Refusing State Injustice:
The Politics of Intentional Noncitizenship

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Abstract

This dissertation is about those who resist – who refuse – state injustice through citizenship, and who exclude themselves from the state and embrace associated risks of harm including statelessness. It explores the conditions that inform intentional exit and the conceptual and practical implications that follow. Recognising that liberal practices and discourses of citizenship are problematic, this project asks what are the grounds used by intentional noncitizens to justify their choices to exit the state? What does it mean to be an intentional noncitizen? Are there practical governance proposals that can respond to the normative claims made by those who intentionally exit? Despite what most residents of liberal states would claim – that intentional noncitizenship should be impermissible – the leading claim of this dissertation is that leaving the state can be justified.

This conclusion is informed by the exploration of three instances of intentional noncitizenship. The Freedom Babies movement refuses colonialism by not registering the births of their children, leaving their children at risk of statelessness. Anti-statists refuse imposed citizenship and arbitrary allegiance through renouncing their citizenship. The anti-authority movement refuses the globalised administrative state through disengagement from expectations of citizenship such as law and the legal system, public processes and symbols, and identification practices. To explore tensions between traditional preconceptions of the state and emergent plural conceptions of the good this project utilises analytical political theory as a methodology, specifically the reflective equilibrium approach. Accordingly, to engage with seemingly disparate groups of intentional noncitizens, this project relies on a conceptual typology of refusal – a form of politics distinct from resistance, conscientious objection, and civil disobedience – that embodies the key features of action, future, and relationality.

This project finds that those who refuse citizenship are aligned in their critiques of normative justifications for sovereign statehood and the goods it is said to provide, specifically security, freedom, and citizenship itself. Citizenship is a tool of refusal used specifically to exit the state: this refusal is neither absolute nor consistent but dynamic in that it responds to and negotiates its political circumstances. These findings establish a foundation from which a theory of intentional noncitizenship emerges. Intentional noncitizenship can be considered an instrumental good as it embodies the distinct features of autonomy, political action, and obligation to others, and is a viable alternative to citizenship as it does not cause ontological harm, and if sufficiently governed through legal residency status may not cause material harm. As intentional noncitizens must inevitably live within some state, this project proposes a governance mechanism in the form of an individual right to self-determination which would facilitate intentional noncitizen rights and responsibilities. By pushing the boundaries of what statelessness means and for whom this project destabilises the narrative that statelessness is an absolute harm.

Keywords: Intentional Noncitizenship, Refusal, Analytical Political Theory, Statelessness, Freedom Babies, Anti-Statist, Anti-Authority Movement

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Chapter One: Introduction

I. Introduction

This project is about those who resist – who refuse – state injustice through citizenship, those who exclude themselves from the state and embrace the risk of harm that emerges from the lack of state protection including the risk of statelessness. Despite what most rational residents of democratic states would claim – that such a move is driven by unrealistic expectations and can induce harm – the cases I survey in this project demonstrate that their claims are not *un*reasonable. As I argue in this dissertation, intentional noncitizenship can be considered an instrumental good and ought to be operationalised through an individual right to self-determination.

I come to this conclusion by exploring three cases studies of intentional noncitizenship (INC). The Freedom Babies movement (FBM) refuses colonialism by not registering the births of their children, leaving their children noncitizens of Canada and at risk of statelessness. A second case, anti-statists, refuse imposed citizenship and arbitrary allegiance through renouncing their citizenship. I explore a third, the anti-authority movement (AAM), which refuses the globalised administrative state through disengagement from expectations of citizenship such as law and the legal system, public processes and symbols, and identification practices. Together these cases call into question the meaning of membership in a political community and address pressing theoretical problems. I explore these in a variety of contexts and attempt to distill findings that are at times inconsistent and seemingly incommensurable. I ask what are the grounds used by intentional noncitizens (INCs) to justify their choices to exit the state? What

does it mean to be an intentional noncitizen? Are there practical proposals that can be developed in response to the normative claims made by those who intentionally exit?

These cases are united in several ways and blur the edges between political, moral, social, and legal aspects of the subject-state relationship. They demonstrate that some of those who choose to become noncitizens do not struggle in the ways we are warned of and in fact thrive in their respective environments. Whereas citizenship is said to facilitate one's freedom, these cases show that citizenship is seen by some as a tool of repression and that intentional noncitizenship itself is a path to liberty. The new imaginings embodied in intentional noncitizenship thus present a novel opportunity for critical engagement with deeply held normative positions regarding the relationship between the subject and the liberal democratic state, and the informing of new political categories of membership and belonging. To be clear, this project is not a criticism of the liberal state, but it does recognise that liberal practices and discourse are problematic when it comes to recognition generally and to citizenship specifically. It is therefore a criticism of the liberal model of citizenship and its related practices. It is also a call for liberal political theory to conceptualise membership in new ways that respond to intentional noncitizenship as a contemporary phenomenon.

This dissertation is also a normative exercise that aims to have practical effect. It explores the conditions that inform a subject's intentional exit from the state and the practical implications that follow. It is controversial and, for many, likely uncomfortable. Its leading claim is that leaving the state can be defensible. This proposition is loaded with complexity and brings into a thoughtful embrace several deeply contested principles related to authority, community, and political change. I interrogate citizenship and its primacy, power, and practices through the lens of political theory. I do so because of the unique terrain the field of political philosophy offers in

evaluating normative claims and proposing institutional solutions. The proposals made in this project therefore attempt to balance such critiques with the observation that, in the Western world, we live in a liberal democratic state-system.

In my attempt to address key tensions in this area I am guided by analytical political theory (APT) as a methodology, specifically the reflective equilibrium approach. Rather than metaphysical questions concerning the human condition, APT is concerned with how we should live in societies (Miller and Dagger 2008, 446). Using APT permits me to explore traditional preconceptions of the state vis-a-vis 'facts' on the ground (Knight 2017, 5), facts that emerge from the experiences I explore in this dissertation. I follow the methodological lineage that takes for granted certain moral facts and sees merit in value-pluralism when substantiating arguments. These assumptions weave their way through this project as I engage with diverse sets of literature, distinct case study priorities, and the challenge of trying to decipher intentional noncitizenship in a statist world. Though I engage with plural ideas of belonging, this project is a liberal one in that it considers intentional noncitizenship an inherently liberal problem and proposes solutions that are reasonable only in a liberal context.

This dissertation then makes three main contributions. First, theorising intentional noncitizenship marks INC as a broad political phenomenon, and collects key features and reconciles differences into a field of study in itself, distinct from valuable but otherwise isolated scholarly endeavours. I define INC on its own political terms which serves as a foundation from which future research can evaluate other versions of INC in theory or in practice, as well as potential political solutions. Developing a theory of intentional noncitizenship enables a systematic approach to a moving phenomenon, one that operates dynamically across various geo-political and demographic contexts.

Second, recognising that intentional noncitizenship is a political project points to the value in approaching this subject through the discipline of political theory. This project reveals philosophical tensions that inform exit from the state as well as the liberal structures that tend to overlook such disengagement. By systematically evaluating INC on its own *political* terms it becomes clear that the practice is grounded in well-established key philosophical principles which warrant reconsideration in a changing world. The language of political thought is well-equipped to facilitate such analysis. Furthermore, the methodological approach of APT makes possible both theoretical evaluation and the formulation of practical proposals that can respond to requisite challenges posed by INC.

Third, by pushing the boundaries of what statelessness means and for whom this project contributes to the robust field of citizenship studies and the emerging field of statelessness studies generally, and the fledgling community of critical statelessness studies specifically. This project destabilises the narrative that statelessness is an absolute harm and departs from the assumption that citizenship is the only legitimate source of protection and rights. This project shows that intentional noncitizenship is wielded to demand recognition of political objectives and to (re)claim an identity. As a tool of refusal, intentional noncitizenship may qualify as an 'act of statelessness' (McGee 2022) but one which refuses the very logic of the field within which it sits.

Why Statelessness?

Intentional noncitizenship poses the risk of statelessness, widely considered to be an absolute harm. Citizenship is often, though not always, required to access socio-political rights and

freedoms and for this reason it is considered a good.[1] Statelessness is therefore generally considered equivalent to rightlessness as the lack of nationality[2] is typically accompanied by significant material and ontological harms. International law holds that a person is considered stateless if no state considers that person to be a citizen under the "operation of its law" (UNHCR, 1954). This occurs in two ways: *de jure* statelessness, when no state law recognises the person as a citizen, and *de facto* statelessness, when the person is, in theory, entitled to citizenship but is not recognized as such in practice.[3] Statelessness affects an estimated 15 million people worldwide (ISI 2014, 35) and affects individuals and communities within and outside the context of persecution. State secession, for example, can render an individual stateless if they are unable to acquire citizenship under a new country's legislation or prove their link to their country (UNHCR 2023; de Chickera and van Waas, 2017). One can also become stateless due to administrative challenges including non-registration of birth, the renunciation of citizenship, or if one cannot fulfil civil registration requirements (OSCE and UNHCR 2017). Statelessness is evident in protracted situations where communities en masse are either excluded from accessing citizenship or denationalised. Here discrimination plays a large role where communities are excluded along gender, ethnic, and religious lines (Blitz and Lynch 2011; GCENR n.d.). Denationalisation also takes place in individual cases where states revoke nationality on specific grounds such as fraud or for reasons "contrary to the public good" (ISI

[1] I explore this claim in detail in chapter three *Statehood, Sovereignty, Citizenship*.
[2] I use the term citizenship interchangeably with nationality to refer to legally recognised membership of a state. The two terms are used differently in various disciplines. The domain of law prefers the term nationality, which is used in international law documents and practices. In the social sciences, however, it is citizenship that is used primarily to discuss the legal bond between citizen and state, but also the practices and meanings related to the subject-state relationship. Not all agree on this approach. Tonkiss notes that the relationship between citizenship and statelessness is muddied when these terms are used interchangeably, as citizenship refers to a package of rights held by a citizen, and nationality refers to "specific socially constructed identity characteristics which are taken to denote membership of a national group" (2017, 241). Tonkiss refers to this conflation as performance of what she terms 'citizenship-as-nationality' which succeeds in attaining a near hegemonic legitimacy in that to access the rights associated with citizenship one must be able to access membership of a specific national group (2017, 244). I engage with this tension briefly in chapter eight, *A Theory of Intentional Noncitizenship*, as I address a separate but related tension concerning whether it is legally recognised residency or citizenship that facilitates access to rights.
[3] De facto statelessness is highly contested concept. See Tucker 2014; Baluarte 2017.

and GLOBALCIT 2022). The right to nationality is governed through several treaties, the two most important of which are the 1954 *Convention Relating to the Status of Stateless Persons* and the 1961 *Convention on the Reduction of Statelessness.* Combined, they outline the various rights that stateless people should be entitled to in their countries of residency, and steps that states can take to prevent the problem.

The realities that stateless persons face are unlike those faced by any other group. Generally, being stateless means that one does not possess identity documents or the capacity to obtain them. Stateless persons are ineligible to leave their country or enter another because they do not possess travel documents. They are unable to access education, are often forced to live in sub-standard housing (UNHCR, 2017), cannot marry legally (UNHCR 2023) and are at risk of exploitation (Foster et al. 2016). Stateless persons are often subject to lengthy detention while they await verification of their identity (Bianchini 2020; Khan 2022) or the implementation of a removal order (Seet 2015; Chandran 2021) and in some countries they are detained indefinitely (Foster et al. 2016). Because of their insecure legal status, across the world stateless persons are generally excluded from state protection.

Statelessness has particularly egregious effects on an individual's ability to access health care (ISI 2023; Fokala and Chenwi 2014). Related harms include dangerous working conditions, and malnourishment (McBride and Kingston 2014), increased risk of child mortality (Kingston et al. 2010), poor mental health outcomes (Herberholz et al. 2022) including PTSD, depression, distress (Riley et al. 2017), anxiety, and the risk of suicide (ISI 2023), and physical liminality (Kane et al. 2023). Statelessness is also implicated in poor social determinants of health including access to quality housing, sanitation, and food security (Sköld 2023, 10-11).

Statelessness also negatively impacts the economic well-being of individuals and states alike, though the economic impacts and the "debilitating" chronic economic instability resulting from statelessness are not well understood (Guay 2016). In general terms, because stateless people often lack identification documents, they are pushed into informal employment that "often pays less, offers little job security, and can be dangerous and exploitative" (Guay 2016). It has been found that stateless persons have difficulty accessing bank accounts and owning or registering businesses, and that their marginalisation results in "social mobility tensions, including socio-economic crises, and thus, constitute a major development problem over successive generations" (Badewa 2022, 57; U. S. Department of State 2012; UNHCR and WBG 2020). Stateless people are trafficked (Rijken et al. 2015) and forced into unpaid hard labour (Belford and Tum 2015), and work in countless informal economies. Because nationality is a prerequisite for seeking protections and making rights claims (Belton 2011, 69) such as political, legal, economic, social, and cultural rights, statelessness is a matter of such great concern.

Research on material harms resulting from the lack of nationality is complemented by the claim that statelessness is an ontological harm, a social and individual deficit. Here, the lack of nationality everywhere negatively impacts an individual's dignity and personhood as they are unable to participate in their own self-determination through cultural, social, and economic activities (Kingston 2019). Hannah Arendt claimed that the condition of statelessness is a violence upon an individual's humanity. The exclusion from a political community, and *all* political communities, not only strips bare an individual's capacity to access the means to survive and prosper, but it is an affront to their ability to engage with the most basic elements of society: fellow individuals. Here the individual is reduced to a physical object, nothing more than a human "deprived not of the right to freedom, and the right to thought, but of the right to action

and the right to opinion, neither of which can be exercised in isolation" (Arendt 1976, 296). This condition where one's recognition in society and one's sense of dignity are lost implies a "social death", where statelessness is an experience of invisibility (Acciaioli et al. 2017), isolation (Kerwin et al. 2020), and thus an ontological harm (Parekh 2014) as one's life is reduced to a bare life which exists "at the margins of the political order…" (Agamben 1998, 9).

The condition of statelessness is considered one of liminality "wherein a person becomes separated from [their] former identity and, through a rite of passage, takes on another identity" (Belton 2015, 911). Liminality is an uncertain and temporal and spatial exclusion as stateless persons are bound by socio-legal parameters of belonging (Parsons and Lawreniuk 2018; Gupta 2019), boundaries produced by discriminatory state practices (Belton 2015). This raises what Arendt (1976) famously observed to be a paradox of the international system, where stateless persons are not only 'outside' of society but are themselves productions of the state system. For Arendt, they are both included within the sovereign right to exclude, yet they are excluded as not belonging to any state or their associated entitlements. The principle of sovereignty is inherently exclusionary which makes it possible for the contingency of freedom upon one's subscription to the national: key here is "the structural linkage between sovereignty, nationality, and the 'humanity-annihilating power of racism'" (Hayden 2009, 72).

That stateless persons are restricted from claiming full membership *any*where renders it an injustice (Gibney 2013, 651). Belton claims that because statelessness is caused by "a coercively imposed political structure," and the international system of laws and practices supports state sovereignty and the state's right to control membership, statelessness becomes a matter of global justice when the very polity that is supposed to provide membership to a person denies it (2011, 62). The international legal framework aimed at protecting and preventing

statelessness is bound to the notion of lawful residency, which in the case of stateless persons is often counter-intuitive: states are expected to provide rights only to those stateless persons who are on their territory lawfully (Belton 2011, 62), yet many are not lawful residents of their host or home countries and are thus excluded from the provision of these rights. Finally, the question of acquiring membership is a matter of distributing citizenship so that the stateless are "treated as the citizens' moral equal and attain this formal status," though, as Belton writes "while this … is no guarantee of substantive equality, it is a necessary step for recognition of legal personhood and the rights associated thereof" (Belton 2011, 68).

Why Intentional Noncitizenship?

There is significant empirical research which demonstrates that citizenship does not, in fact, guarantee substantive equality and that stateless persons can access their 'life needs'[4] despite not possessing citizenship. Stateless persons have been documented across the world as, on the one hand, legally restricted from various rights, but on the other as exercising their agency in navigating the 'system' and accessing their needs informally (Blitz and Lynch 2011). Research on the empowerment of forced stateless persons shows that stateless persons make day to day decisions in the face of vulnerability, negotiate identity practices (Brinham 2019), relations of belonging (Kastrinou et al. 2021, and access to services that are otherwise denied (Sigona 2016; Zaman et al. 2022). For example, in her exploration of Urdu-speaking stateless people in Bangladeshi resettlement camps, Redclift observes that while the condition of statelessness prohibits many from accessing state services, some can harness their precarious identity to

[4] I define 'life needs' broadly as access to health care, education, employment, housing, nutritional food, justice, and freedom from duress and undue influence, and the ability to participate in social political institutions, for example community involvement, marriage, and birth and death registration.

negotiate bureaucratic and identity restrictions as well as relationships with others. She argues that the legal status of citizenship is thus not reflective of the agency enacted by those who live outside of formal space, and statelessness can therefore be considered fluid, and not necessarily an end-product in itself (2013a, 113).

Stateless persons are strong advocates for themselves and their communities and feature in media, international campaigns, and children's books. Those who lack nationality are agential and demonstrate many performative characteristics of citizenship. They participate in social activities and work (McGranahan 2018) and resist the conditions they face (Bahram 2021; Brinham et al. 2019; Cowper-Smith 2021; Fiddian-Qasmiyeh 2016; Medina 2020; Mwangi 2017). Indeed, many stateless groups perform their agency by developing strong support networks that enable them to live 'flourishing' lives in which they participate in their communities and contribute to the polity in meaningful ways. Through a social movements perspective, Baser and Swain (2010) analyse the trends of long-distance nationalism within stateless diaspora groups who remain engaged with politics 'back home'. These groups are not limited by their statelessness and carry out activist activities despite the geographic and legal distancing from their homeland. Agency in this context opens up spaces of possibility and resistance, "acts of statelessness" (McGee 2022).

These studies demonstrate that statelessness can facilitate sub-state forms of belonging. For example, Cons (2012) investigates how stateless persons on both sides of the Bangladesh-India border claim sub-state membership in processes of memory-making and the holding and disposing of possessions. Taking an anthropological approach, Cons explores the processes of belonging through the cultural politics and political economies of the peoples in the region and demonstrates that living without a legal nationality does not dictate membership in a community.

Similarly, through an examination of statelessness in the contexts of the Democratic Republic of Congo and the Rohingya of Myanmar, Kelly Staples recognises that there are alternative ways that individuals can foster inclusion and exercise political agency that exist outside of the relationship with the state. She concludes that "recognition of statehood is not a sufficient condition for the achievement of individual personality" (Staples 2012, 161). In other words, personal agency and membership cannot be taken for granted to operate only within the frame of legal status.

Moreover, studies mainly in the field of anthropology tell us that individuals and communities *choose* noncitizenship. James C. Scott (2009) tells us about the Zomia peoples of Southeast Asia who have resisted the state system for centuries choosing to live outside the purview of the state. These peoples have adapted their ways of life in active resistance to state authorities, resulting in a distinct agro-culture characterised by living and migrating in the hills of Southeast Asia. The Zomia see "'ordinary' state processes, such as taxation, forced labor, warfare and revolt, religious dissent, and the ecological consequences of state building" as cause for rejecting multiple state occupations over two millennia (Scott 2009, 143). Scott points out that the Zomia peoples have encompassed several groups, some who fled expanding or newly formed states, others who themselves were parts of 'state-making' peoples who lost to more powerful states, and others who were deserters, rebels, ruined peasants, escaped serfs, and slaves (2009, 144). What unites these peoples is the choice to live outside of 'state space' and associated obligations (Scott 2009, 144).

In the context of anti-colonialism, Hess (2006) explores transnational strategies of identity formation and activism of stateless Tibetans in India and the United States, and highlights that some stateless Tibetans in India have chosen to apply for refugee status abroad

(and the requisite path to citizenship), while others have chosen to remain stateless in India. Those who migrate see the pathway to citizenship in the United States as a way to facilitate their political agenda towards a free Tibet (Hess 2006, 88). Those who remain in India, however, choose to remain stateless because they see adopting citizenship as "a declaration that the person has given up the belief that Tibet will eventually be free," a message that ultimately undermines their goal of a Free Tibet (Hess 2006, 84). Tibetans refuse the citizenship offered to them in their host countries in a "nonnegotiable political claim" so as not to "cancel out their claims to Tibet, to Tibetan sovereignty" (McGranahan 2016b, 336).

This "means of asserting a right to sovereignty" (McGranahan 2016b, 338) is paramount to the experiences of the Haudenosaunee, or the Six Nation Iroquois Confederacy, who claim their own citizenship complete with identity documents and systems of governance (Bloom, 2017). The refusal to continue living under oppressive conditions is explored in Simpson's ethnographic work with the Mohawks, one of six nations in the Confederacy[5] living primarily in the region spanning southwestern Quebec to northeastern United States. Simpson explores how Mohawks of Kahnawà:ke refuse to sacrifice their sovereignty in the face of Canadian and United States colonial occupation, and do so by refusing their passports, to pay taxes, to vote, again, to stop 'being political' (Simpson 2014, 4-7). In their refusal, Mohawks directly challenge the legitimacy and membership practices of the Canadian and United States governments (Simpson, 2014: 21), and thus their precarity in those states (Simpson 2014, 22). Mohawk refusal "to let go, to roll over, to play this game" attacks the very foundation upon which the colonial state sits – the ideas of consent, justice, and freedom (Simpson 2016, 330). Mohawks refuse to be refused and simultaneously assert their own terms of recognition.

[5] The other five nations are: Oneida, Onondaga, Cayuga, Seneca, and Tuscarora.

This refusal is also seen in individual cases of intentional noncitizenship. Some individuals have renounced their citizenship in favour of statelessness in resistance to what they believe are unjust state practices in which they claim citizenship renders them complicit. For these individuals, voluntarily becoming stateless is an act of conscience, to live responsibly in the world by disengaging from the state system that they believe is inhumane. Henry David Thoreau is perhaps the most widely known individual to have stood such ground. He famously refused to pay taxes so as to avoid contributing financially to the U.S.-Mexico war effort and refused to consent to a state-sanctioned community church and accepted the consequence of detention (Thoreau 1986). His withdrawal from his community to the Walden woods is labelled by some as hermitage. The act couldn't be perceived more incorrectly. For Thoreau, exit into the remoteness of Massachusetts is a way – the only way – to connect directly to those with whom he is in solidarity against an unjust society: the enslaved, the oppressed, and the occupied.

Mike Gogulski followed a similar path. Gogulski renounced his United States citizenship in favour of a stateless person status that he holds as resident in Slovakia, which provides him with identification and travel documents. Gogulski claims that he has never consented to U.S. citizenship and the allegiance to the government that comes with it. Gogulski sees citizenship as a "tool of class division, a tool of hierarchy, an instrument of social control" and he advocates for philosophical anarchist governance that is decentralised and in the form of small, equitable communities devoid of oppression and obedience (Abrahamian, 2014). Having renounced his United States citizenship, Glen Lee Roberts lives in Paraguay. He too claims that allegiance to the United States was forced upon him at birth and is thus an attack on his personal liberty (Roberts, 2014). He chooses to live as a stateless person because for him allegiance itself is the problem. He sees the financial, emotional, and spiritual ties that come with belonging to a state

as burdensome. For Roberts, statelessness is about being free from state authority and disengaging from the state-subject relationship in such a way that preserves his free will (Berwick, 2015). Roberts challenges state practices of surveillance, invasion of privacy, torture (Berwick, 2015), and human rights abuses (Roberts, 2014) as a system of lies of which he chooses to no longer be a part (Roberts, 2014). Roberts' experience, along with the others listed here, demonstrate that claims related to noncitizen agency and personhood raise a concern with respect to whether statelessness can be considered an *absolute* harm.

Why Political Theory?

Despite the paradox that statelessness induces significant harm, yet many individuals and communities choose noncitizenship, liberal political theory has failed to grapple with the concept of intentional noncitizenship. There is a considerable lack of political analysis of the phenomenon in at least three areas: as it relates to the relationship between INC and key concepts in political theory; in terms of the conceptual and practical diversity of intentional noncitizenship; and concerning the practical implications of INC in law and policy.

These practical experiences of statelessness whereby some stateless persons can access their 'life needs,' and others may prefer not having a nationality, demand exploration of the theoretical claims made with respect to INC. To begin, it is important to note the claim increasingly put forth by theorists that liberal democratic theory does not appropriately accommodate statelessness. Phillip Cole claims that the practices of both political theory and citizenship are bound by contingent and arbitrary limits (2017, 256). Liberal political theory constructs an inside and an outside, an inherent exclusion which produces the foundation upon which the exclusion of stateless persons in practice is built. As such, it is not possible to "tweak our theory a bit to include" stateless persons (2017, 259), because liberal political theory assumes

that people are members of some nation-state (2017, 260). Furthermore, this exclusion of the other (stateless person) is necessary to maintain the integrity of its core (citizen). Cole states this core identity is not universal but particular, a theoretical construct subject to deconstruction, and thus flawed – indicative of a tension inherent to the theory itself (2017, 262). Cole therefore determines that the key concept emergent in this tension is in fact membership, which constitutes the idea of statelessness because membership in both theory and practice is itself inherently exclusive (2017, 263). Belton echoes this tension in her claim that any serious challenge to "the assumption of citizenship" requires a theorising about just membership that demands the visibility of statelessness in liberal political theory (2011, 69).

