but it does not dismiss the legitimacy of the state a priori. It reasons from the perspective of the natural rights of the individual and does not deny that there may be alternative reasons for the legitimacy of the state. In contrast, libertarian anarchists argue that states are illegitimate institutions by default for multiple reasons.[10]

From all other perspectives that recognise the value of the state, there must be a distinct justification for the sovereign individualist claim to removed obligation. I do not know what a theory concerning this justification is or should be; however, given what we have discussed, we know which conditions it should satisfy and which characteristics it is supposed to have. We have, in other words, a set of 'design criteria' for this theory.

5.3 Recommendations: a new theoretical framework

This section provides recommendations for requirements such a theory of sovereign individualism would have to meet. Several design specifications can be deduced from the discussions in Chapters 3 and 4, because these chapters contain rejections of aspects of existing theories based on their restriction of the comprehension of the sovereign individualist claim.

First, a new theory must provide a clear distinction between its description of what sovereign individualism is and its normative prescription of when it might be justified. For instance, a descriptive account can entail that the sovereign individualist is a rational being who believes that they are not being taken into account in political decision-making, and believes that the state's policies are infringing upon their basic rights, which is why they claim to have removed their obligation to the state. This

[10] An example of which is that a state's use of coercion and violence can never be justified as it is not justified for individuals (Huemer 2012, 334). Another is that there is no feasible form of political community which allows individuals to rule themselves (Wolff 1998, 70).

description can then be complemented by justificatory conditions, such as the requirement that the justifiability of removed obligation is contingent on whether the origin state is still capable of carrying out its state functions (as is a condition in Wellman's theory of secession), or whether this removed obligation is expressed without violence (as is one of Rawls's conditions for legitimate civil disobedience). Only *if* such justificatory conditions can be formulated *and* sovereign individualists can be considered to have met these criteria can we judge their removed obligation to be justified, and the state's authority over them to be illegitimate.

Second, the discussion of sovereign individualism in relation to Rawls's theory of civil disobedience has shown that a new theory must define sovereign individualism not as a form of political action with a social message but as a goal in itself: the theory cannot contain a condition for legitimacy which would require an act of removed obligation to be performed with the purpose of conveying a political statement.

Third, the sovereign individualist claim of removed obligation is made by individuals, not on behalf of a collective. The concept of individual autonomy, therefore, needs to be central to a prospective theory. Such a theory cannot make any assumptions based on conceptions of collective autonomy, as is the case with the secessionist theories discussed in Chapter 4.

Fourth, we can conclude from this thesis's critical evaluation that a theory applicable to sovereign individualism cannot presume a specific conception of justice. Rather, it needs to recognise that people operate with different conceptions of justice in mind. For example, John Rawls's interpretation of justice as fairness brought a social component to his theory of civil disobedience, which can misidentify some claims to removed obligation as temporary or partial. On the other hand, Buchanan's natural duty of justice argument entailed the conviction that the duty to provide access to just institutions for all is only achievable through states. The idea that justice is a morally obligatory goal of legal institutions results in a requirement of strong obedience, which is reflected in Buchanan's theory of remedial right only and his understanding of political obligation. Thus, the theories' inability to interpret sovereign individualism is partly informed by their underlying perspectives on justice. To create a nuanced understanding of sovereign individualism, a new theory should be independent of a particular conception of justice.

The fifth and most important recommendation for developing a theory for sovereign individualism is that it must be based on conceptions of political obligation and legitimacy that can comprehend the individualist nature of the sovereign individualist claim, setting it apart from other frameworks of removed obligation. It was pointed out in Chapter 2 that opponents and proponents of sovereign individualism have diverging perspectives on whether the justification of political obligation lies in fairness, reciprocity, natural duty, or consent. But the solution to this issue is not to reconcile all perspectives into one approach.

The fundamental difference between the discussed theoretical frameworks of removed obligation and the perspective of sovereign individualism is that, even though

the existing theories may diverge on the justification of political obligation,[11] they agree that political obligation is the basis for legitimate political interaction and proceed to formulate in which exceptional situations it is justifiable to be exempt from this obligation. In contrast, sovereign individualism views individual autonomy as its basis and only considers political obligation justifiable in situations where one has explicitly chosen to comply.

A new theory would therefore need to be flexible: It should be able to comprehend perspectives of people who do not recognise themselves in the establishment's conceptions of justice and political obligation, in order to be able to judge their claim for its legitimacy. Of course, the theory should not give priority to the 'idiot's veto'. Just because someone does not recognise themselves in the prevailing account of political obligation, it does not mean that any irrational dislike for a certain basis of obligation is a justifiable reason to accept that, therefore, one would not be politically obligated. But as has been pointed out in this chapter, the sovereign individualist makes their claim based on moral convictions and must therefore be taken seriously as a rational actor.