Furthermore, there is a significant gap in political thought concerning intentional noncitizenship. There is no unified exploration of intentional noncitizenship in the context of political theory that specifically tackles the connection between the liberal state and those who choose to withdraw from it. What we know about INC comes largely from anecdotal accounts from personal narratives and media stories, and academic studies in the field of anthropology. These contributions are valuable to understanding the factors and experiences concerning INC, however, there is a dearth of empirical and theoretical work in the field of political theory. Whereas the literature showcases various individuals and groups who choose to live outside of the state system, as well as a number of critical approaches to key concepts such as membership, sovereignty, legitimacy and political activism, the literature does not attempt to connect the INC and refusing the state in political terms. In other words, political theory has yet to consider the political claims of those who intentionally withdraw from the very relationship that is said to facilitate politics – citizenship. This leaves a significant gap with respect to the relationship between intentional noncitizenship and political theory.

Second, emerging from the literature surveyed above but not specifically explored is the idea that INC practices are connected through key principles that are themselves interconnected and embedded in larger bodies of knowledge (McMillan 2018, 10). Also clear from the literature is the diversity in perspectives, motivations, and experiences of intentional noncitizens (INCs). Two important implications arise from this diversity: there is no empirical work on what intentional noncitizenship means as a concept, or what it means to those who claim this experience for themselves. This also highlights the need to explore the disconnect between the diversity in INC approaches and the theoretical preference for value-neutrality, which, in the words of anarchist theorist Harrison, "plays into the hands of those who possess power and is therefore a mechanism for domination" (2002, 39).[6]

Third, there is an absence of literature with respect to the practical implications of intentional noncitizenship. There is no known research on the implications that INC may have on practices that are carried out and enforced in political institutions. Pivotal ideas such as sovereignty – what in means to INCs and how it can be reconciled amongst diverse conceptions of political community – remains underexplored. Furthermore, liberal ideas such as security, freedom, and citizenship itself which occupy a central role in theorising and practicing liberal democracy have not been prioritised in analyses despite their central role in many instances of intentional noncitizenship. Finally, given that individuals and communities choose to live outside of state purview, a glaring and necessary question concerns their governance. This is key gap as the absence of appropriate political language to describe and interpret intentional noncitizenship can have implications for normative claims and thus "the character of our political experience" (Douglass 1980, 114).

[6] I explore the role of value-neutrality in this project in the following *Methodology* chapter.

II. The Politics of Refusal

I noted above that this project is not a critique of the liberal state but of the liberal model of citizenship and its related practices, and that analysing intentional non-citizenship through a political theory lens finds a natural home in analytical political theory as a methodological approach.[7] Because of the moral variances between each case I explore in the following empirical chapters, and between these cases and APT as a liberal methodology, I cannot rely on a particular theory to guide my analysis. To do would be methodologically unsound and counter intuitive. Instead, as this project and its APT approach embraces value-pluralism in political perspectives (Miller and Dagger 2008, 448), I frame my analysis within a conceptual typology that includes reflections from sociological, anthropological, and political thought.

It is with care then that I consider the language I use to evaluate intentional noncitizenship. As will become clear throughout this project, for intentional noncitizens freedom exists in taking action against the state. How such action is conceptualised and what resistance generally means in political theory is diverse.[8] Civil disobedience, for example, occurs when an individual is opposed to a particular law they perceive as unjust but has "fidelity to the system as a whole" (Murphy 1971, 1; see Woodcock 1969; Rawls 1999). Debates on the content and justifiability of civil disobedience abound, centring on a few key characteristics such as the degree to which an act is public, whether it is violent, and whether it is direct or indirect in its effect. Brownlee characterises civil disobedience as a "deliberate, communicative, cause-driven [breach] of law" (2012, 529) the goal of which is legislative reform of some kind. A similar act is conscientious objection, a "principled refusal to follow an injunction, directive or law on grounds

[7] I outline this in detail in my *Methodology* chapter
[8] For an overview of the diversity in conceptualisations from the Protestant Reformation to the twenty-first century, see McDaniel 2018. See also Laudani 2013.

of a declared steadfast personal conviction", an endeavour that does not seek wider systemic change (Brownlee 2012, 532-3). What concerns us here, however, is a rejection of citizenship because it is a mechanism of state injustice. In this way I am guided by the concept of refusal. Whereas some authors use the terms refusal and resistance interchangeably, I follow the lineage that distinguishes between the two: because it is a rejection of hierarchical and unequal social relations refusal is not resistance to the state, but refusal *of* the state itself (McGranahan 2016b; Virno 2004). Refusal is multi-layered and an apt framework to guide our thinking about intentional noncitizenship. From sit-ins and hunger strikes to labour protests and vote abstention, refusal has been described at one end of a spectrum a form of non-engagement, and at the other end a challenge to the "discursive infrastructure that makes political action legible" (Mengesha and Padmanabhan 2016, 3). Also referred to as withdrawal, exodus, disappearance, defection, desertion, flight, and disengagement, refusal as a "rhetoric of exit", to use Cassegard's language (2008, 2), is action both in thought and in practice. The concept of refusal weaves together various calls for action against injustice and blend acts of civil disobedience and conscientious objection into something different, a future emancipation with three distinct characteristics. First, injustice in the form of liberal dominant and dominating narratives of recognition are refused by challenging traditional expectations of the oppressed. Second, the inherent self-determination of refusal is seen in exit towards alternative political projects. Finally, such political initiatives are relational and obligatory to the self and to others.

Thinkers on refusal argue that liberal narratives of justice which attempt to address social wrongs such as capitalism, patriarchy, colonialism, and racism actually perpetuate systemic injustice. Here, refusers flip liberal terms of recognition and respond with intentional disengagement from what is expected of them as members of liberal society in voice, deed, and

thought. We can see that refusing dominant and dominating narratives of recognition – in various liberal terms of justice, progress, reconciliation, consensus – go beyond specific modes and experiences of injustice and include what Garland refers to as fixed "identity-thinking" such as gender and sex roles and instrumental rationality (2017, 63). Garland lays the groundwork for an 'ontology of negativity', a 'new politics of refusal' as "active forms of a radically different mode of being and mode of doing" (2017, 55) whereby mere existence is a first instantiation "against things as they are" (2017, 56). Garland points to capitalist labour as a domination "we did not choose or wish for, and yet we are compelled to reproduce" (2017, 58), and objectification must be refused by treating others as autonomous and with reciprocity (2017, 60). This ontology, what Garland calls "the negation of that which negates us" (2017, 55), aligns with Simpson's (2014) work on Mohawks who 'refuse to be refused' (Simpson 2014). Simpson observes the "false choice" between recognition and reconciliation – the former attempts to absorb Indigenous people into the colonial state by 'recognising' their autonomy, and the latter a renewed relationship based on respect – options, she argues, are inappropriate mechanisms for "remedying not just specific, historical issues of 'wrongdoing' but our understanding of time and justice itself" (2014, 193). Recognition on one's own terms is central to Simpson's claim that refusal itself is a good, an alternative to "the much sought-after and presumed 'good' of multicultural politics that [Mohawks deploy] as a political and ethical stance that stands in stark contrast to the desire to have one's distinctiveness as a culture, as a people, recognised" (2014, 11). Refusal is both a negative act as it disallows colonial oppression, and a positive act in the sense that it permits new or alternative or already established but oppressed forms of recognition. Challenging the liberal assumption that a just society requires "an overlapping consensus of differing reasonable comprehensive doctrines" is similarly observed in Stewart's (2020)

engagement with Zora Neale Hurston's early twentieth century Black feminism which challenged liberal moves towards desegregation in the United States. Drawing upon a deep sense of self-respect and dignity, Stewart reads Hurston's 'principled indifference' to White 'association' as an alternative model through which to reveal and refuse the systemic racism buried under "false narratives of progress" (Stewart 2020, 63). In doing so, Hurston refuses to accept the conditions of recognition offered by the state and provides a space from which alternative sources of recognition can emerge (Stewart 2020, 72).

The diversity in rationales for refusing is met with a range in how it takes place. In this case, public narratives that uphold or condemn certain forms of living are refused with responses of *silence*. Rather than through vocal protest or withdrawal from relationships, refusal also takes place by refusing to speak (out). In a case of Muslim women navigating anti-Islamic narratives in settler states, retreating from politics is seen as a form of private agency in the face of public discourses that condemn (Islamic) piety (Dingli and Khalfey 2019). Here the refusing Muslim woman lives within the statist system but does not resist it through traditional means; it is her silent exit that highlights problematic liberal assumptions and ambiguities of what is considered agency, as well as their respective implications on political judgement in a plural society (2019, 70). Rollo (2017) argues that in addition to voice, the silent act is an equally effective demonstration of dissent. He observes Indigenous people in Australia and Canada who have refused colonial state practices and when asked to qualify their refusal, they have responded with *a refusal to explain their refusal*. Their choice to remain silent in the face of colonial demands asserts their sovereign prerogative on their own terms, refusing to justify their (non)actions according to imposed standards.

Silent refusal is also seen to protect against the risk of state entrapment, an unintended consequence where refusal is doomed "to be claimed and co-opted by the state" (Weiss 2016, 352). In her exploration of Israeli abstention from military service for "reasons of conscience", Weiss observes that the state attempts to control the narrative and outcome of that refusal by discrediting the refuser's characteristics and rationale and subjecting them to legal judgment, thereby legitimating the state's authority (Weiss 2016, 353). What begins as a project of conscience and process of self-authorisation becomes devalued (Weiss 2016, 354). Silent abstention, on the other hand, avoids this trap; it is a "tense stillness" that is "an affirmative investment in another possibility" (Weiss 2016, 351). By choosing not to challenge the state directly, silent abstention is "generative of affiliations not based in citizenship" where refusers are not recognised by their self-sacrifice, but by their creation of an alternative political space – an antipolitics that sees state institutions and processes as illegitimate pathways to change (Weiss 2016, 357). Exiting quietly, as it were, demonstrates a "refusal to be aspirational in the right way" (McGranahan 2016b, 338).

These thinkers point us to a second major theme in the work on refusal, where non-acceptance of certain modes of domination is just the first half of what is really a move towards an alternative political project of the future. Here, refusal is deeply connected with the potentiality of a new way of living and being and is an example of self-determination. Whereas refusal is generative, hopeful, and insistent on the possible, it is also social in that it (re)produces community (McGranahan 2016a, 322-3). In this way, McGranahan sees refusal as inherently political, an act "to redefine or redirect certain outcomes or expectations or relationships […] and thus to challenge authority or structure or the rules of engagement in the first place" (2016b, 334). For Virno, the quintessential political act of refusal is exodus, a form of self-determination

that demonstrates a political theory of the future where the non-state public sphere is *the* legitimate form of community (2004, 70). It "hinges on a latent kind of wealth, on an exuberance of possibilities, in short, on the principle of the *tertium datur"* (2004, 70). Virno affirms there is another possibility to what is expected of subjects, a third path that eschews the status quo acquiesce/resist model where resistance to the state continues to reify and legitimise it. Rather than the statist "spatial 'frontier'", it is this possibility for an alternative way of living that is at risk (2004, 71).

The notion of possibility is key as it alerts us to potential, uncertainty, and abstraction all at once, diverse ways of thinking and acting refusal, but which can only be grasped by withdrawing from the state. Just *how* alternative political projects are envisioned is diverse. Examples abound of refusers implementing their stance in alternative political projects, and while exile and subsequent transnational activism is widely known, meaning can be found for both individual and collectives in exits that do not involve formal emigration. For example, in refusing Canadian and United States citizenship, the Haudenosaunee simultaneously assert their own while remaining within colonial borders. Thoreau famously retreated to the woods of Walden, Massachusetts to protest the United States government. Gandhi proposed a federation of self-governing panchayats (councils) that would devolve British rule. More recently, the field of neoreactionism (NRx) advocates the right to leave the state as inherent to all of humanity. NRx thinkers and practitioners champion exiting the modern state's failed democratic project in favour of new governance models structured according to capitalist market logic, where gov-corps compete for 'citizens' who 'shop' for their preferred community (Smith and Burrows

2021). Here the territorial border of the state is abolished in favour of popup societies in international waters, seasteading in contemporary vernacular.[9]

Negri gives a more abstract depiction of what refusal in action could look like: freedom is embodied in the natural life and love found in the community. For Negri, resistance to oppression is also natural; it is happiness; it is freedom, the necessary alternative to complacency with state injustice which demands a new type of thinking, "daily insurrection, continual resistance, constituent power. It is a breaking-with, it is refusal, it is imagination, all as the basis of political science" (1996, 219). In doing so, he proposes a 'constituent republic', a new state form that embodies politics without domination (1996, 219). Such a republic is before and outside the state and constantly re-emerges through "constitutional law and ordinary law [that] refer back to one single source and are developed unitarily within a single democratic procedure" (Negri 1996, 221).[10] Virno too sees exodus as an effective response to what he sees as the submergence of the political being under capitalist logic. Virno challenges the traditional Arendtian lineage that separates work, action, and intellect and argues that this tripartite relationship is no longer distinct "and everywhere we see the signs of incursions and crossovers" (1996, 189). Where political action has become a productive resource for the capitalist technological space, Virno proposes exodus as a way to reclaim it: exodus "is neither exiting on tiptoe through the back door nor a search for sheltering hideaways. Quite the contrary: what I mean by *Exodus* is a full-fledged model of action, capable of confronting the challenges of modern politics" (1996, 196).

[9] Similar attempts have been made. See Republic of Rose Island https://www.rose-island.co/ and the Principality of Sealand https://sealandgov.org/en-us?srsltid=AfmBOooOkwFvAUE0wrtutfM1V_-z4LXhoaid6vzUhRr177JJbj7U4_Na

[10] This is a different version of exodus than that proposed in Hardt and Negri's *Empire* (2000), where, as Cassegard notes ""the main examples of desertion and exodus are refugees, migrant labour, escaped slaves, and the massemigrations that triggered the fall of the Berlin Wall. Resting on a myriad of individual decisions – a "diffusion of singularities" – rather than organized movement, the effect of these desertions is said to be to silently weaken the system of power, undermining it rather than fighting it" (2008, 15).

A third characteristic of refusal is its relationality. While responding to injustice can be a solitary act, thinkers on refusal see it as inherently communal. Thinkers surveyed above at times point to the reflective nature of refusal as it taps into one's sense of self. In her exploration of representations of Black precarity in contemporary visual art, Campt encourages the viewer to recognise and question "dominant visual regimes that seek to refuse blackness itself" (2019, 42). Engaging in this practice of refusal requires "the labor of feeling across difference and precarity", or a hapticity, a laboured "modality of contact and relationality" that does not demand relief or recognition (2019, 43). Rather, the viewer's positionality vis-à-vis dominant narratives of Blackness come into full view and must be grappled with (2019, 44). Just as self respect and dignity contribute to one's refusal of dominating practices (Stewart 2020), here it is one's own role in that domination that is at the centre of what is possible. This self-reflexivity is not a singular process but is inherently connected to the other, evidence of refusal as a social relation that "underlies all relationships, including political ones" (McGranahan 2016a, 320).

The depiction of refusal as an internal process with external implications deviates significantly from the tradition that conceptualises exit in terms of individualism, antiparticipation, and freedom from a higher authority (Kirkpatrick 2017, 9). Kirkpatrick sees these as 'thin' conceptualisations of exit and herself advocates, contra Hirschman, a 'thick' version that acknowledges typically ignored features of connection, recognition, and solidarity with others. In this conceptualisation, exiters remain deeply connected to the politics of their homelands, and the moral dilemmas made apparent when considering the need to exit vis-à-vis obligations to stay (Kirkpatrick 114). Even as it grapples with internal struggle, refusal remains committed to the alleviation of injustice for the collective, and most thinkers agree that refusal is inherently obligatory: it demands work towards the greater good. For example, when

interrogating Euripides' *The Bacchae* as refusal of patriarchal instrumentality and subjecthood, Honig argues refusal can be seen as an arc of transformation rather than a momentary act which "conveys a normative, civic, and feminist obligation to risk the impurities of politics on behalf of transformation" (2021, 1). Refusal embodies an obligation to transform the political community irrespective of what it may cost: "You have the right to leave, the right to build elsewhere, but you also have an obligation to return because we are all depending on each other. We may succeed or fail. But we are in it together" (Honig 2021, 104). Refusal is political action that embodies both dis- and re-engagement.

Refusal of the state is transformative, generative, hopeful and points to – and is – an alternative way of living. Rejecting relations based on hierarchy and coercion, refusal can be public, personal, or silent and in this way can be an act of emancipation for both the individual and the collective. Whereas state acts are both the site of and potential for violence, refusal is an act of immediate change and potential for a better future. In other words, refusal is always an exit of some kind; exit is always refusal. Finally, the plurality inherent to the politics of refusal is in direct contrast to the narratives that the liberal democratic state is the only legitimate political community entrusted to provide a particular set of goods in particular ways, and that citizenship ought to remain the preeminent form of the subject-state relationship. Through claims concerning narratives of justice, self-determination, and connections to the other, the concept of refusal challenges these liberal truths, and the idea that truth in political relations exits in the first place.

III. Objectives of Dissertation

Guided by this conceptual framing I endeavour in this project to achieve three objectives. First, I aim to capture in detail the conceptual and empirical circumstances of three cases of intentional noncitizenship. I aspire to describe and explain the conditions of the refusal of citizenship so as to understand the contexts in which INC can emerge, the mechanisms through which it is enacted, and the philosophical grounds for INC arguments. My specific research questions in this area are:

1. What are the grounds used by INCs to justify their choices to become noncitizens?
    i. What are the arguments used to justify their claim to statelessness?
    ii. What are the different contexts within which these forms of INC emerge?
    iii. What are the ways INC can be enacted?

Second, based on the findings from this exploration, I aim to theorise intentional noncitizenship. I seek to detail the circumstances of a small portion of a larger political phenomenon so as to extract more general principles. Through a critical reflection on common patterns in rationales but also areas where cases diverge, I seek to develop a theory of intentional noncitizenship that can advance our understanding of this condition in theory and practice. My research questions concerning this objective are:

2. What is intentional noncitizenship?
    i. What are the different ways that statelessness is conceptualised by those who 'choose' this status?
    ii. What are its parameters? To what extent is INC absolute (or negotiable)?
    iii. What are the conceptual implications of intentional noncitizenship?

Third, I endeavour to operationalise my theory into a reasonable practical proposal. Applying my findings and arguments to a realistic solution is both true to the INC ethos emergent in each case but also speaks to the methodological disposition of this project which supports the claim that

new discoveries about our political world ought to inform political institutions.[11] My research questions pertaining to this objective are:

3. What are the practical implications of intentional noncitizenship in terms of (inter)national policy and law?
    iv. Can INC arguments and practices inform new ways of understanding governance?
    v. How can INC inform understanding duty between INCs and the state, and INCs and their neighbours?

This study therefore provides a foundation from which stakeholders – legislators, policymakers, advocates, scholars, non-governmental organisations, the general public, and intentional noncitizens themselves – can better understand how intentional noncitizenship operates within social and systemic relations, the conceptual foundations of INC claims, the connections between INC communities across the world, and the practical implications in both national and international contexts.

IV. Outline of Dissertation

I begin my query by outlining in chapter two my chosen methodological approach and my overall research design. What follows in chapter three is an overview of the liberal model of citizenship as a function of the nexus between statehood, sovereignty, and subjecthood. I explore both how citizenship has become a tool to identify, categorise, and oversee populations to realise state objectives, and the normative justifications for sovereign statehood. I then turn to my three empirical chapters, which begin by tracing the ways each case study interacts with the four key principles identified in chapter three (sovereignty, security, freedom, and citizenship itself), and end by identifying a notable conceptual implication that contributes to the foundation of

[11] I detail this disposition in the following *Methodology* chapter.

intentional noncitizenship. In chapter four, I explore the Freedom Babies movement (FBM). I find that non-registration of birth, and thus noncitizenship to Canada, is an act of reproductive self-determination that simultaneously reclaims sovereign practices and asserts the freedom of the baby, mother, nation, and earth. I conclude by arguing that INC for the FBM is an inherently political act that rejects liberal practices of recognition in favour of a politics of decolonisation. I continue in chapter five, wherein I explore anti-statist renunciation of citizenship. I find that anti-statist intentional noncitizenship is an act of individual political self-determination that tolerates the state and acknowledges the impracticality of abolishing membership. I conclude by noting the implications anti-statist arguments have on the notion of obligation between the intentional noncitizen, their community, and the state in which they must inevitably live. I argue that INC obligation embodies a moral duty to community members amidst a dynamic reflection of relations between citizens and INCs that are *not* conditioned by citizenship. I follow in chapter six with an investigation of the anti-authority movement in Canada and their refusal of the expectations of citizenship which I identify as law and the legal system, public processes and symbols, and identification practices. I find that withdrawal from the expectations of citizenship is an act of individual self-determination that can reverse the corruption of the individual and restore 'traditional' politics. I conclude by arguing that in addition to exhibiting personal autonomy by reflecting upon and authoring decisions, AAM adherents also demonstrate moral autonomy – an inherent concern for justice.

In chapter seven I synthesise the various claims made by the FBM, anti-statists, and AAM and reconcile these vis-à-vis both the narratives they challenge and each other. I attempt to situate INC arguments against the backdrop of normative justifications for statehood in the four key areas identified in chapter three: sovereignty, security, freedom, and citizenship itself. I find

that intentional noncitizens critique normative justifications for statehood and the goods it is said to provide. First, INCs support the call for a new "meta-vocabulary" of sovereignty that is reflective of and adaptive to the diversity of political communities on the ground. Second, INCs argue that citizenship has become a form of securitisation justified by the political rationality of liberal security discourse. Third, INC freedom emerges from taking action against the state. Fourth, citizenship is a tool of refusal used specifically to exit the state. I conclude by arguing that INC is a particular type of refusal: it is neither absolute nor consistent but dynamic in that it responds to and negotiates its circumstances.

I then move in chapter eight to craft a theory of intentional noncitizenship. I define INC as a condition (legal or symbolic) of non-nationality that is chosen, or advocated for, to achieve a political goal. I distil this further into three components: autonomy, political action, and obligation. I then move to test my intuitions in three ways. First, against the ontological and material harms of statelessness – a technical feasibility test. I find intentional noncitizenship to be a viable alternative to citizenship and therefore permissible. I then consider a second feasibility constraint, the 'realistic utopia' test and explore how INC as an instrumental good ought to be operationalised into an individual right to self-determination. I conclude in section five with final remarks on how my claims pass a third assessment, a political feasibility test, satisfying a range of interests including those of intentional noncitizens, their host states, and the broader international community.

I conclude in chapter nine by summarising the objectives and limitations of this dissertation and the implications of my claims on intentional noncitizenship as a distinct political phenomenon within the disciplinary approach of political theory and on the field of statelessness

studies. I also reflect on areas of future research. I turn now to a discussion of my methodological approach.

Chapter Two: Methodology

I. Introduction

This dissertation aims to evaluate the moral implications of empirical politics and produce normative proposals concerning intentional noncitizenship. In this way, I am guided by analytical political theory (APT) so that I can explore whether key principles of statehood conflict with those who refuse the liberal model of citizenship. Below I present my methodology and chosen methods for this dissertation. I begin in section two with an overview of analytical political theory and the related assumptions that I hold throughout this project. I agree that there are such things as moral facts, the liberal state is democratic, the individual is my unit of analysis, and value-pluralism can strengthen arguments. In section three I detail my research design. I outline my choice for inductive case study analysis, my sampling techniques, cases, and the specific sources I consult in this project. Section four follows where I outline my chosen data analysis technique of reflective equilibrium. I follow in section five with my ethical considerations including the extent to which this project is obtrusive, whether to interview participants, and how my findings are used outside of this study.

II. Analytical Political Theory

Analytical political theory generally shares certain assumptions about the objectives and methods of political thought (Miller and Dagger 2008, 446). APT can be broadly described as liberal in that it "aims to serve as the public philosophy of a society of free and equal citizens who have choices to make about how their society will be organised" (Miller and Dagger 2008, 449). Thus, I make some key assumptions about the subject matter I explore, about the proposals I develop in

this project, and potential implications. As "any theory based on assumptions is vulnerable to failure if they turn out to be false" (McDermott 2010, 16), I take care to take for granted only that which is reasonably held by most in the liberal tradition: there are such things as moral facts, the liberal state is democratic, the individual is my unit of analysis, and value-pluralism can strengthen arguments.

First, I take it that there are such things as moral facts. This may seem a trivial point to make but doing so grounds me in a particular tradition that is concerned with the content of rules that govern subject-state relations rather than whether such rules can be said to exist in the first place (McDermott 2010, 16). For example, one such fact I uphold is that the state is the dominant political community in our contemporary world, and the state system is considered a legitimate mode of organisation wherein states exist irrespective of whether they are considered legitimate by their subjects or counterparts. Guided by Miller, I embrace "a certain kind of modesty in the way [I] apply fact-dependent principles across time and space" (2010, 46) and therefore attempt to qualify this fact. Though I take the state and state system as generally legitimate, I focus on a particular *type* of state as the version against which my cases stake their claims and I frame my analysis – the liberal state. Therefore, just as intentional non-citizenship is a phenomenon that makes specific critiques of the liberal model of citizenship premised upon rights and responsibilities and which thus takes place within the sphere of the liberal state, the proposals I make throughout this dissertation are envisioned within the same liberal framework.

I make a second and related assumption that the liberal state is democratic and espouses democratic ideals (security, freedom, citizenship) though I also do not take these as fixed and unconditional. Here I make the specific claim that though I take these for granted I am "self-conscious about the status of the principles [I] put forward to govern our political life" and I am

aware of their fallibility and precisely how this fluidity impacts particular communities (Miller 2010, 45). Furthermore, I do not assume that the proposals I make in this project can be generalised across societies (Miller 2010, 46) and take care to explore where they may and where they may not. Here I heed the APT call to have the "confidence to make assumptions and wisdom to tell good from bad" (McDermott 2010, 17).

Third, I place at the centre of my analysis the individual but only insofar as the person is the only entity that can acquire and refuse citizenship, and it is the person who is the only entity who can realise the individual right to self-determination. While membership of a political community is articulated in diverse terms ranging from community to peoples (Monono 2021), and some of those surveyed in this dissertation indeed refuse citizenship on collective grounds, it is the individual who is granted nationality and it is the individual who takes steps to refuse it legally, socially, and morally. It can be said, then, that I do subscribe to a personalism of sorts, but I do not prioritise the individual at the cost of other entities. In other words, I do not embrace social atomism (Pettit 2012, 22). Rather, though I place the individual at the centre of my analysis, it is the individual who is conditioned by their environment and obliged to their community that I find to be of analytical import. I take the holist position, where "there is an intimate, non-causal tie between enjoying social relations with others and exercising certain distinctive human capacities" (Pettit 2012, 26). Thus, though I see citizenship as individually constituted, I see it as an inherently social value, and do not embrace the APT tradition of valuational solipsism that sees the "ultimate criteria of political judgment [as] provided by non-social values (Pettit 2012, 24).

Along these lines, APT confronts value-pluralism in political questions and ideals and acknowledges that diversity in perspectives is perhaps unavoidable (Miller and Dagger 2008,

448). I embrace value-pluralism in three broad stages, each of which attempt to respond to the 'messiness' of the empirical perspectives surveyed here and of the complex politics that inform those perspectives and potential solutions.

First, as I noted in the *Introduction*, rather than embracing a particular theoretical framing of the ideas that support and reject the state, in the words of Knight, I "reject styles of philosophical thought that are distinctively shaped by certain traditions of religious, cultural, or political commitments" (2017, 5) and utilise a conceptual framework of refusal to consider a range of ideas critical of citizenship and recognition more broadly. By employing a plural conceptual approach, I am better equipped to consider that both my own assumptions and those which emerge from the data are principles which "apply only to societies of a certain kind, each principle having specific presuppositions – presuppositions that we may be able to identify by tracing when and how the principle established itself in the political debate (Miller 2010, 45). As will become clear in chapter seven, *The Politics of INC Refusal*, this is a successful methodological strategy to unite otherwise incommensurable perspectives into a systematic critique of the liberal model of citizenship.

As will become clear in each empirical chapter, it cannot be denied, however, that each case holds a particular world view that at a basic level is amenable to one theoretical disposition over others. The second stage of value-pluralism therefore takes place as I interpret each case individually, vis-à-vis the other cases, and in the context of INC generally. In this way I aim to achieve a balance with respect to the literature that guides my analysis. I do not take an interdisciplinary approach, rather I interpret INC from a liberal-APT position that considers the various world views of INC cases that embrace, to various extents, libertarian, cosmopolitan, communitarian, and decolonial thought. The cases do not identify themselves in these theoretical

ways, rather it is I who identifies these bodies of literature as the most appropriate frameworks within which the cases sit, united by the concept of refusal. To be clear, I do not try to reconcile divergences in key assumptions between these bodies of thought and APT, but rather I explore and embrace various moral perspectives to inform a broader critique of the liberal citizenship as a mechanism of state injustice.

I embrace value-pluralism at a third stage as I envision potential practical solutions to INC. Each case critiques something different. Anti-statists critique citizenship and the state system as a whole. The anti-authority movement critiques the liberal global order but not citizenship proper. The Freedom Babies movement criticises not the state system but the colonial state and its specific citizenship practices. Whereas each case critiques the state in some way, they each land on citizenship and its practices, which in one way or another represent faults in the way the world currently works. My task is to distil these critiques into a sound analysis and identify new ways in which we can begin to address INC as a unique phenomenon. As a result, I indeed try to fit a square peg into a round hole in proposing INC as an individual right, which, despite key differences in objectives, serves as a successful work-with-what-we-have approach to respond to markedly different empirical contexts addressed in this dissertation.

III. Research Design: Inductive Case Study Analysis

This study is qualitative and inductive in nature. I explore the arguments and experiences of those who choose noncitizenship to help distil what INC is in theory and practice. Case studies are effective research tools when multiple components of potential analysis converge into one group. Case study analysis demands great time and energy resulting in an in-depth exploration of the nuances and intimacies of a smaller portion of a larger political phenomenon (Babbie and

Benaquisto 2010, 319-320). Cases studies are effective tools to explore *why* and *how* questions, and to navigate unpredictability in or little control over data (Yin 2014).

Qualitative research using case studies can be explanatory, descriptive, and exploratory, and incorporate elements of all three approaches (Babbie and Benaquisto 2010, 82). My research design does just that. It is at first exploratory. It is the first to explore INC generally and INC across three diverse contexts. As far as I understand, there has been no academic study carried out on Freedom Babies or anti-statist refusal, and while the AAM has been studied extensively, studies concern the risk of violence and terrorism rather than political motivations. This study aims to explore the general elements of each movement's approach to citizenship through refusal which will provide a useful foundation from which other research studies can depart.

This study is also descriptive as it attempts to depict the parameters of INC for each case, including the strategies and arguments deployed by each, and what INC means to respective intentional noncitizens (INCs). This is the *how* of the equation; I describe how each case conceives of INC. I also attempt to identify basic characteristics of intentional noncitizenship, common patterns in rationales but also areas where cases diverge. In this way I come up with a theory of intentional noncitizenship to describe how we can think about INC more broadly.

My approach entails considering underlying assumptions and realities as motivating factors for the choice towards INC. As I describe what INC is at local and general scales, I must also reconcile the *how* with *why* each case makes it decisions. In this way I indeed explain the contextual factors that contribute to what INC responds to (state injustice) and why such radical action is necessary (refusal of citizenship).

I offer no hypothesis of what INCs intend with their conceptualisations or practices, or what INC itself may look like as a concept. I take a narrow approach in exploring INC in three

cases and then apply my learning to a broader scale – moving from the particular to the general in the search for possible patterns. Accordingly, I employ inductive reasoning whereby I observe general principles as they emerge from the data (Babbie and Benaquisto 2010). Rather than hypothesising what INC is to the cases surveyed here and then testing that claim against the data, I do the opposite and explore from the ground-up and allow potential patterns to emerge organically. This approach permits me to stay true to the spirit of the data and allows me to work with inconsistencies in the data more holistically.

I have chosen to explore INC in the contexts of the Freedom Babies movement (FBM), anti-statists, and anti-authority movement (AAM) specifically because of the variances they present in their understandings of injustice (what they refuse), INC practices (how they refuse), and their outlooks on the future (what they propose). These are non-randomised samples that do not intend to generalise or represent larger populations of INCs. This purposive, or judgmental, sampling was chosen to permit an exploration of the different ways INC *can* be conceived and practiced. In other words, I do not seek to ensure that the individuals and communities in my cases are legally stateless. There are two reasons for this. First, doing so would present an insurmountable methodological challenge. Without direct access to legal records, it is difficult to know whether individuals are legally stateless or whether their chosen way of life is a statelessness of the symbolic kind.[12] Second, many of the individuals and communities I am learning from may be unable to become legally stateless. Intentional *de jure* statelessness in North America, for example, is unlikely given that for one to renounce United States citizenship they must be outside of the country (§. 349(a)(5) *Immigration and Nationality Act),* and Canada

[12] In fact, there is only one way to determine whether one is legally stateless according to international law. A statelessness determination procedure (SDP) at the national (usually an administrative procedure rather than a court judgement) or international (United Nations High Commissioner for Refugees) level is initiated and tasked with investigating an individual's legal histories of and claims to specific places across the world. An SDP can sometimes take years and may even result in an inconclusive decision rendering one's claim to statelessness unresolved.

requires one to have a second nationality before it will grant renunciation of Canadian citizenship (§. 9(1)(a) *Citizenship Act*, 1985).

For these reasons, but also to address the purpose of my study, I am concerned with the *claim* to statelessness from a conceptual and practical perspective. It is thus not necessary to be legally stateless, but instead the 'political' choice to claim statelessness is sufficient. Making this methodological choice aligns with an analytical approach that values diversity in conceptualisations and practices. What something means to one person or group in practice – legal renunciation of citizenship, for example – may mean quite another to someone else, for example as they may be subject to different conditions where they may not be able to renounce or think renunciation is superfluous. I therefore land on the term "intentional noncitizenship" instead of voluntary statelessness because I am unable to verify whether those I survey in this project are in fact stateless. Moreover, while the term "non-citizen" is typically used to capture the wide array of statuses and conditions where someone can be both a non-citizen of a particular place (permanent resident, undocumented) or a non-citizen everywhere (stateless), I use "noncitizen" to capture a diverse but narrower condition wherein an individual could be legally or symbolically stateless, and reserve noncitizen in this project to those who have chosen this status.

Furthermore, by using the term noncitizen, I defend the value of intentional noncitizenship as its own analytical category. Whereas "non-citizenship" is often characterised in the context of vulnerability where "non-citizens" lack certain rights and freedoms, (Honohan and Hovdal-Moan 2014), and embody weakness (Plotke 2014), noncitizenship – as opposed to "non-citizenship" – is a non-hyphenated notion that criticises "methodological citizenism," the assumption that "citizenship [is] the only form of political relationship between an individual and

a state" (Bloom 2022, 372; Bloom 2021). Using "non-citizenship" reflects an analytical binary where the rights of noncitizens are considered only in relation "to the conceptualisation of citizenship and *its* relationship with justice and rights" (Tonkiss and Bloom 2016, 840). Rather than taking "non-citizenship" as merely the absence, or negation of, citizenship, Tonkiss and Bloom (2016) instead view noncitizenship as contingent upon social, legal, and political contexts. As this approach recognises the unique circumstances of noncitizens themselves as produced, activated, and in solidarity across broader categories of discrimination (Bloom 2018, 2-3), noncitizenship is particularly valuable in conceptualising intentional noncitizenship as a distinct political objective which ought to be treated as a distinct category of membership, and therefore analysis. By recognising intentional noncitizenship as a chosen membership category that deserves unique analytical attention, this project will escape the limitations of contemporary discursive and policy frameworks that prioritise citizenship as the ideal form of political membership.

Freedom Babies Movement

Freedom Babies[13] are Indigenous[14] children raised outside of the purview of Canadian authorities. This means giving birth outside of a hospital, not registering the birth of a child, and not obtaining Canadian identification documents including citizenship or a passport. It also means not enrolling children in Canadian schools and not relying on Canadian health care (Berman, 2016). Freedom Baby parents decide to not register the births of their children as a direct action against colonialism. The movement seeks to raise Indigenous children in the spirit

[13] The Freedom Babies discussed here are distinct from #FreedomBabies as individuals born in 1994 who became eligible to vote in the 2020 U.S. presidential election. They are labelled #FreedomBabies in reference to their democrat objective to vote President Trump out of office.

[14] I use Indigenous as a collective term for the original peoples of the region known as Turtle Island, or North America, and their descendants. This includes Status Indians, Non-Status Indians, Inuit, Métis, Native Americans, First Nations, and Aboriginals.

and practice of decolonisation, which demands freedom from the control of the Canadian government: "warriors, a new decolonized generation of children" (Manual 2015).[15] The two most visible mothers of Freedom Babies are Alaina John, a St'át'imc (Lillooet)[16] traditional birthkeeper (Leonard 2020), and Kanahus Manuel, a Secwepemc (Shuswap)[17] Woman Warrior, traditional tattooist, traditional birthkeeper,[18] and founder of Tiny House Warriors.[19] Both women are freedom fighters and land defenders, who between them have birthed nine Freedom Babies at home 'on the land', and almost entirely by themselves without assistance of doctors or midwives (Manuel 2015; Leonard 2020). Through experiential learning, Kanahus' Freedom Babies are taught warrior and survival skills that include foraging, hunting, shelter building, self-defence, meditation, and warrior virtue and leadership including what it means to self-sacrifice and to have willpower (Manuel 2014). Kanahus has since developed a Life School program, a seasonal-land based curriculum, that helps women birth their babies naturally.[20] As defenders of their sovereign lands, these two women engage in several anti-colonial actions including anti-pipeline blockades, and demonstrations of solidarity with other oppressed Indigenous peoples.

My exploration is grounded in Indigenous thought and my aim in chapter four is to explore noncitizenship through a decolonial criticism of birth registration and citizenship, to inform an understanding of intentional noncitizenship more generally. I learn from primary data in the form of written and spoken word from 2014 – 2021 made available through Manuel's and

[15] FundRazr post 13 April 2015. Accessed 2 March 2021
[16] The St'át'imc Nation is located in the south-western interior of what is also claimed by the province of British Colombia, Canada. See http://statimc.ca/, and http://www.firstnations.de/development/statimc.htm
[17] The Secwepemc Nation spans 180,000 sq km of territory located in the interior plateau of what is also claimed by the province of British Colombia, Canada. See https://secwepemcstrong.com/.
[18] The role of birthkeeper is a sacred one and goes beyond midwifery in that it facilitates natural and 'free' births where women are guided to give birth independently, free of intervention.
[19] The Tiny House Warriors do not consent to the construction or passage of the Trans Mountain Expansion Project (TMX) through their Secwepemc territory and use Tiny Houses as mobile tools to occupy and blockade TMX construction. See Brake 2018.
[20] FundRazr post 4 April 2015. Accessed 2 March 2021

John's publicly accessible Twitter, FundRazr and GoFundMe accounts, as well as their work in publications, op-eds, and news articles. [21] I have also sourced *Freedom Babies,* a documentary film produced by Doreen Manuel that profiles Kanahus and her choice to not register the births of her children.

I have taken great care in my interpretation of this case, questioning my word choices and assumptions. I have had the privilege of being guided in some of my work by an Aymara Elder and a Susquehannock man who have both taught me about the Teachings of the Seven Grandfathers and how to live and work by them. I take care to interrogate my role in the perpetuation of colonialism and have embarked on learning what it means to decolonise myself and my work. My work in this area draws upon Indigenous scholarship that points to ways Indigenous narratives and experiences are obscured by the settler researcher. An example is when non-Indigenous researchers attempt to explore Indigenous ways of meaning but defer to Western and state-centric concepts and terms. In this light, I am cognizant of using and thus reinforcing "the master's tools," (Million 2014, 33). I am guided, however, by Million's perception that Indigenous discourses are spatial, "potent mobile fields of felt meaning making where Native peoples are already fully engaged, whether or not any use the kind of language [I] work with here" (2014, 37). When I encounter this tension throughout this project I attempt to address it. Furthermore, given the discrepancies in how reconciliation is conceived, and the variance with which it is accepted as a legitimate process within Indigenous communities (Wyile 2017), I opt to not use the term until I more fully grasp what it means to 'reconcile' and with whom. Finally, I take it that colonialism is current, that it has not stopped since contact, and that it is not over but fully underway albeit in more implicit forms.

[21] I am unable to access Manuel's Twitter posts from 21 July 2021 to 17 April 2022.

Anti-Statists

Anti-statists comprise two United States born activists. Garry Davis grew up in the spotlight. From a family of artists and fame, he studied acting at Carnegie Institute of Technology and was a rising Broadway star. He was drafted into the United States armed forces and became a B17 bomber pilot in World War Two. His plane was shot down and after drifting into neutral Sweden, he was interned in 1944 and released to the United States shortly afterwards. Three experiences were to become key in the development of Davis's choice to renounce his United States citizenship. He was deeply affected by the death of his brother, serving in the U.S. Navy in Italy, as well as the feelings of remorse for his role in the destruction in Germany and the death of Germans in which he was directly involved. These contributed to the onset of PTSD but also solidified an already brewing discontent with what Davis saw as the injustices of war. He attempted to renounce his U.S. citizenship in 1947 but after learning that the U.S. prohibited such action on U.S. soil, Davis successfully did so in Paris on 25 May 1948. The next 65 years would prove to be a philosophical, moral, practical, and legal attempt to persuade people all over the world of the dangers of nationalism and the natural unity of humanity beyond borders. Davis was part of several initiatives to this effect but was, most notably, the founder of the World Government of World Citizens in 1953, its administrative agency the World Service Authority in 1954, and its requisite citizenship, passport, and currency. Davis declared himself the first World Citizen in 1953 and remained stateless until his death in 2013.

Clark Hanjian is a Buddhist Chaplain living in the Vermont area who works and writes in the fields of meditation, conflict resolution, non-violence, community leadership, ethics, and inner spirituality. Hanjian is educated in the fields of conflict and theology and offers counsel for individuals seeking guidance on matters concerning ethical difficulties and conflicts. Hanjian

created Polyspire, a publishing imprint, in 2003, which is the mechanism through which he has published a number of works that cover a range of topics including reflections on reconciling daily living with internal and external conflict. Polyspire is also the house where Hanjian has published his thoughts on the right to be stateless, militarism and resistance to it. It is through these publications that we learn of Hanjian's perspective on state-brewed conflict, and how allegiance to the state in part justifies that conflict, and the inherent tension between this allegiance and inner spirituality as it relates to peace, societal change, and the moral responsibility we each have to work towards these. These are factors that contributed to Hanjian's attempt to renounce his United States citizenship in 1985. His attempt was refused because the United States will only accept renunciation if one is outside of its territory, and Hanjian remained on United States soil during his attempt (Hanjian, 2017). Hanjian argues, however, that 'true' renunciation need not be approved by any government, thus he maintains that though he may still be a legal citizen of the United States, he identifies, lives, and acts as a stateless person, an "experiment in following [his] conscience and living responsibly in the global community" (Hanjian, 2017).

These two men are White, educated, and at least one comes from affluence, and indeed both have a privileged socio-economic position from which to embark on such an 'experiment', one that brings egregious harms to so many across the world. Yet their choice to live a life of statelessness provides a rich source of philosophical inquiry. Their commitment to living as stateless persons is resolute despite harms brought with it, thus it is not their actual experiences of living as stateless persons, and whether they have some means to navigate detention or crossing borders, but rather it is their philosophical justifications for their choices that concerns us here. The work of these two men provokes a rethinking of the assumption that the state is the

entity through which justice emerges. Subsequently, their thoughts on what noncitizenship means in the face of state injustice encourage consideration of the duties that are owed to those beyond borders.

To explore concepts related to anti-statist noncitizenship, I learn from primary data through the work of Davis and Hanjian. For Garry Davis, I consulted a range of biographical and commentary pieces written by him from 1961 to 2011. For Hanjian's work, I consulted a variety of primary documents ranging from essays on various elements of resistance to war, to his treatise on the right to be stateless, written from 2003 to 2020.

Anti-Authority Movement

The Anti-Authority Movement (AAM) is an umbrella term used by Perry et al. (2017, 2018, 2019) to capture a diverse group of individuals and communities in Canada who adhere to "a host of ideological strains that share antipathy towards the state" (Perry et al. 2018, 2). In fact, the AAM is not a movement at all but more of an "anti-authority ideology, then, as a collection of common beliefs and practices, rather than a monolithic ideological body" (Perry et al. 2017, 26). Perry et al. (2017) observe diversity in method, objective, and identity of AAM groups which can comprise fantastical believers, conspiracy theorists, escapists, dabblers/opportunists, sympathisers, the committed, violent extremists, entrepreneurs, and gurus, where an individual may fall into one or more or all of these groups (Perry et al. 2017, 37). Prominent groups within the AAM include the Freemen (Free Man, Freeman) on the Land (FMOTL) who refuse most government regulation, if not all, along the lines of 'common law' demands for explicit consent (Perry et al. 2017, 30), and tend to display right-wing Christian undertones (Meads, para 172). Some categorise the FMOTL as more leftist in their environmental, anti-globalisation and pro-marijuana objectives (Netolitzky 2016a, 624), whereas the more rightist Sovereign Citizens, who

are concerned more with gun-rights and identity politics, tend to be more violent and religious than other groups and see themselves as subject to only god's jurisdiction (Perry et al. 2017, 32; Meads, para 181). The Moorish Divine and National Movement (Moors) grounds their resistance to structural racism in their claim that they are original inhabitants of North America (Perry et al. 2017, 33). Others include Detaxers, who argue they are not obliged to pay tax, while others make moral challenges to certain uses of tax dollars (anti-abortion objectives) and refuse most prominently income tax (Perry et al. 2017, 30). Members refer to themselves as sovereigns, flesh and blood persons and living persons (McQuaig 2019). In his 2012 judgement, Justice Rooke categorised AAM adherents as "Organized Pseudo-legal Commercial Argument litigants" (OPCA). This umbrella term was meant to emphasise the group's diversity as well as the observation that "they do not express any stereotypic beliefs other than a general rejection of court and state authority; nor do they fall into any common social or professional association" (Perry et al. 2018, 4).[22]

Within these groups, ideological diversity is met with demographic uncertainty. Given their breadth and tendency to remain beyond the reach of the state, demographic estimates of the AAM are difficult, though efforts do exist. Most adherents are male (McQuaig 2019, 21; Kent 2015), and White, though many are Black and Indigenous, and urban adherents are more visible with rural members more likely to live "under the radar" (Perry et al. 2017, 23). In terms of figures, the Canadian Security Intelligence Service (CSIS) estimated in 2012 that there were

[22] I use the term anti-authority movement, rather than OPCA or anti-state, for example, for two reasons. First, little distinction is made in both scholarship on the AAM and in AAM primary data between anti-state, anti-government, and anti-authority ideology, and, as will become clear in chapter six, AAM adherents are often inconsistent in their logic behind refusing some state practices and accepting others. As I cannot reasonably distinguish between those who reject the state in entirety from those who refuse selectively, the term anti-authority seems an appropriate capture of the diversity in AAM method and motive. Second, following McQuaig's work, many AAM adherents refuse to be referred to as Sovereign Citizens or any other category, while others demand to be referred to by specific names (2019, 7). The term AAM seems most fitting to capture the collection of perspectives and prerogatives that seem to escape unified definition, especially, as McQuaig notes, when definition can itself be coercive and perpetuate domination (2019, 11).

likely 30,000 FMOTL adherents in Canada (CSIS 2012), a figure rejected by Perry et al. in favour of a more modest 5,000 – 10,000 active AAM members (2017, 20). Characteristics of AAM adherents range from living in an imaginary reality, paranoia, distrust and blame, to rational thought, isolation and withdrawal, research, risk taking, risk aversion, desperation, advocacy, and leadership (Perry et al. 2017, 36-47). Some see the psychological state of AAM adherents as a concern, observing that they may be "mentally disturbed" (Meads 2012, para 77), or suffer from delusion or paranoia (Kent, 2015). Such claims have been challenged. In 2013 Pytyck and Chaimowitz explored whether a clinical profile of AAM adherents referred for psychiatric evaluation could assist legal and medical practitioners in evaluating their AAM cases, and found that Sovereign Citizen adherents in Canadian court cases were rational and "culturally normative", despite their arguments presenting as bizarre, paranoid, delusional, and even psychotic (149-152).

I am concerned with the AAM in the Canadian context. Though the AAM in Canada derives from a similar broad collection of anti-authority groups in the United States, this "ideological 'bleed'" masks a marked difference between Canadian and U.S. groups in both rhetoric and objectives (Perry et al. 2017, 14 fn 5). Here, the right to bear arms, a prominent feature in the U.S. narrative, is not a major aspect of the Canadian AAM (Hofmann 2020). Violence does play a role in the Canadian AAM – indeed several people have been killed in the name of AAM rhetoric – but has been deemed a potential outcome rather than a core feature of AAM ideology (Perry et al. 2017, 2018). Therefore, I exclude several anti-authority styled organisations in Canada.[23]

[23] Though presenting anti-statist rhetoric, such organisations as Three Percenters and Proud Boys tend to be grounded in far-right fundamentalism including racism, violence, and civil war like behaviours (Perry et al. 2017) and have been declared terrorist organisations (Public Safety Canada 2021). I exclude such groups as they tend to prefer militia tactics, which speak to revolutionary objectives rather than anti-authority, per se.