A theory's starting point of individual autonomy as the moral default should thus be grounded in the acknowledgement that every order prioritising the community as intrinsically valuable is exclusionary by definition (Huemer 2012, 335). The conceptualisation of individual autonomy as an exception by existing theories denies that the political community is meant to be an instrument for the promotion of individual sovereignty, which is why existing theories cannot cover the principles of sovereign individualism. It is unjust to label sovereign individualism as automatically illegitimate based on this exclusion (Honig 2007, 14).

5.4 Conclusion

While civil disobedience, secession, and sovereign individualism all deal with situations of removed obligation, only the former two can currently be understood through a theoretical framework that determines when removed obligation is morally justifiable. There is no reason why sovereign individualism might not be considered morally justifiable in certain instances as well. Therefore, it is desirable to develop a framework capable of ascertaining all instances of removed obligation.

The reason that current theoretical frameworks of removed obligation cannot comprehend the claim of sovereign individualism is not the irrationality of sovereign individualists, nor is it the incompleteness of existing theories. Rather, it is the incapacity to judge characteristics that are essential to the sovereign individualist claim. To do so, theorists should aim to provide a clear description of what sovereign individualism is and create space for conflicting perspectives on justice and legitimate political obligation.

[11] As Rawls believes the origin of political obligation lies in fairness, or Buchanan believes it lies in natural duty.

6 - Conclusion

This thesis started out with the observation that existing theories of removed obligation do not seem adequate to deal with the question of the legitimacy of sovereign individualism. To study this, the thesis singled out two theoretical frameworks: that of civil disobedience and that of secession. Even though both theories concern claims of removed obligation, they cannot accurately comprehend the sovereign individualist rejection of obligation to the state.

Therefore, the question central to the research in this thesis is as follows: Why can theories of civil disobedience and theories of secession not accurately interpret the claims of sovereign individualists?

To uncover this, I have tested multiple conceptualisations of both theories in regard to their ability to understand the sovereign individualist claim. As an expansion of the theories' conceptions did not result in the accommodation of the problem, it has been shown that the issue lies with the theories' fundamental principles.

This thesis has argued that both theories of civil disobedience (Chapter 3) and theories of secession (Chapter 4) alike adhere to specific conceptions of justice and to the conviction that the state is the best advocate for the enforcement of justice. In theories of civil disobedience, this conviction is reflected in the condition for legitimate disobedience to recognise the state as just. In theories of secession, this conviction is reflected in the rejection of individual self-determination as inherently valuable.

The role that theories of removed obligation ascribe to the state in the organisation and maintenance of justice means that the theories cannot fathom a conception of justice without a role for the state. Political obligation to the state is deemed the default, and the discussed theories of removed obligation then proceed to formulate exceptions to this default of obligation to the state.

Theories of civil disobedience and theories of secession cannot comprehend the question of legitimacy of sovereign individualism because sovereign individualism does not reason from the default of state sovereignty, but from the default of individual sovereignty. The sovereign individualist views possible relations with other individuals, groups, or states as secondary, and their disobedience can therefore not be categorised as an exception.

In the discussed theories, the need for political obligation is a result of the idea that the state is the embodiment of justice: it lies at the core of the theories' conceptions of justice. Consequently, disobedience is only legitimate if it does not infringe upon this statist ideal. But this is not an expectation that all dissidents can be held to. As we have seen, it is exactly this ideal of the state as the embodiment of justice which sovereign individualists object to in their claim to removed obligation. They do not have traditional conceptions of justice and can therefore not be grasped by theories which do.

Given these conclusions, Chapter 5 contemplated several recommendations for how to alternatively approach sovereign individualism, so that the philosophical community may determine its moral legitimacy. Along with other aspects, a new theoretical framework needs to recognise the grievances of people who do not feel represented by the establishment's conceptions of political obligation, while still scrutinising the moral feasibility of their claims. In doing so, there is no reason why sovereign individualism might not be considered morally justifiable in certain situations, which is why it is vital to develop a fair framework of judgement for all instances of removed obligation.

It is my personal conviction that the essence of what sovereign individualists strive for is the recognition of their agency and individual self-determination. Their claim to sovereignty should therefore also be read as a warning for current and future governments of liberal democracies. Established political and social groups must convey to minorities and individuals that they are respected as equal partners in the deliberative process. By openly conversing with hesitant citizens and striving to decrease injustices, the desire for removed obligation can be diminished.

Nevertheless, the respect for individual autonomy means that people should be taken seriously if they wish to withdraw from state authority. Liberalist theorists agree that "people should be left free to be the authors of their own lives" (Wellman 2005, 2). Sovereign individualists are no exception, which is why they deserve recognition from the philosophical community.

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