To explore INC in this context I take a different approach from my previous two chapters and rely heavily on secondary sources to interpret the AAM. Though the Freedom Babies and anti-statists provide a robust source of primary data that is easily accessible, the AAM is different terrain. The group numbers in the thousands, is spread over diverse forms of communication including cryptically titled social media accounts and in-person seminars, and does not easily trust authorities including academics (McQuaig 2019; Perry et al. 2017). Therefore, I rely on the work of scholars and other specialists who have carried out interviews with AAM adherents and legal practitioners, and comprehensive archival research of the AAM online presence including websites, social media pages, and chat fora. Not only does their work provide substantial data from which to launch my analysis, but much of what they were able to access during their studies is no longer available. For example, some of the websites and social media accounts of AAM adherents are no longer active, and others are member-access only, while chat forum data, an important site of AAM engagement, is at times deleted by users (McQuaig 2019, 34). Secondary data takes the form of academic literature, news pieces, and court documents. I use secondary sources for contextual information, direct access to participant narratives and quotes, and at times authors' interpretations. Where possible, I have complemented secondary with primary data, literature written by individuals and groups which comprises blogs, public demonstration and education videos, non-academic publications, and individual and community websites. Where primary data was available, I endeavoured to source it directly.

Exploring INC within the decolonial, anti-statist, and anti-authority contexts indicates an empirical range in experience and normative claims. The how and why of intentional

noncitizenship thus evidences a spectrum of contexts in which refusal of citizenship emerges. The objectives couldn't be more different: the FBM aims for (re)acquisition of their sovereign lands; anti-statists desire an overhaul of the international state system towards a global citizenship; the AAM pushes for a strengthening of the nationalist state in broad terms. They each espouse ideas related to three diverse sets of literature. Indigenous, cosmopolitan and communitarian, and libertarian ideas ground the claims made by these cases in substantially diverse ways that rely on vastly different assumptions and argumentative logics. This demonstrates that there is a multitude of approaches one can take to explore questions related to INC. This variety strengthens my arguments across three otherwise disparate empirical and theoretical foundations.

IV. Data Analysis Techniques

True to APT form, I am concerned with methodological consistency and sound analytical approaches across conceptual framework, empirical, and discussion chapters (Miller and Dagger 2008). The task of normative theorising within an analytical framework calls for the method of reflective equilibrium, which "focuses on the relationship between principles and judgements" (Knight 2017, 46; see Rawls 1999, 42-45). I apply this method in seven steps. I begin this process by establishing a framework against which my analysis and subsequent theorising can take place. Here, I develop a typology of the liberal model of citizenship as a function of the nexus between statehood, sovereignty, and subjecthood. I explore the normative justifications for sovereign statehood in four areas: sovereignty, security, freedom, and citizenship itself. I identify key sets of judgments inherent to each position in an effort to "systematize [my] pre-theoretical views" (Knight 2017, 49). In this way, the judgments I begin with are *considered* (Knight 2017,

47), that is they are those "in which our moral capacities are most likely to be displayed without distortion" (Rawls 1999, 42).

Second, in line with my assumption that principles are fact-dependent, I apply these principles to three empirical cases to yield "the optimal mix of values […] for the society we are considering" (Miller 2010, 30). As I move through my analysis of the three cases presented in this dissertation, I am guided by my 'considered' judgements concerning sovereignty, security, freedom, and justice. The third stage takes place in chapter seven, *The Politics of INC Refusal*, as I discuss emergent INC positions vis-à-vis my initial conceptual framing in chapter three, *Statehood, Sovereignty, Citizenship*. As I reflect upon my cases' engagement with these judgements, in chapter seven I come into a 'narrow' reflective equilibrium, an "improvement" (Knight 2017, 49) on the perspectives I begin with in chapter three's typology.

I then embark in chapter eight on a wider reflection, where I consider my judgments in relation to a different set of principles, ones that emerged from my data collection and analysis. Because considering "every principle in combination with every other principle" is an "unachievable standard" (Knight 2017, 49-50), I land on three different principles which I cast into a preliminary theory of intentional noncitizenship: autonomy, political action, and obligation. To strengthen my argument further I consider "the most compelling rival principles" (Knight 2017, 50) and attempt to subject my principles to reasonable scrutiny. I apply a technical feasibility test to my claims vis-à-vis the counter claim that intentional noncitizenship can advance harms related to statelessness.

After coming to a position where I can reasonably claim that intentional noncitizenship can be considered an instrumental good, I expand upon this argument and reflect further on "which institutions represent the right option for a given society" (Pettit 2012, 28). In this sense,

I develop a theory of the right, an attempt to outline a "set of distinctions around which to taxonomise different possible approaches to questions about which institutions to prefer" (Pettit 2012, 20). I therefore apply a second feasibility constraint, the 'realistic utopia' test and explore how INC as an instrumental good can be operationalised into an individual right to self-determination. To strengthen my proposals further I apply a third and final test, a political feasibility test to consider whether they satisfy a range of interests.

The reflective equilibrium approach demonstrates that testing can settle theoretical disputes (McDermott 2010, 20), but even well-supported claims are "never enough because the success of a theory, whether in science or philosophy ultimately rests on the uncertain terrain of individual judgments" (McDermott 2010, 21). This brings us to some weaknesses of analytical political theory as a methodology. Two critiques stand out. First, the process of reflective equilibrium prioritises the quality of the judgment on which it relies, thereby not restricting unreasonable claims from having been 'considered' (Knight 2017, 53). Indeed, such a 'narrow' reflection does not yield "well justified" principles, hence a 'wide' reflection where "sustained consideration of competing principles… is likely to expunge such judgments lacking in credibility" (Knight 2017, 53). I attempt to respond to this risk by deploying a value-pluralism, which, as I noted above, embraces divergence in world view and theoretical variance as a positive analytical conundrum that, if addressed rigorously, can in fact contribute to a more robust theoretical proposal.

A second critique concerns the role of the 'ideal' in APT, and claims the ideal is "not something we ought to be after when designing our institutions" (Pettit 2012, 15). Specifically, the tendency towards normative abstraction where political proposals aim for ethical neutrality can "abstract away from particular evaluative meanings [and] not yield a feasible ideal of the

state" (Pettit 2012, 16). I address this critique in chapter eight, *A Theory of Intentional Noncitizenship*. I make the proposal for the individual right to self-determination precisely to accommodate the plural conceptions of the good emergent from the data surveyed in this project. I acknowledge that the state cannot "ideally" respond to these conceptions, therefore an individual right to self-determination serves as a mechanism that reconciles INC ideals with the empirical reality of the contemporary state system. In this way, I do not advocate for an abstracted ideal of the state but rather deploy the process of reflective equilibrium to operationalise a mechanism that practically and reasonably responds to "particular evaluative meanings that exist in the local society" (Pettit 2012, 16).

V. Ethical Considerations

I am tasked with thinking about how my research design engages with data and ways that knowledge dissemination may harm those from whom I am learning. At the outset I recognise that these are not *my* case studies, nor do I claim ownership over the data in this study. What follows is an overview of the ethical considerations made during this research design including the extent to which this project is obtrusive, whether to interview participants, and how my findings are used outside of this study.

I did not seek approval from the University of Ottawa Research Ethics Board (REB) for this project because there is no reasonable expectation of privacy for the case studies in this dissertation, exempting this project from an REB review.[24] Rather than interviewing participants, to carry out my case study analysis I rely on materials produced by intentional noncitizens which include books, opinion pieces, videos, and court statements, all of which have been made

[24] See Government of Canada Panel on Research Ethics https://ethics.gc.ca/eng/reb-cer_social-sociaux.html

publicly available either by INCs themselves or by the news outlets or courts with which they have engaged directly. Where it was unclear as to whether the data was indeed public, I erred on the side of caution and excluded this material from my analysis. For example, with respect to the Freedom Babies movement, I specifically excluded Freedom Babies Facebook posts as it could not be guaranteed by the Facebook Terms of Reference or the University of Ottawa Ethics office that posts made on public accounts were in fact available for public use. I verified with the Twitter, GoFundMe, and FundRazr Terms of Reference that FBM posts were public and available for public use. This study is, therefore, unobtrusive in this sense as no informed consent is needed from those I survey, nor is any of the content I work with required to be held confidential. In other words, the work of those I survey in this project retain all ownership of their data.

Choosing not to interview participants was strategic. Interviews are powerful resources for hearing directly from participants. The underexplored nature of my work, however, speaks to a potential disadvantage that interviews may incur. For example, semi-structured interviews may impart interviewer bias (Chenail 2011). Interview questions indeed set the stage for the conversation but can also influence participants by framing the narrative in my terms rather than their own. Analysis of case arguments through primary materials permits participants' language to come through without my influence, and reduces possibility of bias. Yet, unobtrusive research still has implications. For example, researcher bias may still take place despite the move to rely on non-interview primary data.

How this data is used outside of this study is beyond my control. Two important instances emerge as potential implications of my research in such a politically contestable area. For example, in the Indigenous context, though I may not 'own' the data consulted in this project and

may only survey publicly available materials, a decolonial perspective on research with Indigenous persons must necessarily engage with questions of permission and power (Schnarch 2004) in terms of the narrative that emerges from my interpretation of the Freedom Babies movement, and intentional noncitizenship more broadly. I necessarily co-opt the story told by the FBM (as well as anti-statists and anti-authority adherents) through my interpretation and analysis of it. I cannot avoid this. Though, as noted above I take care to explore my own position as a settler-colonial researcher and attempt to stay true to the spirit of the FBM through engagement with Indigenous literature.

A second risk that emerges concerns the children of intentional noncitizens, or to INC children themselves, who may be exposed through cases I survey in this project or by the dissertation generally. There is only one instance of specific children involved in my research, and these are the Freedom Babies themselves though these children are not named in my study and are already publicly identified through the channels used by FBM parents. One concrete way I have taken care to mitigate potential risk in this area is to consider the implications of my political proposals on children specifically. I expand on this in chapter four on the Freedom Babies movement and in chapter eight, *A Theory of Intentional Noncitizenship*.

VI. Conclusion

The purpose of this chapter is to outline my research methodology and chosen analytical methods. Embracing an analytical political theory methodology, I presented an overview of assumptions inherent to my approach and my research design including the details of my cases. I also discussed my data analysis techniques and ethical considerations.

In this project I seek to learn about what others think and do, those who live in a certain way, so as to offer practical guidance on how to address different understandings of the political world in an egalitarian fashion. My method is, in the words of McDermott, "straightforward" (2010, 12): thus, I begin my philosophical inquiry with an exploration of what we 'know' about the liberal model of citizenship as a function of the nexus between statehood, sovereignty, and subjecthood. I use this a point of departure to explore how my cases respond to this and related narratives of statehood, and their justifications for refusing the state. My analysis will begin vis-à-vis a baseline of various conceptual traditions outlined in the following 'framing' chapter, *Statehood, Sovereignty, Citizenship*. I turn now to that discussion.

Chapter Three: Statehood, Sovereignty, Citizenship

I. Introduction

The state is the primary unit of political authority in the international system and is premised upon the idea of membership. Members form a state's body politic, they inform the state's boundaries, and they are, generally, tasked with holding the state to account. The beginning of any discussion of intentional noncitizenship – on how and why citizenship is refused – therefore demands an understanding of just how it came to be that exclusive membership in the form of citizenship became a tool to organise the contemporary state system. What follows is a typology of the liberal model of citizenship as a function of the nexus between statehood, sovereignty, and subjecthood, a conceptual framing of the contours and content of citizenship that are in one or more ways directly challenged by the cases studied in this dissertation.

I begin by tracing the nexus between statehood, sovereignty, and subjecthood from modernity to the contemporary state system. I find that membership constitutes the political and territorial contours of the state, and the relationship between statehood and subjecthood is institutionalised in domestic laws, foreign affairs, and international law. I argue that as sovereign statehood evolved into an organising principle of the international system, citizenship became an increasingly important tool to identify, categorise, and oversee populations to realise state objectives. This has had the dual effect of displacing non-state forms of political community and legitimising the sovereign state as the only political community of concern in domestic and foreign relations.

I follow by exploring the normative justifications for statehood in three areas: security, freedom, and citizenship itself. I consider each of these a good and thus a key principle of the liberal democratic state. In terms of security, I highlight that states are entrusted to secure their

people against the interests of other individuals and other states and execute safety through particular mechanisms of coercion. Next, I explore conceptions of freedom as the absence of external constraints and self-mastery, and I outline the claim that the state is uniquely equipped to facilitate the freedom to pursue private interests. I follow by tracing the principle of citizenship as the legally recognised relationship between the individual and the state whereby the individual is granted access to a specific set of socio-legal rights placing citizenship atop a hierarchical chain of subjecthood. This framework therefore provides a baseline of principles that informs the logic of the arguments and practices of the cases I will explore in this dissertation.

II. Statehood, Sovereignty, Subjecthood

As will become clear throughout this dissertation, the source and scope of sovereignty remain a subject of debate, though for our purposes here I take the contemporary sovereign state to hold supreme authority over a specific jurisdiction and the right to self-determination in both internal (domestic) and external (foreign) matters. But the state wasn't always the state. Its beginnings lie in an ancient idea - the political community,[25] a collection of peoples that subscribes to a set of values or practices around which they organise politically. Early Western ideas of political community were diverse and saw authority vested in sources ranging from the gods and informal, collective and formalised aristocratic rule to participatory citizenship, imperial conquest with zones of semi-autonomy, and oligarchic empire (Wood, 2011). In feudal Europe, political authority was mostly held by kings and their nobles but ordained by god and fragmented

[25] The political community is different from other forms of community that engage in politics, for example religious and ethnic communities.

along economic and property lines between individuals and those in power and legitimised by hierarchical religious institutions (Carnoy 1984, 11; Taylor, 1994). These early communities engaged in struggles of power and supremacy, early versions of the sovereignty we have come to know today (Hoffman 1998, 39). It is the emergence of sovereignty in the form statehood, however, that generally marks the transition between pre-modern and modern models of political community, where the state is considered a territorially bounded authority distinct from its counterparts in an international system and over those whom it rules. This key principle of statehood would evolve alongside the centralisation of fragmented political communities, a shift that was "neither easy, nor straight, nor short" (Herz 1957, 475). Similarly, sovereignty in European empires that would follow was divided, shared, layered, and took place unevenly over time and across geographic contexts where subjecthood, though determined politically and legally, was subject to change and challenge (Benton 2010, 287-288).[26] My starting point in the following analysis is therefore modernity wherein emerged a deep connection between the sovereign, the evolution of statehood, and the constituency over which the sovereign rules. More specifically, as statehood evolved into the fundamental principle of the state system, it required – and still does – a membership base that could be managed to achieve state objectives. Membership constitutes the political and territorial contours of the state and the relationship between statehood and subjecthood is institutionalised in domestic laws, foreign affairs, and international law.

The transition from feudalism to modernity is marked by the radical and widespread challenge that the concentration of political authority in the hands of the church, monarchs, and

[26] Bartelson (2023) too observes the shift from empires to states to be neither linear nor inevitable and argues instead that empires have not in fact disappeared as the contemporary state system is constituted of empires in forms different from the modern age. I note Bartelson's unease with equating the development of the international system with modernity, but though they are deeply connected it is statehood rather than the international system itself that I am concerned with.

nobility was illegitimate. The development of civil society, the wars of religion, and new concepts of human nature and reason all presented theorists and lawmakers with the challenges of articulating power through new forms, and addressing the substantive relationship between statehood and subjecthood and the rights and responsibilities therein. During this period the state emerged as the dominant political community which fundamentally relied on membership as justification for its very being. As de Carvalho observes, out of the shift from king to state emerged a political subject whose allegiance to the state became 'taken for granted' and "maintained and reinforced through constant reiteration" (2016, 59). Indeed, as states established their territorial contours, they began to define their populations in ways that reflected domestic socio-political circumstances and interests, and across the board, citizenship came to replace subjecthood as an ideal of equality taking its place at the top of a hierarchical chain of political membership. Here emerged a duality where thinkers and lawmakers considered the value of the individual in ontological and material terms. On one hand, the term 'citizen' came to refer to something quite different than 'subject', the former denoting ideals of personhood including self-determination, natural liberty, and the virtues and potential of man (Gosewinkel 2001). On the other, states considered membership in material terms of cross-border trade routes, conflict and war, the threat of imperial takeover, resource development, and individuals as taxpayers to fund state activities, all of which concretized the state as the authority over what Torpey (2018) refers to as the "legitimate means of movement". Political communities began to codify identification and mobility practices in law to account for and control populations.[27] For example, the

[27] Of course, political communities throughout time have relied on property as a material marker of membership. From early civilisations to present day, owning property has been considered a legitimate mechanism to standardise and evaluate one's value as a member in political or economic terms. For a discussion of the relationship between citizenship and property ownership in political theory see King and Waldron 1988. For an overview of the contemporary citizenship-for-purchase industry where would-be residents can access the citizenship of particular states with the purchase of property see Shachar 2017; Begley Bloom 2020.

principles of jus soli and jus sanguinis regulated – and still do – how citizenship is granted and for whom. Jus soli, 'right of soil', links citizenship directly to the territory of the state so that the ability to claim membership is a function of the physical location of one's birth. Jus sanguinis, 'right of blood', links citizenship to one's descent where eligibility is determined through parental lineage. States codified these principles in part to respond to challenges of modern mercantilism where increased migration across borders dictated whether states wanted to "hold onto" their people through non-territory-based jurisdiction or enhance population levels by encouraging immigration (Torpey 2018, 88). Similarly, recording births in church and then civil registers was a way to manage conscription (Torpey 2018, 26). The practice of documenting people through birth, death, and marriage registration is global and has stood the test of time both as a mechanism to facilitate colonialism, criminal records, genocide, and racial segregation, and to enable the provision of goods, undeniably "an instrument of an expanding and centralizing state power" (Szreter and Breckenridge 2012, 14).[28]

Indeed, the birth of the Western state required the institutionalisation of belonging so that populations could facilitate various state objectives, resulting in a hierarchy of political membership that justified state interests at home and abroad. This hierarchy is particularly visible in the twin processes of early modern capitalism and colonialism where political trading bodies and the empires that followed embarked on widescale trade expansion and territory acquisition. For imperial states tasked with executing capitalist objectives and managing the populations required to carry out requisite domestic production and foreign escapades, distinguishing legal statuses became a necessary tool to determine the limits of state jurisdiction and the populations over whom states were responsible. Capitalist exploits of new lands demanded the delineation of

[28] Pearson (2022) makes the argument that birth registration practices have served to construct racial classification and therefore facilitate White supremacy in United States' governance of Indigenous and Black populations.

subjectivity to colonial powers: mariners who carried out conquest, merchants who established trade, viceroys stationed in colonised territories, and the people of colonised lands themselves all embodied new relations of rights and responsibilities vis-à-vis the colonial metropole. As imperial powers executed their "brutal resource extraction" they relied upon forced labour and land confiscation, practices that were justified by a logic of racial and civilizational superiority that placed the imperial centre at the top of a membership hierarchy (Sadiq 2017, 181). While Europe conceptualised the meaning of citizenship, those in colonised spaces became 'subjects' (Sadiq 2017, 182) a status denoting legal and social inferiority to the governing colonial body.

Even as colonial powers articulated membership categories in their colonies abroad, some were tasked with doing the same at home. For example, the British Empire's colonisation of the territory now known as Canada relied upon capturing land from local Indigenous nations. Once land was acquired, the colonial state governed dispossessed Indigenous peoples through geographical confinement and a series of institutional mechanisms. Arbitrary categorisations of Indigeneity and exclusive enfranchisement practices reconfigured Indigenous identities in federally mandated terms, evidencing Bloom's observation that

> "citizenship regimes […] can in fact actively exclude, disenfranchise and subdue political claims of members of [Indigenous] groups through the giving and withholding of state membership, and the constructing and controlling of the structures of Indigenous groups themselves" (2017, 157).

For example, beginning in 1857 with the *Gradual Civilization Act*,[29] Indians[30] were given the option to renounce their Indian status and band membership in return for British subjecthood. After confederation, in 1876 the *Indian Act* subjected Indigenous peoples to Canadian federal

[29] See *An Act to encourage the gradual Civilization of the Indian Tribes in this Province, and to amend the Laws respecting Indians*, 1857. British North American Legislative Database, 1758-1867, University of New Brunswick. https://bnald.lib.unb.ca/legislation/act-encourage-gradual-civilization-indian-tribes-province-and-amend-laws-respecting.
[30] The Canadian government continues to use the term "Indian" in its legislation, hence my use of the term in this section.

law dismantling the traditional systems of government which existed pre-contact. The legal category of Status Indian was created, and with it a set of membership criteria that determined eligibility to specific rights, many of which remain. Losing Indian status became automatic upon obtaining a university or vocational degree, serving in the Canadian armed forces, or in the case of women, marrying a Non-Status man.[31] The dispossession of Indigenous adults took place in parallel to egregious harms carried out against children. Beginning in the early 1800s, authorities forcibly removed Indigenous children from their families and communities and placed them in church run residential schools and in the process often changed or erased their Indigenous names and Band identification on formal identity documents (Lawrence 2004, 109). The erasure of familial lineage from identity documents prevented the ability to register as a Status Indian subsuming Indigenous identity into Canadian subjecthood and eventually citizenship.[32]

Similar practices were carried out across the world entrenching a juridically and territorially circumscribed hierarchy of political membership that manufactured statehood as the only legitimate political project. The subjectification of peoples according to the socio-political and economic interests of states would undergo further institutionalisation in international law in the periods between and after the two World Wars. The interwar period saw great debate amongst international law makers who were concerned with two key challenges of the day: what constituted statehood and its core principles, and how to define nationality across a spectrum of political communities including states, empires, minority nations, and independence movements. Two pinnacle developments took place: the concretization of statehood in international law and the establishment of nationality as a matter of international import.

[31] Government of Canada. 2018. These processes of 'enfranchisement' were remedied through Bill C-31 in 1985. Bill C-31 created additional categories, however, of discrimination based on sex, but were remedied through Bill S-3 in 2017.
[32] In 1960, the *Canada Elections Act* allowed all registered Indians to vote granting citizenship rights without the requirement to renounce Indian status.

Though international agreements of the late 19th and early 20th centuries established norms protecting the state's right to create and enforce legal rules within its territory,[33] and the territorial integrity of states,[34] the 1933 *Convention on Rights and Duties of States* clarified the nature of statehood. The Convention stipulated four qualifications: a permanent population, a defined territory, government, and capacity to enter into relations with the other states (Art. 1). The state was recognised as an autonomous "person of international law" (Art. 1). Self-determination, or external sovereignty, in this sense grants states the rights to enter into relations with other countries, the right to noninterference in internal or external affairs (Art. 8), and establishes that a state's territory is inviolable (Art. 11).

The 1933 Montevideo Convention also established nationality as a marker of territorial jurisdiction (Art. 9). Prior to World War I, nationality was typically governed under domestic law though substantively, nationality concerned "matters of *international*, not local, import and appeared to have common meaning across States" (Ebright 2017, 860). The post World War I era saw the establishment of the right to nationality in treaty law, with the Second World War acting as a catalyst for its consecration in customary international law (Ebright 2017, 859). As World War Two introduced new questions of responsibility for foreign nationals in the context of conflict, nationality became an increasingly valuable resource upon which law makers could rely to analyse and draft norms of accountability. In other words, the categorisation of individuals into legally recognised members of particular states enabled a technical approach to

[33] Political independence refers to the state's authority to make decisions concerning its external and internal affairs. Externally, this refers to a state's foreign policy and strategic endeavours with respect to defence and the economy. Internally, political independence refers to a state's authority over its people, the scope and limits to such authority, in other words the right to create and enforce legal rules within its territory.

[34] For example, the 1919 Covenant of the League of Nations stipulates that state members of the League must "respect and preserve as against external aggression the territorial integrity and existing political independence of all Members" (Art. 11). A state's right to territorial integrity was enshrined twenty-six years later in Art 2.4 of the 1945 Charter of the United Nations. For a historical overview see Neff 2003.

the identity politics and conflicts of the period (see Arendt 1976).[35] This approach was reinforced in the 1954 *Convention Relating to the Status of Stateless Persons* and the 1961 *Convention on the Prevention of Statelessness*, both of which crystalised nationality as an organising tool to manage populations in the face of state activities. The development of the right to nationality and its position as a lynchpin of human rights,[36] however, did not emerge within a vacuum of neat and linear transition from a world of empire to one of states. Instead, as Siegelberg (2020) documents, the concept, development, and implementation of the right to nationality came about amidst substantive debates about what it meant to be a member of a political community, and as the very legitimacy of legal, geographical, and discursive state boundaries were simultaneously contested and developed.

III. The Goods of Statehood

The early to mid 1900s therefore reconciled centuries of uncertainty and tension concerning the nature of political membership, and succeeded in circumscribing its contours externally through legalising the principles of statehood, and internally by setting standards for states to legally articulate and categorise belonging. The current state of affairs is the culmination of the statist project where the sovereign state is the only legitimate political community and citizenship embodies a set of rights and responsibilities vis-à-vis the state. But the relationship between statehood and citizenship in the context of liberal democracy means much more: it is a relationship that embodies particular liberal values and facilitates the provision of certain public goods, ideals put into practice. Despite considerable variance in what is considered a public good, it is generally agreed upon in liberal political thought that the state contributes to the well-

[35] Petrozziello (2019) observes a similar technical approach used in present day attempts to address resolve statelessness.
[36] The right to nationality is incorporated into no less than seventeen international human rights instruments (UNHCR 2009) and affirmed in the seventh Article of the Convention on the Rights of the Child (CRC 1989).

being of subjects through the provision of goods, some of which are equality, democratic participation, institutional accountability, and human rights. In what follows I trace three specific goods – security, freedom, and citizenship itself – that I take to be foundational to all others[37] and which are promoted as normative justifications for statehood in a statist world.

The State Provides Security

The scope of the concept of security concerns what it is that shall be secured and in what ways. Security is said to be a good that the state is uniquely equipped to provide, "a self-evident condition for the very existence of life—both individual and social" (Dillon 1996, 13). It is generally understood that at the very basic level, the state ought to ensure the security of its subjects in both domestic and international realms. Though justifications vary on how the state has come to occupy this role,[38] it is generally upheld that an exchange has taken place between the state and the individual wherein individuals agree to lay down their private arms and grant the state the prerogative to enforce laws designed to secure a range of rights (Morris 2002, 270). This supreme power lies at the centre of state sovereignty: the state uses coercion to ensure compliance with its rules and to ensure the supremacy of its rules over others' (Buchanan 2004, 235). Protections made possible by the contemporary liberal state have not departed much from the Hobbesian prescription that "The office of the sovereign, be it a monarch or an assembly,

[37] I take these goods to be foundational to others because without security, freedom, and citizenship (or legally recognised membership of a state), other goods such as equality, democratic participation, and human rights stand a weaker chance of being realised. If one is insecure, unfree, or a noncitizen, generally speaking that individual will likely not be recognised as an equal member of society and will not be treated equally, will be unable to participate politically, and may not be able to access basic human rights.

[38] This political legitimacy debate concerns the justification of the state's moral right to make and enforce laws which presupposes the authority that a government may wield. Three leading accounts are, broadly speaking, consent, natural duty, and utilitarian traditions. Consent theorists uphold the idea that the individual agrees to be ruled through a contract, one that sees the individual relinquish their sovereign power in return for a set of benefits granted by the sovereign state. Rooted in Kantian thought, the natural duty perspective considers the state to be a moral entity, worthy of respect as it upholds a rightful internal constitution, which imposes upon the state a duty to work towards international peace. Utilitarian theorists propose that the state is legitimate because it is the only entity that can reasonably facilitate the happiness of both individuals and of society.

consists in the end for which he was trusted with the sovereign power, namely, the procuration of the safety of the people; […] But by safety here is not meant a bare preservation but also all other containments of life which every man by lawful industry, without danger or hurt to the commonwealth, shall acquire to himself" (1958 [1651], ch. 30).[39] Proponents of this narrative claim that the state possesses both the resources and prerogative to secure its people. The state can guard against foreign interference but can also protect individuals from each other domestically in both public and private realms. On this view, the state provides security as a good and ensures the security of its subjects by protecting them from other states and individuals through mechanisms of coercion such as law and enforcement.

Neocleous notes that "the democratic society is one which has always aimed to strike the right 'balance' between liberty and security" (2008, 12) and accordingly, security has become "the decisive criterion of liberty… to imply a set of expectations concerning the undisturbed development of the life process of society" (Neocleous 2008, 29). More than safeguarding "our so-called basic values, or even our mortal bodies", security is concerned with protecting "the very grounds of what the political itself is" (Dillon 1996, 13). It is this instrumental sense of security that envelops plural values and interests into a set of expectations which grounds behaviour constraints upon individuals and institutions for which the state is generally responsible (Morris 2002, 137-8). A state's monopoly on violence is translated into civil terms as the enforcement of specific norms through mechanisms of law. Law both unifies plural rights

[39] Waldron (2006) notes that political philosophy has done little to analyse the relationship between safety and security, concepts that simultaneously overlap and are distinct. For example, he observes safety to indicate the physical security of life and limb, a "pure safety conception", a thin account of security that considers neither other features of an individual's life nor the relationship between individual and collective security (Waldron 2006, 461-463). Though Waldron argues security is inherently concerned with physical safety, he observes it to be "not just as an individual value but as an articulate social concern" (2006, 506). Moving beyond injury and death, Waldron offers a thicker interpretation of security that takes into account its relationships with fear, assurance, and the idea of social order, and thus as "a platform on which we might securely enjoy other goods, exercise other rights, and participate in activities other than the mere avoidance of danger" (2006, 495).

claims but also legitimises the existence of a supreme power over which such claims are to be assessed. In this way, the state codifies what counts as regulation and can enforce its legal system through its coercive function (Held 1984, 17). Law itself becomes a way to facilitate the security of individuals[40] in "both a very general need of protection of life and limb against violence, and a need of protection of some customary rights" (Anscombe 1990, 170).

In contemporary liberal states, an individual's physical person, property, financial assets, intellectual property, children, and business interests among others are all aspects of life the state is tasked to protect. Ranging from paternalistic to tutelary methods (Morris 2002, 280), there are various ways the state can enforce laws and encourage individuals to behave in a particular way. Through mechanisms of coercion including domestic policing and surveillance, for example, the state can defend subjects against attacks from others through theft, deceit, or force, and in this way secures a general peace wherein individuals are free to pursue their interests. States also have highly sophisticated instruments of discipline from rehabilitation programmes to prisons where individuals judged to have committed an offense are transferred, a system which acts as both a deterrent and corrective mechanism.

Some scholars argue that the concept of security is extended downwards as its object moves from the security of nations to groups and individuals, and upwards as it moves towards the security of the international system (Rothschild 1995, 55), rendering the concept fluid, not neutral and "continuously highly contested" (Van Kempen 2013, 2). The contemporary world has seen a horizontal expansion of security from military matters to the social, political, economic, and environmental spheres (Rothschild 1995, 55). This expansion concerns the individual, the state, and the state system, objects which each hold a diverse and changing set of

[40] Corporations, animals, and in some cases the environment, also have rights (and responsibilities) in law.

values that range from physical safety and autonomy to economic security (Baldwin 1997, 13). The recent notion of human security attempts to capture this expansion in scope, where peace and stability are identified as cutting across an array of contexts and protection mechanisms (UNTFHS no date). The duty to ensure security is thus "diffused in all directions" as non-state actors, international institutions, and sub-state governments have become involved in such matters (Rothschild 1995, 55). It may be the case that non-state actors participate in ensuring certain protections, but this empirical observation is tempered by the generally agreed upon normative claim that the liberal state ought to do so.

The State Facilitates Freedom

Securing the public interest through coercive measures facilitates private interest, the liberty to do what one wants. Being free to act according to one's wishes, to choose one's own course of action, and to pursue goals – which may even be harmful to oneself – is a key principle of contemporary freedom. In other words, "liberty is the ultimate goal of security" (Van Kempen 2013, 12). Ensured protection from the interests of others, individuals ought to be able to act according to their private interests – interests which are subject to temporal and spatial change (Hirschmann 2015, 6) – without interference, despite the risk of harm to themselves and others.[41] What counts as interference is thus subject to considerable debate and includes a wide variety of constraints in the external, social and internal, private realms. I trace key approaches to what the scope of liberty[42] entails and the claim that the liberal state is uniquely equipped to facilitate

[41] For example, individuals are permitted to smoke, drink, and gamble but there are limits. Life and death are highly regulated even in modern liberal states. Suicide, assisted death, and abortion, for example, are subject to state control.
[42] I take freedom and liberty to mean the same thing though I acknowledge attempts to distinguish between the two. For example, drawing from Arendt, Pitkin sees freedom as holistic, "a total condition or state of being" (1988, 542) whereas liberty is "something more formal, rational, and limited than freedom; it concerns rules and exceptions within a system of rule… a network of restraint and order" (1988. 543).

freedom. In terms made famous by Berlin (1969), freedom[43] is conceptualised negatively as freedom from external constraints, and positively where the individual is agential, and possesses self-mastery, or self-determination.

The ability to live free from external constraints marks the need to evaluate those constraints. The debate on freedom in this negative sense centres on the actual and perceived effect on one's ability to carry out an action, in other words, the extent to which an individual is coerced, and whether an agent can be held responsible for an act that constrains another. As Berlin inquired, "What is the area within which the subject--a person or group of persons--is or should be left to do or be what he is able to do or be, without interference by other persons?" (1969, 3). To implement a threat is to prevent one from carrying out a particular action; an action must be rendered impossible. In this way the coerced individual is unfree (Steiner 2006, 123). Interpretations of prevention in this context range from the use of physical force or violence (Huemer, 2013) to the broader notion of subjection to the arbitrary will of another who manipulates one's conditions of action (Hayek 2006, 82). On a strict reading of prevention of an action, one's desire to do something has no bearing on whether one can do that thing. In other words, an individual may be free to carry out an act despite not wanting to, and accordingly is unfree if they are prevented from doing so whether they want to or not (Steiner 2006, 125). Others take a wider view and see the mere threat of constraint as sufficient grounds for the content of coercion. On this Nozickean view, coercive behaviour is determined "by the use of threats backed by sanctions in terms of evils to be imposed, benefits withdrawn or not conferred" (McCloskey 1960, 340). Here, coercion is an action committed by the coercer on a coercee whereby the coercee feels "that one is *forced* to do what one *does not want to do"* (Anderson

[43] It is debated whether freedom is one concept with various conceptualisations or whether there are several interconnected concepts of freedom (See Kukathas 2012).

2010, 9, emphasis original). A mediating view sees not action, but power, as the key indicator of whether coercion takes place. Here, coercion occurs as a result of the power differential where an individual creates or leverages "a significant disparity in power over another in order to constrain or alter the latter's possibilities for action" (Anderson 2010, 1). Expanding coercion in this way then includes the strict version noted above – pressuring or threatening an individual to act in a certain way – and a more systematic disruption, in other words "longstanding threats that alter broad patterns of activity, and not just specific actions" (Anderson 2010, 1).

For others, whether an obstruction can be considered an external constraint is dependent upon the ability to hold a party responsible for that obstruction. Miller makes the distinction between the language of inability and the language of freedom, where the latter requires consideration of the agent responsible for an inability (Miller 2006 [1983], 185). Thus, freedom hinges on the nature of social obligation, the condition "where the inability serves to bring other values into play" (Miller 2006 [1983], 186). Whether an agent can be held morally responsible therefore helps frame debates concerning the extent to which a state, for example, ought to operate along egalitarian or night watchman lines.

Positive liberty, on the other hand, sees the absence of external constraints as insufficient in realising freedom, and is concerned with "What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?" (Berlin 1969, 3). In other words, there are other non-physical, internal, barriers that may hinder an individual's ability to be an agent in their own life course, to enjoy the freedom that the absence of external constraints is supposed to facilitate. This is a conception of freedom that sees self-mastery, self-government, self-realisation, or self-determination as the condition marking one's liberty. Self-mastery takes a step back from both external constraints and specific acts conditioned by external

socio-economic barriers and concerns the triumph over internal passions and weaknesses to become a rational and thus autonomous being. The individual is self-determined in the sense that they can "[change] their desires and interests autonomously and from within" (Carter 2021). Here, the ability to overcome internal obstacles relates to one's will, desires, and capacity to engage in acts uninfluenced by outside forces, falling under the category of personal autonomy (Dworkin 2012; Christman 2014).[44] Kant famously links freedom and autonomy with morality. For Kant it is human reason that gives us the ability to determine moral principles, which presupposes freedom in the sense that individuals capable of making moral decisions – to act morally or not – must be in control, or free, to make that choice in the first place (1993 [1785], 448). Imperatively, however, a fully autonomous, or free, person is one who acts in accordance with principles that can be universally accepted as moral (1993 [1785], 402). Positive freedom, then, is said to concern the "relationship between agents, constraints, and ends" where the absence of external constraints concerns "who are to count as agents, or what are to count as constraints, or what range of things an agent must be free to do, be, or become (or not be or become) in order to count as being at liberty" (Skinner 1984, 228-9). Because this conception relies heavily on one's psyche, the jury is out on whether the state can facilitate such self-realisation and thus whether self-mastery can even be considered a political concept (Carter 2021; Hirschmann 2015; Wall 2003). This tension informs the distinction between freedom generally and the good of political freedom (Wall 2003, 307). A freedom-supportive state – one that attempts to promote freedom – is thus legitimate in its "authority over some individuals who remain substantially unfree. Their failure to be free is not [the state's] failure" (Wall 2003, 309).

[44] Debates abound concerning whether it is necessary to outline the content of such desires (see Christman 2014).

Accordingly, the political conditions said to facilitate such freedoms, both negative and positive, are also a source of debate. For some, it is participation in one's political community that facilitates a freedom that is at once political and personal. For Arendt, freedom exists in the political community: in dialogue with one's neighbour, in collective action. Our plurality is where our freedom lies: "men, not Man, live on the earth and inhabit the world. While all aspects of the human condition are somehow related to politics, this plurality is specifically *the* condition… of all political life" (Arendt 2018, 7). Rejecting the modern notion that freedom is felt within the self, Arendt claims that inner freedom is derivative of the experiences we encounter in the world, the interrelationships with others (Arendt 2006, 145). Freedom is not the result of a political process but the process itself, thus the notion that the modern state has 'liberated' us from our politics is not only a misrepresentation of what politics is, but in fact enslaves us to the state. Central to this republican strand is the role the collective plays in an individual's liberty; it is only through participation in public life that can facilitate individual and community liberty, rendering participation a duty. Departing from this republican approach, the liberal position sees the opportunity (or choice) to participate in political processes as a measure of liberty, rather than the obligation to do so. In this way, freedom depends heavily on a political community's will and capacity to provide a measure of security against constraints. This view relies on democratic institutions to operationalise measures of justice that curb the behaviours of individuals and states, which then permit the individual to participate, should they desire to do so. The task to curb individual interest *and* state power is the liberal condition: "whereas the republican sees freedom as being realised through a certain kind of politics, the liberal tends to see freedom as beginning where politics ends" (Miller 2006, 3). In this way, liberal freedom is a

"matter of the scope or extent of government rather than of its form or character" (Miller 2006, 3).

Whether freedom emerges from dutiful political participation or the curbing of governmental power, it is democratic institutions that play a strong role in facilitating harmony between individual freedoms and the collective good (Kukathas 2012, 695). Thinkers generally agree that the contemporary state and its institutions play a key role in the attempt to support the freedom of the individual and community alike through mechanisms to encourage accountability of those in power and as safeguards for individual rights.

Citizenship is a Tool of Protection

As we saw above, there exists a co-constitutive and materially conditioned relationship between statehood, sovereignty, and subjecthood. The key element in this bond is the citizen – the subject over whom the state has authority and for whom the state ought to facilitate the goods of security and freedom. It is here where I explore citizenship itself, its characteristics, and the normative value it holds as the most preferred in a hierarchy of legal relationships between subjects and states. I take citizenship to have material and ontological value, and to refer to the legally recognised relationship between the individual and the state whereby the individual is granted access to a specific set of socio-legal rights in exchange for fulfilling responsibilities to the state.

The freedom to choose one's life course, the freedom from external constraints, and the protection from other states and individuals all require an individual to be eligible for such protection and freedoms. One must be recognised as a legitimate member of the political community in question to receive such goods. In this way we can think of citizenship as a type of individual security, different than the security provided to groups through broader institutional

mechanisms seen above. Membership determines – at a general level – just who in a polity can access the institutional mechanisms that facilitate security and freedom. For example, legal residency permits one to access certain socio-political rights on a semi-permanent basis. These include the right to enrol in school, access government health care, open a bank account, marry legally, work in formal markets, and travel across borders. Importantly, it is the permission to legally reside that determines eligibility which is otherwise inaccessible to those who are unlawful residents. Becoming a member indicates one has been vetted by the state and embraced by it in the hope that the individual will contribute productively in some way to the overall community. As Edwards notes "citizenship is a way to maintain common norms and values of the state as a social and political community" (2014, 12).

But it is citizens – not permanent or temporary residents – who are afforded full state protection. Citizens are entitled to the above host of rights but also enjoy full political privileges including diplomatic protection when outside of their state's jurisdiction, and the ability to participate in public life (Edwards 2014, 12). Citizenship is unique in the sense that citizens enjoy a right of non-deportation. For liberal thinkers, citizenship indicates a legal status inclusive of material rights enshrined in law (Brubaker 1998) – a passive benefit rather than an active role – and one that facilitates democracy and its ideals: "a universal, formal legal status, with certain rights and duties, which transcends the differences between individuals" (Honohan 2017, 87). In return, the citizen is obligated to fulfil a set of duties. These can include military service, serving on a jury, and, rarely, mandatory voting. Such duties are articulated in law and complemented by no less informal societal expectations such as embracing public processes, abiding by the law, and adhering to identification practices.[45] While permanent and temporary noncitizen residents

[45] Of course, these expectations apply to everyone on a state's territory.

are also expected to adhere to such expectations, the citizen stands apart as one who is subject to full political responsibilities and who enjoys the entirety of political rights including protection and political participation. Citizenship therefore is the elite form of legally recognised political membership in a hierarchical chain of subjecthood.

Citizenship has historically been thought to be something more than formal status, something that is felt, shared, and performed regardless of one's legal connection to a community and the socio-political benefits it facilitates. Citizenship is said to be of significant ontological value in part due to its socio-political consequences, but also because of deeper feelings related to personhood. This line of thinking is grounded upon the republican tenet that what brings people together is the public domain in a society premised upon the common good, the rule of law, and civic virtue (Dagger 2002). Citizenship here is characterised as political – actively participating in the political aspects of a society and its governance (Habermas 1994). Civic participation has an important effect on one's sense of self; the individual and community are inextricably linked and each fosters strength in the other. For Arendt, membership in a political community is the essence of being human. More so than the biological or social, engaging with our fellow person in a process of living together is what gives humans dignity and as such demonstrates our purpose. Furthermore, it is being *recognised* as belonging to the political community as a full and equal member (citizen) that gives us our essential character (Arendt 2006; 2018).

By understanding ourselves as part of this community, we recognise others as fellow citizens in a collective based on legitimacy and reciprocity in social relations (Sindic 2011,

203).[46] Beyond something that is felt, citizenship is said to denote a belonging that is determined by everyday practices within larger structural contexts – a substantive citizenship (Glenn 2011; Middleton 2014). Citizenship understood in this way enables a rethinking of legal status into a space of interconnection and fluidity. This space embodies what Isin (2017) refers to as bonds forged within communities through *acts* of citizenship - performances of one's inclusion in society. Despite the diversity in articulations of the primary function of citizenship and how it is to be facilitated, the lesson is that citizenship, in whatever form, provides important benefits to the functioning of relationships between individuals, societies, and institutions.

Within political or sociological discourse citizenship is ultimately a contested concept, encompassing a plurality of meanings, one that is far from unified (Alejandro 1993, 12). Citizenship can be understood in terms of a membership status in law, a package of rights in itself, and as something that is substantive and performed. Despite the range of understandings of citizenship, the concept "dwells on a linear, formal and legal language of status, rights, obligation, justice, and order [that] delineates boundaries between 'us and others' and makes claims about social goods (security, governance, services, community and moral precepts) and identities (cultural, ethnic, religious, class, gendered, local, national and cosmopolitan)" (Isin and Nielsen 2008, 11). In her attempt to re-theorise statelessness in light of the relationship between individual agency and national belonging, Kelly Staples calls for doing away with the terms statelessness and citizenship, in favour of 'membership.' She claims 'membership' can offer insight into inclusion, exclusion, and "the way that individuality is constituted and constrained within international relations" (2012, 2), and in particular human rights discourse (2012, 7). This

[46] It has been argued that by considering the psychological dimension of citizenship we are able to more fruitfully explore particular elements of society such as mistrust amongst members (Woons 2014, 200), attitudes and values, social relationships, social responsibility, and nationalism and patriotism (Pancer 2015, 10-11).

is an apt strategy when trying to reconcile forced statelessness in a statist world – critiquing the idea of membership rather than citizenship permits a broader analytical frame through which to explore exclusion both within and outside of formal recognition. However, as will become clear throughout this dissertation, when looking at intentional noncitizenship the critique is similar but warrants a different analytical approach. The cases surveyed in this dissertation critique not membership in a political community but citizenship as a legal manifestation of contemporary modes of belonging and as a mechanism of state injustice. Each case critiques particular aspects of citizenship as manufactured and imposed sets of practices that justify its refusal.

IV. Conclusion

I began this chapter by tracing the nexus between statehood, sovereignty, and subjecthood from modernity to the contemporary state system. I argued that membership constitutes the political and territorial contours of the state, and the relationship between statehood and subjecthood is institutionalised in domestic laws, foreign affairs, and international law. I argued that as sovereign statehood evolved into an organising principle of the international system, citizenship became an increasingly important a tool to identify, categorise, and oversee populations to realise state objectives. This has had the dual effect of displacing non-state forms of political community and legitimising the sovereign state as the only legitimate political community of concern in domestic and foreign relations. The purpose of tracing the development of this relationship is to set a foundation from which we can explore its fundamental components and how and why they are refused by the cases surveyed in this dissertation.

I then explored normative justifications for statehood in the context of the three liberal goods of security, freedom, and citizenship itself. Security, freedom, and citizenship are

fundamental principles of the liberal state which is said to be responsible for facilitating the implementation of ideals and practices of governance, and is considered legitimate, in part, because of their successful provision. The state is necessary to ensure the security of its subjects from international and domestic harms. The state is essential to facilitate our individual freedom to pursue our interests. Finally, one must be recognised as a citizen to enjoy full state protection and access to socio-political rights placing citizenship atop a hierarchical chain of subjecthood.

Now that we understand how and why the liberal model of citizenship became a function of the nexus between statehood, sovereignty, and subjecthood, we can explore the ways in which those who choose noncitizenship do so in thought and practice and engage with the ideas presented in this typology. This backdrop acts as a point of departure from which to interrogate the normative claims and empirical grounds of INC. I turn now to the Freedom Babies, anti-statist, and anti-authority movements in an attempt to understand what intentional noncitizenship means to these communities, and whether there are implications for how we think about and act in the political realm.

Chapter Four: The Freedom Babies Movement: Non-Registration of Birth as Political Action

I. Introduction

Recall from the *Introduction* to this dissertation that birth registration plays an instrumental role in an individual's well-being. It establishes one's birth and thus legal identity which facilitates access to a number of socio-political rights. A parent may possess the capacity to choose whether to register the birth of their child, but that child maintains the right to nationality under international law.[47] Indeed, not registering a birth is a substantial cause of statelessness which informs a global effort to reduce statelessness through national registration campaigns.[48] Thus in the contexts of both liberal political thought and international law non-registration of birth is considered a harm, and children have a right to be free from that harm. Yet, there are some who reject these claims and refuse to register the births of their children. One example is the Freedom Babies movement (FBM).[49] Recall from chapter two that the Freedom Babies movement seeks to raise Indigenous children in the spirit and practice of decolonisation, which demands freedom from the control of the Canadian government. This process begins when Indigenous mothers refuse to register the births of their children with the Canadian government. The practice of birth registration is for the FBM a constant reminder of the legacy of colonialism, and, crucially, indicative of contemporary forms of colonialism that must be rejected. As I noted in the previous chapter, birth registration played a key role in the development of statehood particularly in the management of colonised populations. As colonial empires managed their newly acquired colonies abroad, and as New World states governed colonised populations at home, civil

[47] Recall from chapter two that the right to nationality is incorporated into no less than seventeen international human rights instruments (UNHCR 2009) and affirmed in the seventh Article of the Convention on the Rights of the Child (CRC 1989).
[48] For example, the IBelong campaign. See UNHCR 2017.

registration practices became key to objectives and strategies of settlement (see Szreter and Breckenridge 2012). Birth registration in Canada embodies a colonial legacy for Indigenous peoples as the removal of children from Indigenous communities into residential schools and through 'sixties scoop' adoptions and increased state surveillance are associated with violence against Indigenous communities (Sanders and Burnett 2019). For the Freedom Babies movement, not registering birth is but one tactic in an arsenal of strategies deployed as assertions of sovereignty and refusals of colonial occupation.

The movement raises several important questions relating to the normative and practical understandings of a political community and its principles, which challenge the legitimacy of the state as a current occupier - one that is occupy*ing*. What follows is an attempt to explore noncitizenship through a decolonial criticism of birth registration and citizenship. Decolonisation refers to two related processes. First, the political and resulting administrative practices by which colonised nations regained their independence from colonising states. Generally, this began in the 1940s in response to resolutions in international law that specified particular circumstances in which a nation could legitimately claim its independence. Many nations across the world pursued their self-determination resulting in several bloody conflicts, and some political boundaries were redrawn. Second, decolonisation also refers to a longer-term socio-cultural shift that aims to dissolve ingrained societal practices that retain colonial ways of thinking and living. In this case, the legacy of colonialism is identified and challenged to destabilise colonial notions of power. It is this type of decolonisation that this chapter is concerned with. Indigenous theories of decolonisation are wide-ranging, often reflecting diverse objectives. In what follows I draw upon several Indigenous thinkers who advance a politics of decolonisation, particularly Glen Coulthard, Mishuana R. Goeman, George Manuel, and Audra Simpson. Decolonisation in this

context is a resurgence that carves out a pathway to determination that is outside of the Canadian practice of 'recognition' (Coulthard 2014, 159), and is a reclamation of Indigenous cultures, traditions, health, relationships, and ways of being and knowing.

I observe that the Freedom Babies movement is underpinned by four interconnected sets of ideas. First, the FBM upholds that Indigenous people are sovereign and sovereignty emerges from a spiritual ethos and reciprocal relationship with the environment. Second, rather than ensuring the security of subjects, the state harms Indigenous bodies and nations, and the environment through biopolitical controls in the course of land occupation. Third, freedom is not facilitated by the liberal state but is emergent from the resurgent act of refusing colonialism. Finally, whereas liberal colonial assumptions endorse citizenship as a pathway to heal colonial injustices, Indigenous refusal of contemporary colonial recognition practices exposes those very injustices which dispossess and disappear Indigenous peoples. In this way, non-registration of birth, and thus noncitizenship to Canada, is an act of reproductive self-determination that simultaneously reclaims sovereign practices and asserts the freedom of the baby, mother, nation, and earth. I conclude by arguing that INC for the FBM is an inherently political act that rejects liberal practices of recognition in favour of a politics of decolonisation.

Land as Sovereignty

For Indigenous nations, sovereignty is a complex concept that has multiple meanings and can refer to "people who have never surrendered their lands; to illegal occupation; to prior, inherent rights in territories; to belonging to a particular Indigenous people; to holding tribal citizenship, to a political and moral claim to inclusion within settler colonial states; to recognition as first peoples and to treating as sovereign nations" (Moreton-Robinson 2020, 258). Despite not

necessarily sharing the same understanding of sovereignty as Europeans, by deploying the term in self-determination efforts, Indigenous peoples "redefine and remake" sovereignty as they refuse narratives of settler state recognition (Ibid.) For example, the FBM responds directly to the doctrine of *terra nullius* which was applied to colonial 'discoveries' and used to justify not only the conquest of that land, but the subsequent denial of Indigenous access to or ownership of it (Ivison et al. 2000, 12). The 'discovery' of 'takeable' land assumes that sovereignty's true form is in a territorially bounded jurisdiction of political authority. Insofar as sovereignty is an organising principle, the FBM supports the narrative that sovereignty is supreme authority over a particular jurisdiction with the right to self-determination in both internal (domestic) and external (foreign) matters. The FBM disagrees, however, that the source of sovereign authority is to be found in the state, and instead sees sovereignty as emergent in land and its ancestral connections.

Kanahus Manuel and Alaina John do not register the births of their children with Canada because they perceive Canada to be a foreign state and do not consider themselves to be Canadian.[50] The Secwepemc and St'át'imc nations, each sovereign, have not at any time ceded their territory to the Canadian government. [51] Sovereignty is conceived *internationally* rather than in the context of internal self-government thus Canada is seen as an illegitimate foreign occupier whose infringement on Indigenous land and enforced removal of Indigenous peoples "means war."[52]

> "sovereignty is the issue #canada is the problem Defend the Land By Any Means Necessary #nomining #NoNSTQtreaty." – Alaina John[53]

[50] Whether they themselves were registered with the Canadian government, or whether they possess Canadian travel documents is unknown.
[51] See 1911 Declaration of the Lillooet Tribe at http://www.firstnations.de/development/statimc.htm
[52] Twitter post 12 July 2021. Accessed 22 September 2022.
[53] Twitter post 2 February 2016. Accessed 22 September 2022.

> "Our fight for life and survival as Secwepemc forces us to fight pipelines, tankers, the police, the crown, the so-called canadian [sic] govt and any interference with our Rights to Land and Self-determination."[54] – Kanahus Manuel

Sovereignty is practical and not merely a theoretical reference. It is grounded in the historical experience between the nation and Canada, and is tangible, immediate, and reliant upon explicit consent in matters of both development of land and narratives of subjecthood. Accordingly, FBM mothers refuse to be recognised on terms other than their own. They refuse to be born into and remain in state categories imposed in the name of assimilation, tools to disappear Indigenous peoples. Historically grounded and contemporarily tweaked, "Indian", "ward of the state", "subject", "citizen", and "citizens plus" serve to reduce and erase Indigeneity to a minority to be absorbed into the Canadian body politic (Simpson 2014, 142-143). By refusing to be ruled by these impositions, the FBM rejects this "ontological state of political subjecthood" where Indigenous people were recognised as savage so they could be governed (Simpson 2014, 145). Alaina John writes:

> "The people have been resisting invasion since contact. We never wanted the roads, we never agreed to the railway, we never supported slavery and we sure don't give consent for pipelines. This is our land." – Alaina John [55]

> "#TransMountain Pipeline is a white supremest [sic] pipeline, racist outdated land laws push this pipeline through without consent from #Secwepemc Peoples, permits issued without consent, insurance companies underwrite tmx without consent, man camps are built & operate without consent." – Kanahus Manuel[56]

Sovereignty is material and spiritual, but it is not abstract. It remains deeply connected to place, to territory as land. This direct and reciprocal relationship with the land guides ways of being. It is not institutional; it is unwritten and emerges from the materiality of the environment

[54] Twitter post 7 September 2022. Accessed 22 September 2022.
[55] Twitter post 28 February 2020. Accessed 23 March 2021.
[56] Twitter post 9 July 2022. Accessed 22 September 2022.

which demands the engagement of multiple non-human beings. The FBM expresses sovereignty as Moreton-Robinson articulates it: "[sovereignty] functions through the logics of relativity finding expression in kin relations, respect, responsibility and obligation that exist outside the logic of capital and familial ties to private property and nation states" (2020, 258).

> "Govt owes us for everything they took from our lands, every rock every tree has title in it and they owe us for every tree and rock they took or moved" – Kanahus Manuel[57]

> "You ripped us off the land and put us in those [residential] schools. … You ripped us off our land and that's where our language comes from. You ripped us off our land and that's where our culture comes from, where our family systems come from, and so, it's the land that we need to continue to focus on. That's going to be what's going to heal all the atrocities that came from the residential school. By going back to the land, by fighting for the land because the land is what's going to revive everything for us."[58] – Kanahus Manuel

Sovereignty is not conceptualised as political authority but as shared intergenerational relations throughout the past, present, and future. Not temporally bound, sovereignty emerges from lineage, from ancestral confirmation of place through custom and stories. Honouring ancestors, traditions, sacrifices, and the history of resistance to colonial injustice is a specific element of sovereign claims made by the FBM.

> "When we defend land we are defending ourselves because everything we are is made from these mountains and glaciers, these cedars and creeks, the moss and the lichen, the salmon and bears, we are ancient." – Kanahus Manuel[59]

Even if territory remains a central concern in terms of access to resources and ancestral connection, sovereignty for Indigenous peoples, broadly, permeates elements of living that go

[57] Twitter post 20 July 2022. Accessed 22 September 2022.
[58] Intercept podcast 16 June 2021. Accessed 2 October 2022.
[59] Twitter post. 20 March 2021. Accessed 23 March 2021.

well beyond political authority or property ownership. Goeman writes 'empty' as it may be, "land and water are closely linked to how we see ourselves and others and how we engage the world" (2014, 235). Territory is materially and spiritually essential and embodies practices which hold the 'emptiness' of land as specially and spatially connected to sovereign ways of being, but which are denied by colonial occupation not just on land but in "material, symbolic, and lived spaces from the body to the home and to the nation" (Goeman 2014, 237). The Freedom Babies movement makes clear that sovereign identity embodies a jurisdiction not delimited by territorial and temporal boundaries but by an ethos shared between individuals, communities, and the earth, across generations and with spirits both living and dead.

> "Our stories are not written but scattered all over the land. We are the land." – Alaina John[60]
>
> "The blood and bones of our ancestors make up the land on which you walk." – Kanahus Manuel[61]

Corporeal and Environmental Insecurity

Non-registration of birth with the Canadian government – even when children are by virtue of their birth on Canadian 'territory' entitled to Canadian citizenship[62] – speaks to more than a claim to sovereignty in terms of land-based ways of being and ancestral connection; it is a way to reduce biopolitical harm caused by the state. The question of whether the state – Canada – *ought* to provide security as a good to its people is irrelevant for the FBM; the movement does not consider Canada a legitimate sovereign authority in the first place, and from the data surveyed in this chapter it is clear that the FBM entrusts Indigenous nations with the protection of their

[60] Twitter post 29 October 2017. Accessed 20 April 2021.
[61] Twitter post 14 June 2021. Accessed 22 September 2022.
[62] All children born in Canada as well as those born abroad to Canadian-born parents, and whose births are registered, are entitled to Canadian citizenship (*Citizenship Act*, 1985, s 3(1)), with the exception of those born to foreign diplomates (s 3(2)).

peoples and land. Thus, we can interpret the FBM to be generally supportive of the claim that a political community ought to protect its people. The FBM is concerned, rather, with the role that Canada plays in the harm of Indigenous peoples, and thus explicitly refuses the narrative that the state *does* provide security as a good and ensures the security of its subjects by protecting them from other states and individuals through mechanisms of coercion such as law and enforcement. Instead, it is precisely through these mechanisms that the state causes explicit harm to Indigenous bodies and nations, as well as to the environment.

In the context of security, the FBM focuses on Indigenous peoples in the domestic sense rather than on specific laws or enforcement measures over subjects generally. Canada's activities in controlling the Indigenous (female) body are well documented (TRC 2015). The Freedom Baby movement argues that these practices continue today through modern forms of biopolitical control. From forced sterilisations (Boyer and Bartlett 2017; NIMMIWG 2019) to family separation through birth alerts (May 2020; Stuek 2019; Martens 2019; Unger 2020) and foster care (Sinclair 2007; Turner 2016; Kassam 2017; Krugel 2018), Indigenous women have been specifically targeted by the state to control the reproductive chain of Indigeneity. Sexual violence is but one weapon by which "a colonizing group attempts to render a colonized people as inherently rapable, their lands inherently invadable, and their resources inherently extractable" (Smith 2008, 312).[63] By targeting the body, the state attempts to harness the spirit of a peoples it seeks to oppress, and through the colonial invasion of Indigenous birthing practices the Indigenous mother becomes a site of corporeal femicide and environmental matricide.

> "I believe in creating safe and chill environments for pregnant, birthing and nursing moms & babies. My mission is Freedom for #birth." – Alaina John[64]

[63] A varying narrative is that which sees the 'virgin' Indigenous woman as an object for rescue, like the savage landscape in need of taming. See Anderson 2011.
[64] Twitter post 5 September 2014. Accessed 20 April 2021.

> "RAISING FUNDS TO CONTINUE MY DREAM <>My life dream is to see babies born free without trauma, bright lights, hospital interventions and the colonial health system. By birthing at home and with our traditional birthing ceremonies Women, mothers, babies and Nations are empowered and liberated. Kukstsemc to all our life givers." – Kanahus Manuel[65]

For FBM mothers, biopolitical controls are both micro efforts to control individual Indigenous people, and meta processes meant to subjugate entire Indigenous nations for the benefit of settler colonial expansion. Goeman writes "The classification of 'Indian' has everything to do with spatial occupation of land and bodies" (2014, 236). Building on the work of De Certeau, Geoman invokes the term "settler-colonial grammar of place" to refer to a set of power relations that occur "within the mapping process that gives authority to some grammars while denying, erasing, or overlaying others" (2014, 236). This grammar indicates the role that "spatial logic" plays in normative meaning making where in the course of retelling colonial narratives, space that was once fluid becomes structured (2014, 237). In this way, settler power is maintained through a "politic of scales" where the Indigenous body and land are redefined to justify their subjectification (Goeman 2014, 237). As colonial narratives positioned the Indigenous person as "savage" and "lawless," (Simpson 2014, 133) – and woman as "wild", "dirty", and "whore" (Anderson 2011, 170) – the grounds for their management were laid to justify physical domination and land occupation.

> "Stealing Children to Steal the Land." – Kanahus Manuel[66]

To harm one population is to protect another: rather than protecting Indigenous peoples, Canada views them as the enemy from which settlers (and Indigenous peoples themselves) must be

[65] FundRazr post 27 July 2014. Accessed 24 March 2021.
[66] Twitter post 25 July 2022. Accessed 22 September 2022.

protected. Thus, the biopolitical project of killing the spirit of the 'Indian' through the reproductive control and detention of Indigenous bodies is at one level a mechanism to separate the child from the mother, and at another, a way to disconnect and thus disempower nations. Non-registration of birth observes that law itself is an instrument designed to "confine and contain the Indigenous in certain spaces" (Simpson 2014, 144) and thus embodies a refusal of the normative claim that the state's juridical and institutional processes are just. By disengaging with the 'social fabric' of the oppressor, the FBM demonstrates a powerful rejection of state institutions in favour of their own.

> *"*Canada got rich on the minerals, timber, and fisheries, and now they're using that money to oppress us with their military, police, and judicial systems." – Kanahus Manuel[67]

> "WE receive no money from government, we are taking a revolutionary stand to maintain Independence from Canada and its oppressive laws, by not registering our children, nor depending on their education and health institutions, we are forming our own!"
> – Kanahus Manuel[68]

Aligning with their views on sovereignty, Freedom Baby mothers make clear that Indigenous people are inextricably linked to land, and insecurity of one is insecurity for the other – both in colonial intent and corporeal and spiritual impact. Kanahus Manuel reiterates what her Easter sister, Amanda Lickers, called "the mental, spiritual, and physical trauma of our land being destroyed and contaminated [as] 'land trauma'".[69] Land Trauma is felt by Indigenous women in body and spirit as the relationship between the health of the earth and of people is deeply connected and reciprocal.

[67] Brake and Manuel 2017
[68] FundRazr post 15 April 2015. Accessed 2 March 2021.
[69] Brake and Manuel 2017

> "Salmon is sacred. Mining kills! Stop all mines in so called Kkkanada! This is #allnativeland Water is life, defend it." – Alaina John[70]

> "Not a tree hugger, I just know I'm no better than the tree, bush or plant...to kill #nature is to kill…" – Alaina John[71]

Freedom in Freeing Others

The way the FBM engages with the idea and practice of freedom is dynamic. First, aligning with their arguments concerning security, the FBM does not consider whether the state *ought* to facilitate the freedom of individuals and communities, as the colonial state is not a political community to which such a task would be entrusted. Concerning the conceptualisations of freedom negatively as the absence of external constraints, and positively where the individual is agential, and possesses self-mastery, or self-determination, the FBM's perspective embodies some of these ideas and ignores others. In other words, while FBM freedom encompasses throwing off the yoke of colonialism and the pursuit of Indigenous autonomy, it does not address the idea of self-mastery. Rather, the FBM sees the source *and* outcome of freedom as action against colonial injustice. Freedom Baby mothers articulate that the non-registration of births in the Freedom Baby movement is a refusal of illegitimate colonial occupation and a material assertion of Indigenous sovereignty, articulated as an action of freedom from injustice towards the autonomy[72] of the child, mother, nation, and earth. In this way, it is possible to conceive of FBM freedom as an act of agency, in liberal democratic terms, but this would be to reduce collective emancipation to an individual act whereas FBM freedom encompasses much more: it

[70] Twitter post 9 August 2014. Accessed 20 April 2021.
[71] Twitter post 11 September 2014. Accessed 22 September 2022.
[72] Manuel uses this term. FundRazr post 11 April 2015. Accessed 2 March 2021.

is an act and process of decolonisation whereby several parts of a collective whole undergo sovereign reclamation, and spiritual and corporeal empowerment.

Leroy Little Bear writes "Native American history is not a temporal history but a history contained in stories that are told and re-told, in songs that are sung and re-sung, in ceremonies that are performed and re-performed through the seasonal rounds. All of the above aims at harmony and balance" (2009, 10). Just as the past, present, and future are not segments of time but cyclical and reciprocal relations with the deceased, living, and unborn, the Freedom Baby is an immediate embodiment of that relationship; it is much more than a physical instantiation of the possibility and hope of a decolonised future; it *is* the decolonised future. Non-registration of birth acts as both a micro and meta act of refusal: the Freedom Baby instantly refuses to allow the *potentiality* of the biopolitical reach of the state and refuses colonial injustice and reclaims the sovereignty of their nation. Non-registration is as an act of decolonisation for the child: the child is spiritually reconnected to their nation and ancestors, and their ties to the state are formally disconnected.

> "Why birth babies Free? Freedom Babies: to not register them with the government of Canada, to decolonize and strive in every way to bring back our culture, language and Nation. Not belonging to a nation state. […] Birthing and raising Freedom Babies and not being dependent on the government and nation state of Canada to teach our children, NO public schools for these babies. So this is how we teach: Indigenous Life School! … Eating decolonized, hunting, respecting each animal that is taken, learning how to use every part of the animal, hiking deep and high into the mountains, packing meat out for miles, skinning and processing the meat and taking care of the skins and hides, many teachings are learned. We define what education is." – Kanahus Manuel[73]

Rather than freedom emerging from an institutional process of democratic checks on state power, freedom for the FBM is emancipation from these very institutions themselves. Non-

[73] FundRazr post 18 April 2015. Accessed 2 March 2021.

registration of birth re-grounds the Freedom Baby mother as a source of authority with the female body reclaimed as a site of power to create, to nurture, and as a site of connection between the physical and spiritual. This demonstrates what Coulthard refers to as Indigenous resurgence. He writes: "[resurgence] explicitly eschews the instrumental rationality central to the liberal politics of recognition and instead means that we enact or practice our political commitments to Indigenous national and women's liberation in the cultural form and content of our struggle itself. Indigenous resurgence is at its core a prefigurative politics – the methods of decolonization prefigure its aims" (2014, 159). The Freedom Baby mother's body is reclaimed as a source of spiritual and corporeal empowerment, a site of resurgence in the face of literal and figurative matricide.

Non-registration of birth also enables the Freedom Baby mother to prioritise key elements of tradition, as the woman reclaims her role as giver of life within her decolonised way of being. An important example is the revitalisation of traditional midwifery, a highly respected role held by many Indigenous women. As Anderson notes, the 'life practice' of one woman's giving birth can become a site of emancipation for a network of women and families (2007, 763). To expecting Indigenous mothers, Alaina John encourages them to

> "Talk to their Elders and to sing their songs and to use their medicines and to know that they aren't alone and that our ancestors survived for…hundreds of thousands of years without the aid of a doctor… When we just surround each other with love then birth doesn't have to be a scary thing because it works. We know that because we're here and our ancestors knew what they were doing."– Alaina John[74]

Just as the earth as life, and a source of life, is protected and repaired through non-registration of birth, Freedom Babies reproduce the nation. Giving birth is not just a physical process for the

[74] Quoted in Leonard, 2020

Freedom Baby mother. Indeed, giving birth gives life to the newborn, but it also empowers community resistance to oppression, and reinforces that liberal notions of state-led institutional power have no place in Indigenous thought or living. The decision to not register the birth of a child is part of a larger effort to build a foundation upon which the Indigenous nation can emerge from colonial injustice and reclaim its sovereignty.[75]

> "There are many native people fighting for freedom all over turtle island and the globe. I support all of them. We are all united in the fight for freedom. Freedom of the land, water and people." – Alaina John[76]

The Freedom Baby mother's gift of self-determination in the flesh is also a symbol of empowerment to her nation. Giving to the community and to the land in terms of material goods, of support, repayment, and nourishment forges bonds between individuals and "Indian societies generally" (Manuel and Posluns 2019, 41). Giving is grounded in the cyclical notion of time and space whereby the acts of giving and receiving take place in the past, present, and future and contribute to a sacred and consistently renewed relationship between the individual, community, and earth. Non-registration is an act of giving back to the community its role as recogniser, namer, and nurturer of the child.

> "Let's take our back our freedom. Let's liberate our lives and our nation from control. And that's how I felt that I could do it, with my children, is to not register them, to say my babies are freed. They don't belong to Canada." – Kanahus Manuel[77]

Freedom Babies support the nation to reclaim immediate autonomy in recognition practices through naming ceremonies that need no permission, and thus give resurgent strength to the

[75] Freedom Babies (2014). Film by Doreen Manuel.
[76] Twitter post 27 November 2021. Accessed 22 September 2022.
[77] Freedom Babies (2014). Film by Doreen Manuel.

nation. Non-registration asserts the distinction between the Indigenous nation and the state. It restores the practice of naming as *the* recognition practice, the only one to which a child is subject. It restores the authoritative role that women elders play in the governance of their community. The non-registration of a Freedom Baby is thus a reclamation of Indigenous decision-making and leadership practices based on giving that reject absolute power, playing a significant role in repairing injustice to the nation both temporally and environmentally. Of Freedom Babies, Kanahus states:

> "They don't need a paper document to say they exist, and that's what they [Canada] say, that you're wards of the state. You surrender yourself when you do that. And I refuse to do that. I refuse to register my children with the government. As long as I have the recognition from my community, from the nation, from the elders who named them that came from the ceremonies, that's all they need."[78]

The healing from colonial injustice for individuals and for the nation generally is directly related to the healing of the earth. Some Indigenous thinkers argue that Indigenous peoples belong to the 'Fourth World', a unique relationship between the individual, community, and land. The Fourth World is characterised as politics of decolonisation, a vision of the future, that unites Indigenous peoples across the world in opposition to capitalist logic which treats land as a commodity (Coulthard 2019, xi) and the idea that we are each on the track towards inevitable moral progress. It reprioritises a highly organised natural economy – a parallel between raw materiality and spirituality – where the relationship between people and the land is reciprocal and responsible (Manuel and Posluns 2019, 40-43).

> "I work hard to birth and raise my warrior babies at home to do my part for the land [#]take back!" – Alaina John[79]

[78] Freedom Babies (2014). Film by Doreen Manuel.
[79] Twitter post 2 September 2020. Accessed 23 March 2021.

The relationship with land is governed by a deep spiritual and material connection that does not change with time. From the parallel between a woman's power to give life emerges a natural link between the call to heal and protect and the reclamation of freedom. Accordingly, non-registered babies are raised as Warriors charged with defending their lands and protecting their nations in the name of nation and environmental protection, healing, and freedom.

Citizenship as Contemporary Colonialism

FBM claims related to sovereignty, security, and freedom are deeply connected to their positions on membership – both to the state and to their own nations. For the FBM, membership is indeed a recognised relationship between the individual and (political) community but membership is devoid of the legalised formality requisite in state recognition.[80] Furthermore, the movement disagrees with both the claim that individuals ought to be a citizen of the state, and the claim that citizenship to the state facilitates material and ontological benefits. The FBM counters that citizenship to the state – for Indigenous peoples – is a source of material and ontological harm and an example of contemporary colonialism.

It is clear that the FBM sees Canadian citizenship as a direct tool of oppression used by the state to subjugate and settle. In response to the claim that the state facilitates specific socio-political rights, the FBM cites biopolitical controls that result in babies removed from homes, enforced birthing practices upon mothers, nations stripped rom their lands, and the destruction of the earth. Education is a particularly salient example of the material harms brought about by imposed citizenship practices. Kanahus says:

[80] Each of the Secwepemc and St'át'imc nations has its own parameters of membership which, like the membership of any recognised state, encompasses criteria of inclusion and exclusion. Thus, it is not membership in general that I or the Freedom Babies movement are referring to here, but membership to the colonial state of Canada.

> "I raised the four of my children out of that system, and not putting them into any type of public school system because I felt that every single public school system ties to the residential school because it was a way to indoctrinate the colonial ways and values and education into the children. I never wanted to push my children into that."[81]

The extermination of Indigenous peoples on 'virtually empty' land because it occurred through historically situated and temporary violence is considered a (just) political endeavour however unfortunate. This naturalisation of the colonial project narrative and its material foundations, however, fails to account for injustices that go beyond unequal citizenship or the material harms noted above. While citizenship is promoted as a pathway to heal colonial injustices by uniting all subjects under one state banner, Simpson notes membership remains key to the practice of dispossession (2014, 25).

Citizenship to Canada is perceived by the FBM as an ontological harm. For the FBM, colonialism is current; it has merely changed form from direct violence to clandestine practices that uphold Canadian sovereignty over Indigenous peoples. Coulthard (2014) observes self-government initiatives, which include autonomous governance over specific territories, access to specific resources, and entitlement to development project consultation, to be contemporary colonialism where Indigenous peoples are superficially 'recognised' by Canada as semi-autonomous, yet Canada is recognised as sovereign. For the FBM, to be 'recognised', however, is not to be classified into a particular and manageable state-led assemblage, but received, welcomed, and embraced by an interconnected set of relations through "recreating our [Indigenous peoples'] existences, regenerating our cultures, and surging against the forces that keep us bound to our colonial past" (Alfred 2009, 19).

[81] Intercept podcast 16 June 2021. Accessed 2 October 2022.

> "Freedom Babies are babies and children showing us that we can be FREE - Indigenous Autonomy and Independence." – Kanahus Manuel[82]

Freedom Babies refuse to be determined by authoritative moral norms that oppress Indigenous people. Thus, refusing the idea that citizenship is necessary for social, political, and legal rights means both challenging "Canada's official story" (Million 2014, 40) as well as reclaiming rights which have been forcibly taken from them. In this way, the FBM refuses to entertain the "false choice" between recognition and reconciliation, options that Simpson argues are inappropriate mechanisms for "remedying not just specific, historical issues of 'wrongdoing' but our understanding of time and justice itself" (2014, 193). The FBM demonstrates in real time the futility of the emancipatory narrative that the colonial project is over.

> "The federal Indian bands aka "First Nations" are an invented entity by the feds themselves. The true title holders are the Secwepemc Peoples collectively." – Kanahus Manuel[83]

The FBM's embrace of a politics of decolonisation can be seen as a refusal to consent to recognition/reconciliation pathways, and as an assent towards Indigenous political possibilities (Simpson 2014, 182). Such possibilities are denied by the over-reliance on state-based membership and its colonial logic, practices evident in the liberal tradition which relies upon and reproduces the normative claim that membership to the territorially bounded sovereign state is legitimate and ought to be pursued. Beyond land claims, birthing rights, or environmental concerns, the colonial state imaginary also denies the very possibility to conceptualise recognition in ways central to Indigenous ways of living.

[82] FundRazr post 20 April 2015. Accessed 2 March 2021.
[83] Twitter post 9 May 2022. Accessed 22 September 2022.

It is clear that the non-registration of birth is much more than an act of resistance to state citizenship. It is at once a refusal of colonialism, a demonstration of sovereignty, a prioritisation of land in terms of its own well-being, a guide to ways of being, and an embodied conduit to ancestors. It is also an act of freedom, for the Indigenous woman, child, nation, and for the earth. Non-registration of birth can be understood through Anderson's observation that "Native women are now reclaiming the sacred vitality of their bodies by re-introducing Native spiritual concepts of womanhood and motherhood into their life practices" (2007, 767). In this way I interpret non-registration as an act of reproductive self-determination that simultaneously reclaims sovereign practices and asserts the freedom of the baby, mother, nation, and earth. As Kanahus says "It's all about Land & Self-determination."[84]

II. Conclusion: Refusal as Political Action

My aim in this chapter was to consider the concept of noncitizenship through a decolonial criticism of birth registration and citizenship. I engaged Indigenous thought which demonstrates that while recognition plays an important role in conceptualisations of membership, colonisation has a decisive impact on how the relationship between Indigenous people and the state is conceived. Drawing upon this conceptual backdrop to help ground my interpretation of the Freedom Babies movement, I found that the FBM draws upon four concepts in its refusal of birth registration. First, the FBM upholds that Indigenous people are sovereign and sovereignty emerges from a spiritual ethos and reciprocal relationship with the environment. Second, rather than ensuring the security of subjects, the state harms Indigenous bodies, nations, and the environment through biopolitical controls in the course of land occupation. Third, freedom is not

[84] Twitter post 28 July 2022. Accessed 22 September 2022.

facilitated by the liberal state but is emergent from the resurgent act of refusing colonialism. Finally, whereas liberal colonial assumptions endorse citizenship as a pathway to heal colonial injustices, Indigenous refusal of contemporary colonial recognition practices exposes those which dispossess and disappear Indigenous peoples. In this way, non-registration of birth, and thus noncitizenship to Canada, is an act of reproductive self-determination that simultaneously reclaims sovereign practices and asserts the freedom of the baby, mother, nation, and earth.

By exploring how intentional noncitizenship responds to broad political constructs that have shaped, and continue to shape Indigenous – settler relations, it becomes clear that a politics of decolonisation is an appropriate frame through which to explore non-registration of birth and intentional exit. Doing so highlights that refusing narratives and norms of justice is political action. Recognition is part and parcel to political action; for some, to be recognised is what permits action and to others it is action that can facilitate inclusion into the wider political community. I do not engage in this debate but focus instead on what it means to interpret non-registration of birth as a political act.

Indigenous politics is diverse, taking place in movements (John 2015), story or narrative (Million 2014), physical objects (Erickson and Wylie Krotz, 2021),[85] and spiritual awakening (Alfred 2009) which speaks to a "complexity of relations" (Million 2014, 38-39). Key to Indigenous political action is to imagine new possibilities of living, or, as Million explains, to "make new ways of seeing ascendant, to move to shape the endless spin of the discourses in place, *to act in a now to change the order*" (Million 2014, 38-39). Million continues:

> "Indigenous politics […] imagines humans in relation with life's potential rather than as masters. It is the imaginary that Indigenous peoples hold to when they attach to a

[85] The canoe, for example, is a political being. Taking part in Indigenous ceremony, culture, teaching, gender roles, sovereign relations, the canoe embodies political life.

> future beyond a present that is increasingly ensconced within a medicalized therapeutic diagnosis of our colonial wounding" (2014, 38-39).

Million's comments point us to a tension, however, that is not immediately clear, but which is at the core of what it means to act politically: the concept of recognition – and the implications of embracing or refusing it. This tension marks the distinction between the politics of recognition and the politics of decolonisation. Recall Coulthard's notion of resurgence as a response to the observation that the Canadian effort to 'recognise' Indigenous claims, in whatever form, is contemporary colonialism. For Coulthard, resurgence is embodied in direct action, which both resists degradation and exploitation of land but also asserts Fourth World ways of being and relating to the world (2014, 169; Alfred 2009, 36). Whereas liberal political thought sees direct action, or disobedience, as a tolerable and necessary mechanism that in fact serves to pacify aggrieved subjects (Laudani 2013), for Indigenous peoples, decolonised direct action is morally justifiable as it seeks to reverse both internal and external oppressive power practices and to construct alternative relationships (Coulthard 2014, 166). Simpson and Smith summarise it succinctly: a politics of recognition "entails a claim to uniqueness that justifies the state" whereas a politics of decolonisation requires a dismantling of colonialism, white supremacy, and capitalism, as well as "imagin[ing] ways out of the moral and political impasse of recognition and into different modes of possibility" (2014, 10-11). Whereas recognition does not require resistance to the settler state, decolonisation demands "build[ing] forms of political power to make that happen" (Simpson and Smith 2014, 11).

Freedom Babies are living forms of such power, a decolonised possibility. The FBM is resurgence in action as it operates outside of colonial structures of reconciliation, and is inherently external self-determination in thought, values, and practice (Alfred 2009, 33). The birth of the Freedom Baby is a literal, physical expression of what is possible, an unconditioned

potential for a better future. The Freedom Baby is, at birth, immediately political, a material refusal of colonial oppression, an act of reproductive and external self-determination, one that need not await engagement with state-led political processes, but one that occurs within an "alternative political space" that sees state institutions and processes as illegitimate pathways to change (Weiss 2016, 357).

> "Stop calling us "environmental activists" we are Indigenous Peoples enacting our Indigenous Laws on Indigenous Lands." – Kanahus Manuel[86]

> "I'm not protesting. This is our land! #native #truth" – Alaina John[87]

It is clear that decolonial noncitizenship is an inherently political act. Drawing from Alfred, decolonial exit is a movement wherein spiritual and community connections are restored through an ethic of courage, where freedom can re-emerge (Alfred 2009, 28-29). FBM refusal is simultaneously an assertion of, broadly, Indigenous political values and processes, and a rejection of those constructed by the colonial state to dispossess and disappear Indigenous peoples. In this decolonial context we can see that exiting the state is not cowardice or fleeting, but a demonstration of grounded normativity that "inform[s] and structure[s] [Indigenous] ethical engagements with the world" (Coulthard 2014, 13) where exit takes place *in order to* remain connected to a political community. In this way decolonial noncitizenship is also a demonstration of Indigenous politics, an embrace of relational and future-oriented imaginaries of new ways of living.

The question remains: is non-registration of birth – this new way of living – a harm that is *justified*? Both Alaina John and Kanahus Manuel have expressed that the practical

[86] Twitter post 25 February 2021. Accessed 22 September 2022.
[87] Twitter post 11 July 2018. Accessed 22 September 2022.

implications of non-registration are significant. From dental care to emergency medical care, both mothers rely, at times, on community support, financial and otherwise, to assist them in their practical needs.[88] Whether either mother has considered the potential that their children will be disadvantaged later in life when they do not hold legally recognised identification documents is unknown. Their assumption may be that their children will live on their territories, and perhaps not need or desire formally recognised state identification. It is clear that for both women the risks of non-registration are worth it. The inability to access emergency medical care or to travel internationally may be perceived as an interim necessity so as to enact their claim to sovereignty and freedom.

This chapter demonstrates that whether this predicament is a harm depends upon on who you ask. In the western liberal paradigm, the answer is clear – children whose births are not registered are at significant risk of harm in ways that impact immediate health needs and longer-term access to socio-political rights. Yet, by adopting a decolonised way of thinking the potential harms of non-registration are weighed against those incurred through becoming a citizen of a colonial state, and the latter takes priority. Though I am compelled by FBM arguments against the state and generally try to adopt decolonial thinking, I do lean on my western roots when it comes to children. The potential harms of statelessness that a child faces are too great to justify the move to non-nationality, irrespective of rationale. Children have unique vulnerabilities and to strip them of access to health care, for example, is egregious. Indeed, this way of thinking may be colonial; institutionalised health care may not be considered the best standard of medical well-being for an Indigenous child, as we have seen throughout this chapter. I do not comment on this debate but recognise instead that denying a child the option for such care – or for legally

[88] Both mothers make requests for donations in the forms of food items, furniture, transportation to cities, and financial assistance.

recognised identity documents – is too great of a harm. The contemporary reality for a child whose birth is unregistered, or who is *de jure* or *de facto* or at risk of statelessness, is precarious. I am guided here by the simple observation that, whether one likes it or not, in matters of protection, the state is essential. Without nationality, or legally recognised residency, a child is ostracised from many social necessities of life. I suggest a compromise in this respect via an individual right to self-determination for adults, which I articulate in chapter eight, *A Theory of Intentional Noncitizenship*. In other words, should a child who reaches adulthood desire to become a noncitizen, that person ought to be granted that right.

There are several points of concern raised by the Freedom Babies movement that I did not focus on in this chapter. Perhaps the most pressing is the role that decolonial exit has in the context of international law which holds that external self-determination does not generally apply to Indigenous peoples. Secession is permitted only in limited circumstances including when the human rights of 'peoples' are violated, in circumstances of colonisation, or foreign occupation or domination (Busquets 2020, 160). Therefore, self-determination for Indigenous peoples is permitted *internally*, or in the context of self-government within a sovereign state, as I noted above with Canadian attempts to 'recognise' autonomous self-government.[89] In chapter eight, I explore what the Freedom Babies movement – which operates in the context of *external* self-determination – can tell us about INC and international law where the latter does not permit the former. First, I turn to a second instantiation of intentional noncitizenship in the case of anti-statists who refuse the state through renunciation of citizenship.

[89] The right to self-determination and the right to self-government in exercising that right are enshrined in Articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which establishes a framework of minimum standards for the well-being and rights of Indigenous peoples.

Chapter Five: Anti-statists: Renouncing Citizenship as Relational Obligation

I. Introduction

As I detailed in chapter three, the liberal democratic state is generally considered legitimate because it facilitates a number of goods ranging from security to freedom to citizenship. Within these debates there exists significant variation concerning the extent to which states have responsibilities to their own subjects and others who reside outside of their borders, rendering citizenship to a state a decisive marker of human rights access amidst global circumstances. Critics of state induced famine, environmental disaster, climate change, crimes against humanity, and human rights abuses observe the state to be fundamentally linked to the threat of perpetual conflict and harm. This chapter explores the work of two such anti-statist critics who have challenged state-led injustice. Garry Davis and Clark Hanjian refuse state injustice through the renunciation of their United States citizenship and have chosen to live as stateless persons as a result.

Before I begin, I make two clarifications. First, throughout this chapter there are points at which it seems anti-statists can be considered civil disobedients or conscientious objectors. Recall from the *Introduction* to this dissertation that civil disobedience is the protest against and desire to change an act or law perceived to be morally reprehensible. However, despite their contempt for the law in question, disobedients remain faithful to the 'system' as a whole. Conscientious objection is a principled act of protest based on personal conviction, one that is private and does not seek wider societal reform. Refusal, however, is a concept and action quite different than civil disobedience or conscientious objection. While anti-statist refusal of citizenship is civil, public-facing and non-violent (Rawls 1999), and is communicative in its strategies (Brownlee 2012), it does not maintain fidelity to the 'system' as a whole but in fact

refuses the institution of citizenship in its entirety. Similarly, while anti-statists ground their refusals in large part on their consciences, their actions are public and are committed to wider systemic change. As will become clear throughout this chapter, anti-statist renunciation of citizenship is most clearly an act of refusal in that it challenges dominant and dominating narratives of recognition, it advances an alternative political project, and it is inherently relational, that is, despite being an individual act, it is grounded in the well-being of others and works to achieve that goal.

Second, I interpret anti-statist arguments as essentially cosmopolitan. Cosmopolitan literature is broad and diverse and anti-statist claims align with more than a few strands but are also not always compatible. For example, whereas Davis espouses a political, or institutional, cosmopolitanism in his promotion of a world citizenship and world government, Hanjian sees a global cosmopolitan governing entity as an inherent threat to the individual's natural right to statelessness. Moreover, far from embracing a statist cosmopolitanism, which sees the state as a potential agent of cosmopolitan justice (Ypi 2008), or a democratic model that relies upon citizenship (Held 1995; see Shah 2006), anti-statist refusal of citizenship is *not* an absolute refusal of the state. In other words, while anti-statists espouse luck-egalitarianism in their refusal of citizenship as arbitrary, they also *conditionally* tolerate the state and membership to it. Most fundamentally, however, both activists are committed to moral cosmopolitanism, the theoretical branch (and foundation) that holds all individuals in equal moral worth and concern.

Drawing, then, from moral cosmopolitan thought, I find that anti-statists Garry Davis and Clark Hanjian refuse the state by renouncing their citizenship based on four sets of ideas. First, that we all innately belong not to a political community, but to a higher, moral community of humanity. States do not possess a monopoly on sovereign authority, rather human beings are

inherently sovereign and possess a set of fundamental human rights including the right to statelessness. Second, the state harms its subjects through the norms of militarism and recognition-based rights which result in material harms. Third, freedom is not bestowed upon the individual by the state but is rather an internal process of reflection and conscientious responsibility. Finally, citizenship is an imposed mechanism that prohibits the individual from being an agent of their own nationality. In this way, anti-statist intentional noncitizenship is an act of individual political self-determination that tolerates the state and thus a compromise that acknowledges the impracticality of abolishing citizenship. Guided by these findings, I conclude by noting the implications anti-statist arguments have on the notion of obligation between the intentional noncitizen, their community, and the state in which they must inevitably live. I engage with so-called communitarian thought to highlight that reciprocity and association accounts of obligation are indeed relevant to intentional noncitizenship. I argue that INC obligation embodies a moral duty to community members amidst a dynamic reflection of relations between citizens and INCs that are *not* conditioned by citizenship.

The Individual is Sovereign

Anti-statists' comments on sovereignty focus primarily on its source. Both Davis and Hanjian ground their appeal to intentional statelessness[90] in the claim that we all belong to a community 'higher', if you will, than the state. Anti-statists agree that sovereignty is supreme authority over a particular jurisdiction with the right to self-determination in both internal (domestic) and external (foreign) matters but hold that the individual is naturally sovereign and has only granted

[90] Both Davis and Hanjian use this term.

the state temporary powers to rule on the sovereign individual's behalf. The individual's allegiance is not to the state but to humanity.

Some scholars argue that the "cosmopolitan moral universe" relies upon specific fundamental features: that "each person is a subject of equal moral concern; that each person is capable of acting autonomously with respect to the choices before them; and that, in deciding how to act or which institutions to create, the claims of each person affected should be taken equally into account" (Held 2005, 15). Anti-statist claims related to sovereignty are grounded in this disposition. For example, Davis conceptualises humanity as a diverse and fluid thing, but he holds to the idea that humanity at the most fundamental level is where "mankind is … united and the world is … one" (1961, 127). We share experiences, needs, and characteristics – both physical and social – that bind us as a community irrespective of and prior to any political organisation or allegiance. Among the experiences that humanity shares is "our status as prisoners of an anachronistic geo-political system" (1992, 55). These vulnerabilities implore each of us to 'take a stand' for our "natural rights as a human being [and place ourself] at the threshold of a new allegiance – to humanity and the world" (1992, 46).

This "higher civic allegiance" (Davis 2003, 72) is a realm wherein human rights are inalienable and global (Daivs 2003, 247; Hanjian 2003, 149). Thus, our allegiance to each other is grounded in our shared and innate experiences of living, needing, and feeling. Rather than documentation and proof of identity, humanity is recognised through understanding and love (Davis 2003, 339), and is not bound by state borders (Davis 1961, 21). Hanjian agrees that individuals are inherently linked to each other, and our individual well-being is dependent upon the well-being of others (2020, 9). Hanjian conceives of humanity as a connective social unit whereby all humans possess rights that are fundamental (2003, 148). Fundamental human rights

exist outside of any citizen-state relationship, despite the narrative that rights and protections are facilitated by states and recognised by international law, both of which are grounded in the principle of nationality (Hanjian 2003, 219).

Hanjian notes that each individual is "entitled to their full and proportionate share of political power—i.e., the exclusive power to represent oneself, to act in one's own behalf, and, ultimately, to rule over oneself" and not others (2003, 41). This point is not a subtle one. Hanjian is clear that "the liberty to govern others is not a fundamental human right" (2003, 124). Thus, it is the individual who is sovereign, subject to no higher authority, and a civic allegiance is legitimate insofar "Because each one of us has the sovereign right as human beings to identify ourselves politically or otherwise" (Davis 2007, 4). His is not a theoretically robust usage of the term but what he does explain is clear: "In short, we must personally, each one of us, recognise ourselves as individually sovereign, that is, a world unto ourselves, an authority, sure, capable, self-motivated, self-contained, and self-governed, a full awareness of that part of us which is conscience and its servant reason" (2003, 32). To support his point, Davis draws from the Universal Declaration of Human Rights (UDHR) and its assertion that "everyone has the right to recognition everywhere as a person before the law" (1961, 165; UDHR, 1948).

Davis argues we are our own governors (1961; 2003), but he observes that when individuals come together "the exercise of personal sovereignty is the basis of authority for the social contract called government" (1992, 18). Through the process of becoming a community we gain new freedoms, new securities, and develop a new, aggregated sovereignty (1992, 19). Thence follows Davis's contractarian claim that political authority is a logical development of community expansion, but he maintains that the people remain sovereign, and indeed that the state "is the servant of the sovereign individual, which is the basic principle of democracy"

(2003, 37). This is not fully articulated but Davis continues: “It stands to reason, then, that world order derives its authority from those residing in [any] community – namely, citizens of the world” (1992, 21). In other words, anti-statists do not accept the claim that political authority alone affords the state legitimacy to function, but rather it is a humanist justice based on individual sovereignty that forms the core of any legitimate state power (Moellendorf 2002, 105).

Hanjian conceptualises individual sovereignty as self-determination and “the supreme, autonomous, and legitimate authority of every individual to rule over herself and to determine her own will, intentions, beliefs, actions, and guiding principles” (2003, 108). Whereas conceptions of individual sovereignty concern the prerogative to determine one’s actions and choices in matters of bodily autonomy, occupation, and love (Thrasher 2019), anti-statists argue the individual is naturally endowed with *political* authority and thus the right to determine their political relations. Here, self-determination implies the relations that a sovereign individual would have with external actors (states, other sovereign individuals). Hanjian claims human beings have the prerogative to exercise sovereign authority, and this includes the “right to be treated as a sovereign entity, [the] right to withhold allegiance from states, and [the] right to be free from state imposed restrictions and requirements” (2003, 11). Furthermore, states do not have a right to territorial sovereignty because a state cannot have any fundamental rights “apart from the aggregate entitlement of the fundamental human rights of the individuals who constitute the state” (Hanjian 2003, 118). Anti-statists therefore demonstrate it is possible to understand contemporary democratic affiliation beyond the territorially bounded state (see Held 1995; 2005, 21).

The Insecurity of Militarism and Recognition-Based Rights

It is clear that both Davis and Hanjian challenge the legitimacy of the state through it's unjust claim to sovereign authority and the requisite institutionalised transformation of natural to imposed positive rights. Anti-statists accept the general claim that states, despite having acquired sovereign authority by abuse of artificial power, indeed *ought* to protect their subjects from foreign and domestic threats. In other words, the appropriation of sovereignty from the individual to the state does not preclude the state from obligations of justice to its subjects. But anti-statists observe that, in reality, the state does not ensure the security of its subjects by protecting them from other states and individuals through mechanisms of coercion such as law and enforcement. Instead, the state is seen to cause harm through the norms of militarism and recognition-based rights that result in material inequalities.

Anti-statist refusal highlights that it is citizenship itself that facilitates structures of domination that have material effects. Anti-statists argue citizenship is an insufficient mechanism of security as the perpetual threat of war in an international system of anarchy leaves the state unable to protect the individual against the consequences of conflict. Davis writes

> "A world of nation-states is essentially a lawless, anarchic world in which conflict is the defining political and social force. For the nation, 'national security' is another word for repression. War is a way to protect the 'common welfare', often by destroying it. […] In the nation-state, the social contract called 'national citizenship' becomes a collective suicide pact. We simply don't know when we'll be asked to die – or for what" (1992, 57).

For Davis, the state is illegitimate because it has broken the social contract in two ways: it causes harm to individuals and communities across the world as well as the environment, and it cannot protect the individual's right to life (2003, 329).[91]

Hanjian extends this claim further and notes that the conceptualisation of war is not static but can be expanded to include the 'war at home,' the norm of militarism as a means for conflict resolution, a "system" of "institutionalised self-interest, dependent on tools of coercion and harm" (2020, 5). Here, the subject who is meant to be protected by the state is, in reality, subject to increasingly pervasive mechanisms of biopolitical control "including institutional violence,[92] the marginalization of certain communities through lack of funding, militarization of police forces and border guards, prisons and violence in the criminal justice system, immigration forces, and the 'intelligence' community" (Hanjian 2018, 6).

Hanjian perceives the threat of harm as equally disturbing (2020, 16), a facet of the normalisation of militarism into our day-to-day practices, and the normalisation of harm as 'the way things are'. Hanjian rejects militarism as an approach to conflict resolution because it "encourages us to maintain the following intentions: deceit, coercion, stress, confusion, threats, humiliation, distraction, exploitation, dehumanization, and violence" (2020, 23). This approach both assumes and legitimises suffering, but also "abandons ethical traditions" (2020, 23) as it requires an *intention* to harm (2003, 24). Thus, for Hanjian, the pervasive unsustainability of militarism goes beyond the impact to human life:

[91] Davis is not charging the state with not guaranteeing life but rather that it cannot guarantee the *right* to life. There is an important distinction here where the former invites the critique that it is not reasonable to expect the state to guarantee life but rather it is only reasonable to expect the state to provide a sufficient degree of protection from adverse forces. Davis's right to life critique implies, rather, a grievance toward state processes, such as the military draft, that obligates the individual to risk their life.

[92] Hanjian does not elaborate on what institutional violence entails.

> "conflicts persist, safety is elusive, resources are depleted, our environment is undermined, individuals are hurt, communities are damaged, and the human spirit suffers" (2020, 7).

Just as the state cannot sufficiently protect its citizens from domestic or international threats to security, anti-statists point out that membership in legally circumscribed terms is a leading cause of material and ontological insecurity. On this view, all individuals on earth are vulnerable to the birth lottery, as it were. Those who uphold nationality as crucial to one's life course see citizenship as a mechanism that facilitates several socio-political rights, and rightly so. As we saw in chapter three, nationality permits mobility across borders, socio-economic advancement, and access to basic human rights.[93] The corollary argument, of course, is that lack of nationality hinders these goals. Yet, many point out that nationality also facilitates harms to those unlucky enough to be born in impoverished, authoritarian, or conflict-prone states. As Brock explains, "The idea is that it is a significant matter of luck that those in developed affluent countries have such good prospects for great lives whereas those born in poor developing countries suffer poor life prospects. It is radically unfair to allow the moral arbitrariness of birthplace to result in such disparities" (2019, 316).

Davis conceptualises national citizenship as "the restrictive rights and duties within a given social structure" (2003 [1953], 39) and argues documents are tools that permit the state to dominate and punish (1992, 17). Documents "give status, dignity and privilege to the issuing authority rather than to the bearer" (Davis 1961, 26), and simultaneously exclude some people from basic securities of life including health care and education, and freedom of movement. The birth certificate and passport are two such tools which Davis confronts as testaments to the state's abuse of power and the absurdity of formal recognition. He argues the state "usurps" the

[93] In many cases it is not nationality but rather legal residency that facilitates access to rights. I engage with this tension in chapter eight, *A Theory of Intentional Noncitizenship*.

child at birth and claims them as property, denying the individual freedom, rights and dignity (Davis 1992, 131). The passport is similarly egregious, a fraud (Davis 1961, 113). It is a marker of and legitimises the arbitrary frontier of the nation-state and is granted and revoked at its discretion (Davis 1992, 59). Davis claims that the passport is a deception that persuades one to give up their inalienable human right to movement, making a mockery of humanity (1992, 59; 2003, 108). The comedic essence lies in the legal fact that the recognition of the individual relies on the possession of these documents and the state to grant them, without which the individual does not legally exist. The notion of existence is the driving force of his critique here. He challenges this "modern drama" wherein an individual's existence, identity, and rights are dependent upon a piece of paper that has been authorised by the artificially bounded nation-state (1998, 34), demonstrating a key cosmopolitan critique that sees nationality as an inappropriate foundation upon which to evaluate the distribution of goods and basic securities of life (Caney 2006; Nussbaum 2005; see Brock 2013). In other words, nationality is an arbiter in the provision of basic human rights – but wrongfully so.

For example, as we have seen, those without nationality are disadvantaged, generally, vis-à-vis citizens, affluent or otherwise. But studies show that stateless people who are granted citizenship are not always relinquished from the jaws of discrimination. Some thinkers have pointed out that citizenship may not be the most effective tool to eradicate statelessness because discrimination remains a function of historical and political circumstances (Swider 2017, 191) and judgments of individual state administrators (Jain 2022), and that the "ending of direct discrimination on the basis of nationality does not undo structural effects or other modes of discrimination" (Blitz and Lynch 2011, 204). Structures of domination and oppression remain and take effect with or without citizenship, giving currency to the argument that nationality is

itself a form of discrimination, and is "inherently a means of ascribing difference on arbitrary grounds, grounds which we would not find defensible in relation to other forms of group membership" for example, a particular ethnic group or religion (Tonkiss 2017, 248). Anti-statist refusal of nationality on these terms reinforces the claim that the system of recognition-based rights is unjust, a claim made perpetually discomforting to the liberal narrative where citizenship facilitates the just distribution of goods amongst citizens.

Freedom as Conscientious Responsibility

Anti-statists each see state authority and violence as indicative of broader societal harm that spans humanity. Thus, in addition to inherently possessing sovereignty and the prerogative to exercise that authority, both Davis and Hanjian argue that we have the responsibility to do so. It is here where anti-statist conceptions of freedom take shape. Like their FBM counterparts, their perspectives on freedom are dynamic and embody some but not all of the pro-state narratives concerning freedom. In particular, anti-statists agree that freedom entails an absence of external constraints *and* the ability to pursue one's life choices, but fundamentally disagree that it is the state that facilitates such. Aligning with their claims related to security, they accept the general claim that states, despite having acquired sovereign authority by abuse of artificial power, indeed *ought* to facilitate the freedom of their subjects. However, the source of freedom lies not in the state but in ourselves. This aligns with ideas related to self-mastery in that freedom comes from acknowledgment and adherence to one's spiritual and ethical disposition, and thus embodies a personal transformation that leads to the enhanced well-being of humanity. In other words, freedom is conceptualised as a conscientious responsibility to disengage from state practices that cause harm to others.

Since we cannot trust the state to facilitate peace, anti-statists appeal to individuals and our inner convictions to bring about harmony amongst peoples. Moral courage is required to work toward the well-being of others. Davis's work is rooted in his personal responsibility, but he also heeds the UDHR in its assertion that "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood" (UDHR 1948, Art. 1; Davis 2007, 3). The responsibility we have to each other can only be executed once we have "secure[d] ourselves deep within our own reason and conscience" (2003 [1953], 32). Only then can we "discover the joyful world of sovereign humanity" (Davis 1992, 13).

Davis makes the distinction between one's rejection of practices because of conscience and what he notes as 'conscientious objection'. The latter takes place alongside "continued political allegiance to one's nation-state" (Davis 1992, 133; 2003, 66), whereas the former occurs out of an explicit refusal to legitimise practices one disagrees with, irrespective of the consequences. Thus, because citizenship is a demonstration of allegiance, the very act of claiming citizenship renders one complicit in state violence. Hanjian agrees with Davis in several ways but draws upon personal integrity as grounds for the conscientious responsibility to disengage from the state. Resistance, for Hanjian, is conscientious, requires courage, and is a commitment to "principles and endeavors [sic] that nurture cooperation, toleration, fairness, inclusion, and sustainable living" (2018, 4), and expresses a reflexive, cosmopolitan condition of "creative interaction of cultures and the exploration of shared worlds" (Delanty 2019, 6).

To reduce one's complicity in the "military machine" one must work towards living and acting according to one's spiritual and ethical disposition (Hanjian 2018, 7). Like Davis, Hanjian holds the individual accountable for their actions – and the actions of the state – and encourages

a deeper reflection on our complicity with injustice. Rather than being facilitated by a set of democratic institutional mechanisms, freedom emerges from one's willingness to engage in change. Thus, like Davis, Hanjian's choice to become intentionally stateless is grounded in two key separate but linked principles: conscience and responsibility. Hanjian writes

> "I feel compelled by conscience. The demands of state membership often conflict with principles I try to follow: nonviolence, compassion, forgiveness, generosity, personal responsibility, and consensus-building. States routinely prioritize the shortterm self-interest of their citizens over the long-term well-being of the global community, they do not give quality attention to minority concerns, and they depend on coercion and harm as necessary tools for governing and global relations. Because my conscience is troubled by these core characteristics of states, I cannot in good faith maintain status as a citizen" (2017, 1).

Recognising the state of the world, the state's role in its destruction, and our complicity through our legitimisation of the state, Hanjian sees responsibility as both a driver and outcome of noncitizenship (2017, 1). He continues,

> "because I want to live in a more free and responsible society, I feel I must work to be more free and responsible myself. I believe that a society cannot change significantly unless the individuals who constitute that society change significantly. By choosing to be stateless, I challenge myself to engage more intimately in the task of balancing freedom with responsibility (2017, 1).

That each person should be taken equally into account demands personal responsibility in that individuals must be aware of and accountable for their actions that may affect others (Held 2005, 15). This responsibility entails making and having the *capacity* to make a meaningful contribution to the greater community (Hanjian 2017, 1). Hanjian notes that "being a responsible member of society is not a function of citizenship status. It is a matter of individual character and commitment" (2017, 1), embodying what Pogge refers to as interactional cosmopolitanism, where individuals embrace responsibility for the human rights of others by regulating their own

conduct (1992, 50). Accordingly, becoming a noncitizen is a way for an individual to "better integrate conscience and action" (Hanjian 2003, 83).

Freedom is thus an act of personal and social transformation, an act elicited by conscientious responsibility. After successfully renouncing his United States citizenship, Davis feels a sense of freedom different from what he held previously. He writes

> [W]hat a phenomenal status I enjoyed as a paperless person. I was literally the symbol of frontierlessness and one recognised by a so-called sovereign government, able to move about, free to speak, hold meetings, and write and publish. I was a symbol of a brave new world-to-come wherein all would enjoy such freedom (1961, 71).

He continues "I was becoming a little more of a person and … 'America' and 'France' were becoming a little less presumptuous […] As the days passed, I began to realise that I had to divest myself of still other appurtenances in order to become more fully human" (1961, 27).

Hanjian agrees that freedom is paramount to the psychological experience of intentional statelessness. Choosing intentional statelessness opens the door to a number of freedoms unavailable to citizens. Sovriens[94] are free from obligation to the state, generally. Hanjian notes that this is a political but also a psychological freedom in that the sovrien is free from the state's power to persuade the individual that they have an obligation to it (2003, 85). Secondly, the intentionally stateless person is psychologically free from partaking in their own oppression which is carried out by the same democratic processes said to promote liberty. Oppression occurs not only with brute force but also the threat of coercion, and being free from the obligation to submit to state authority out of fear is a key component of disengaging from the state (2003, 85). Finally, Hanjian notes the simple fact that exiting the state permits the individual *real* political

[94] 'Sovrien' is the name Hanjian gives his intentionally stateless individual: Sovrien is "a hybrid of *sovereign* and *alien.* It means an intentionally stateless person; one who chooses to be a citizen of no state" (Hanjian 2003, 15).

neutrality (2003, 86). The sovrien can form alliances and "engage in international affairs as her conscience and interests dictate" (2003, 87).

Such disengagement demonstrates what cosmopolitan thinkers Woodward and Skrbiš refer to as a "radical decoupling of social action and imagination from national or local anchors – freed from the assumptions of methodological nationalism" (2019, 130). Davis and Hanjian argue that one's personal transformation into a noncitizen is deeply connected to the social transformation towards which they must continue to work. Whereas the "cog in the machine [the state] acts without personal responsibility" (Davis, 1992, 17), sovriens, Hanjian notes, have additional responsibilities: 1) refrain from critical interference in the lives of other human beings, (2) refrain from substantially threatening or harming other species, (3) make some contribution to the common good, and (4) abide by basic moral standards calling for respect, understanding, compassion, generosity, and charity (2003, 234).

Citizenship as Arbitrary Imposition

Anti-statist claims related to sovereignty, security, and freedom are inherently linked to their positions on citizenship. Anti-statists disagree with both the claim that individuals ought to be a citizen of the state, and the claim that citizenship to the state facilitates material and ontological benefits. They counter that citizenship is inherently exclusionary and that it is imposed upon individuals. Nationality is an arbitrary and therefore unjust mechanism to organise humanity as it restricts individuals from choosing their nationality or consenting to nationality imposed upon them.

I noted above the claim that the matter of birth generates debate on equal moral worth with many cosmopolitan thinkers agreeing that delineating rights based on location of birth is

arbitrary (Brock 2019). This position observes location of birth to result in "differential life chances" that individuals have no choice in (Tan 2008, 690). Anti-statists agree that the system of recognition-based rights is harmful; citizenship is an imposed constraint on the individual, an exclusionary marker of the arbitrariness of birth that causes material insecurity. They take this argument further and claim that compounding the material vulnerability all individuals on earth share in the birth lottery is the lack of control one has in identifying politically. Even if one disagrees with anti-statist positions on individual sovereignty, their claims raise the challenge that individuals are not agents in their own nationality. Individuals granted nationality at birth cannot choose this bond, nor can they sever it until and unless they are privy to acquisition or renunciation processes, often at adulthood. Moreover, there is no right to choose one's nationality; international law is clear that everyone has a right to nationality but not the right to select a preferred nationality.

On a cosmopolitan interpretation, what it means to be an autonomous agent is therefore muddied. At a basic level, one's ability to decide their political allegiance is non-existent, demonstrating that in this respect, subjects (citizens) of liberal democratic states do not "enjoy equal liberty to pursue their own activities without arbitrary or unwanted interference" (Held 2005, 21). Moreover, how one can *feel* toward their state (whether they are legally attached to it or desire to be) vis-à-vis the deeply held sentiments of nationalism and the personal (desire to enlist) and practical (conscription) aspects of allegiance, for example, does not emerge organically but is ascribed by a predetermined set of practices at birth. Thus, the liberal tenet of autonomy is, in this respect, moot and reveals a paradox. The international state system, and particularly the liberal democratic state, is constructed *un*democratically as it relates to ascribing nationality in which individuals have little, if any, recourse.

Furthermore, whereas Davis argues citizenship is a restrictive and oppressive practice which should be rejected, Hanjian argues that citizenship should be rejected because individuals do not explicitly consent to nationality (2003, 43). Hanjian conceptualises citizenship as "a reciprocal relationship between an individual and a state which requires the consent of both parties […] If either party opts to withhold its consent, then the individual is not a citizen of that particular state" (2017, 1). Hanjian notes that if we indeed have an obligation to not interfere in the lives of others, then the individual-state relationship known as citizenship, and the requisite right to govern, must, accordingly, be grounded upon explicit consent (2003, 124). For Hanjian, consent means "to agree voluntarily. Consent is predicated upon one's free will, feelings, intention, and volition. It is an action reserved solely to the jurisdiction of the individual" (2003, 42).

Hanjian offers several reasons why citizenship is (ought to be) based upon *mutual* consent of both parties. He argues that citizenship is not innate to humans, it is not a characteristic associated with birth, and the political relationship that it points to is temporary (2003, 46). Furthermore, birth on a particular territory does not create an intrinsic allegiance rather one that is random and manufactured by existing political structures, and indeed one that can change. Hanjian claims that citizenship is *not* a fundamental human right, nor is it an obligation. Those who assert the contrary cite the capacity for citizenship to fulfil several rights and obligations for both states and individuals. Hanjian claims that the fact that citizenship can assist in achieving these objectives does not automatically create an obligation to obtain it (2003, 57). Finally, the argument that citizenship is based on mutual consent of both parties necessarily demands an inherent right to statelessness.

Anti-statists highlight a paradox where nationality is necessary to facilitate material and ontological security, yet it is imposed without consent, revoked by state discretion, cannot be chosen, and without it the individual does not legally exist. They argue individuals are not obligated to the state because, as we saw above, human beings are naturally stateless and thus sovereign, state authority is arbitrary, temporary, and imposed along political lines – none of which are inherent to personkind. This claim raises a normative challenge to the liberal assumption and practice whereby the exclusive state-based membership model of citizenship is a just and legitimate way to organise socio-political relations.

It is clear that renouncing citizenship comprises a complex understanding of one's relationship to the state and the world beyond. For both men statelessness is a natural state and subjecthood itself is a tool of interference in an individual's natural sovereignty. Despite their contempt for the contemporary state system, anti-statists embrace a practical approach towards INC, consistent with their allegiance to humanity. Intentional noncitizenship is not an absolutist response to unjust state practices, and in fact tolerates the state albeit under certain conditions. Anti-statist INC acknowledges the impracticality of abolishing citizenship and the value of membership-based affinities for many and offers a compromise in the form of dual allegiance, where an individual can choose noncitizenship *and* retain substantive connection to a state. Davis, for example, calls for world citizenship but permits it to exist alongside citizenship to the state (2003, 147).[95] Hanjian permits citizenship to the state so as to more effectively address tensions between conflicting nationalist-cosmopolitan ideologies.[96] This dualism may present

[95] Davis's world citizenship is executed in practice through world government. Davis created the World Service Authority (WSA) which has developed into a full-fledged government with currency, law and legal representation, and identify documents.
[96] Hanjian rejects Davis's proposal for world citizenship and government through his World Service Authority. He writes "While sovriens are free to form associations, and such associations are free to issue official documents to their members, we must be

itself as an inconsistency, but Davis is clear that his rejection of the state is tempered by an acknowledgement of the priority of humanity. In fact, "No act of becoming officially stateless or renouncing national citizenship is required to be a citizen of World Government, since what we are renouncing is not borders per se but allegiance to the exclusivity and absolute sovereignty of the national state" (2003 [1979], 326).

Noncitizenship is thus a practical intervention in the sense that it responds to the call not for the dissolution of the state-system or borders but to the right to stateless individual sovereignty. We can thus understand renunciation of citizenship as an act individual self-determination in the political sense, an act of departure from the violent, exclusive state towards the restoration of humanity as the legitimate political unit, to which we all, individually, have prior allegiance.

II. Conclusion: Refusal as Relational Obligation

In this chapter I set out to explore the arguments presented in the justification of noncitizenship within the anti-statist context. I approached the work of Davis and Hanjian through a mainly cosmopolitan framework and found that anti-statists ground their renunciation of citizenship on four sets of ideas. First, that we all innately belong not to a political community, but to a higher, moral community of humanity. States do not possess a monopoly on sovereign authority; rather human beings are inherently sovereign and possess a set of fundamental human rights including the right to statelessness. Second, the state harms its subjects through the norms of militarism and recognition-based rights which result in material harms. Third, freedom is not bestowed

clear that such associations have no power to assign or deny sovrien status… organizations such as the WSA may bear characteristics of traditional states, thereby opposing the independent and sovereign status of sovriens (2003, 175).

upon the individual by the state but is rather an internal process of reflection and conscientious responsibility. Finally, citizenship is an imposed mechanism that prohibits the individual from being an agent of their own nationality. In this way, anti-statist intentional noncitizenship is an act of individual political self-determination. Exploring anti-statist exit reveals that the relationship between one's location of birth and life outcomes is a key marker of discontent with the state in both empirical and normative matters. Some argue, however, that those who claim that rights-based recognition delineated by birth is arbitrary – luck egalitarians – falter when it comes to theorising beyond this intuition (Brock 2019). Anti-statist exit attempts to fill this gap, in part, by conceptualising intra-state obligation between INCs and nationals.

Anti-statists are not primarily concerned with duties across borders – the global justice debate – in other words, the balancing of obligation between foreigners and members of one's national community.[97] Anti-statists do, however, explicitly write on duties between the intentional noncitizen and the state, specifically that INCs owe nothing to the state as a matter of both principle and right,[98] and the state is obligated to recognise and facilitate INC.[99] I turn now to how Davis and Hanjian consider duties between intentional noncitizens and the communities (both the national community and one's immediate neighbours), in which they live. This is a discussion about duties concerning those who refuse the state but who must inevitably live

[97] Anti-statists do not explicitly write about whether states have duties to those beyond their borders. It would seem, given their cosmopolitan disposition, that they would.

[98] Anti-statists envision almost no duties owed to the state by the INC as a matter of principle (the state is illegitimate for the reasons noted throughout this chapter), and as a matter of right (the individual is naturally stateless). Hanjian notes the choice to become stateless demands, however, two responsibilities that are a matter of INC integrity. First, sovriens have a duty to inform one's partner state of their choice to expatriate, this as a matter of courtesy to the state as a partner in the relationship to be dissolved. Second, the sovrien must act as a sovereign entity, which entails the duty to refrain from deceiving the state or others in appearing to be a citizen, and to refrain from receiving state services or benefits (2003, 236).

[99] Because the state has contributed to injustice generally, and imposing citizenship and its monopoly on sovereignty is unjust, the state has corresponding duties to the INC. Because INC demands the rebalancing of sovereign authority which prioritises individual self-determination, the state has a duty to facilitate noncitizenship and its recognition before international law, including to treat the INC as a sovereign entity free from compulsion, enslavement, and interference. Hanjian clarifies: "a sovrien should be regarded as a distinct political entity who bears adequate standing in the world arena solely by virtue of her fundamental human rights. In other words, the sovrien should be treated more like a state than an alien" (2003, 224).

within some state, foreigners *within* the domestic boundary.[100] I argue that INC obligation can be considered a dynamic reflection of relations between, and as a moral duty to, communities irrespective of nationality. In this respect anti-statists land on the weaker side of cosmopolitan thinking. To make this argument I draw upon so-called communitarian thinkers who, when thinking through matters of obligation, prioritise the bonds of membership over other types. This may seem at the outset a contradiction: how can anti-statists, who refuse citizenship so seriously, simultaneously embrace communitarian ideas that rely on shared bonds of membership? The answer lies in the notion of relationality.

Relationality in this context is seen in multiple forms including reciprocity (fair play) and association accounts. The reciprocity, or fair play, argument, holds that we receive benefits from our fellow community members and thus we ought to reciprocate duties to them. Individuals who are participants in a joint enterprise of some kind are obligated to bear some burdens in order to secure the receipt of public goods from that enterprise (Simmons, 1979; Dagger, 2008; Tosi 2017, 2018), even though participation may not be voluntary (Klosko, 2020). Such goods can draw from taxes paid by fellow community members as their health, education, and old age needs demand, and reflect the beliefs and values of their members, offering a set of benefits unique to that community (Miller, 2002, 82-83). On this view, friends, family, neighbours, co-workers, and employers who share in the bonds of membership all present opportunities where we are expected to comply with obligations where we may otherwise choose not to do so. This bridges into the association account which sees such "relational facts" (Miller 1995) as key in recognising the special obligations one may have to their community. Thinkers in this tradition

[100] For this discussion I take INCs to be stateless. Whether anti-statists are legally stateless is not of primary concern as I am interested in the normative effects of such on INC-community-state relationships rather than whether legal statelessness is necessary for such effects to occur.

uphold that shared identity and related practices among members of a particular political community generate a shared responsibility to each other and to the state (Heyd 2007; Dworkin 1986; Gilbert 1993). In response, some cosmopolitan thinkers acknowledge the importance of association and attempt to accommodate relationships in their approaches to justice (Moellendorf 2013; See Lenard and Moore 2011). These approaches rightly acknowledge that formal status is but one of several markers of societal relations and duties therein. These debates lend specific insight to our problem here – which is to conceptualise obligation between INCs and nationals *who live within the same state*. Davis and Hanjian make no claims against being obliged to fellow community members and indeed argue that we share close relations with them wherein we have duties. Though anti-statists refuse injustices related to citizenship, (including nationalism, political allegiance, and war), they uphold toleration of and obligation to others based on cooperation, self-regulation, and responsibility. In this way, INC obligation embodies a moral duty to community members amidst a dynamic reflection of relations between citizens and INCs that are *not* conditioned by membership.

For example, intentional noncitizenship necessarily involves working toward the well-being of others by abiding by some sort of moral standard, or a code of behaviour to facilitate cohesive relationships between INCs and nationals who must live together and cooperate in the production of social benefits. Such benefits can include feelings of belonging to one's community; social, communal and professional relationships; engaging in communal projects and volunteering; personal growth; and cultural values, among others (see Miller 2002). Rather than formal status, anti-statists point out that contributing to the well-being of society can rely upon conscience as a driver of change, where one's understanding of liberty is not individualised but directly related to the *other,* citizen or not.

Furthermore, INCs have a duty to exercise exceptional self-regulation. Recall anti-statists' respect for and commitment to dual allegiance, where neighbours are an important part of an INC's ethical disposition and political activism. Hanjian's proposal bears repeating:

> sovriens must 1) refrain from critical interference in the lives of other human beings, (2) refrain from substantially threatening or harming other species, (3) make some contribution to the common good, and (4) abide by basic moral standards calling for respect, understanding, compassion, generosity, and charity (2003, 234).

Here society is a cooperative endeavour where everyone is subject to the same laws because they benefit from others' obedience to those same laws (Dagger 2008, 261). These values are not based on formal membership but rather call upon those who partake in shared identity and related practices, and who can reasonably expect similar behaviour from their community members who, again, may not be citizens.

Anti-statist exit also prioritises responsibility to the community – both at home and abroad. Statist discourse and practice that subjugate subjects, foreigners, and the environment alike therefore demand personal commitment to moderation, the toleration of others, and individual characteristics of integrity and moral courage in refusing harmful state norms and behaviours entrenched into the body politic *and* carried out in its name. Hanjian writes: "The right to be stateless is meaningless without recognition of the responsibilities which attach to it" (2003, 229-230). Anti-statist exit demonstrates that humanity's shared needs and desires cannot be reduced to a bond based on shared identity and related practices within a *particular* community but can be considered vis-a-vis feelings of caring, of love, and of commitment to doing no harm that transcend geographic, cultural, and political boundaries. Such "multicommunity memberships" evidence what Etzioni refers to as the risk of moral oppression where membership to only one community can overwhelm one's moral prerogative and drive them into conformism. Key to this

'responsive communitarian' position is the recognition that the common good and requisite social responsibilities must be considered in light of – and in parallel to – individual rights (Etzioni 2015, 3).

Relational obligation highlights that values related to the bonds of membership can be reconceptualised outside the confines of citizenship. A salient example of this is evidenced in accounts of involuntarily stateless persons who demonstrate strong ties and duties to their communities through social activities and work (McGranahan, 2018), art (Brinham et al. 2019), activism (Cowper-Smith 2021; Baser and Swain 2010), and aspiring to uphold the law (Kane, 2019). Such accounts demonstrate that one can be a part of a collective that relies on relational duties of sacrifice for the well-being of others – one not determined along the lines of citizenship, but rather its absence. Relationality in this context points to the role that formal membership need *not* play in conceptualising obligation. In refusing the status-quo 'way things are' anti-statists call for new ways of living which refuse an either-or conception of what we owe to others. Thinking about noncitizen obligation in light of relationships may relieve some of the immediate tensions presented for the internal exile, to borrow from Shklar (1993),[101] when conceptualising obligations that one may have to *both* their community and their conscience, an approach seen in associational cosmopolitan thought, typically understood in global economic (Moellendorf 2013) or transnational (Miller, 2013) terms. This can be read as a practical pathway for conscience exit whilst living within a state. If an individual cannot reasonably affect state behaviour, one can exit the state – and thus relieve their complicity in the behaviour they perceive to be unjust – *and* maintain substantive relations with their community. By seeing the

[101] I am aware of the need to more clearly distinguish between one's conscientious and universal affinity for others with whom they hold no otherwise special bond and the care for humanity that all people generally have irrespective of their cosmopolitan disposition.

noncitizen as a (sovereign) individual who must continue living as a community member within a territorially bounded sovereign state, we can envision a form of intentional noncitizen obligation as a dynamic reflection of relations between citizens and INCs that are *not* conditioned by citizenship (or birth).

The anti-statist account of exit further supports the observation that the concept of exit – which is generally conceived as withdrawal from an illiberal group into a liberal alternative (Kirkpatrick, 2017) – is in need of a reframing beyond its current conceptual boundaries. Furthermore, complementing the case of the Freedom Baby movement, anti-statist exit reinforces the need to consider the notion of self-determination. In case of the FBM, we are encouraged to reconsider the *internal* limitation on Indigenous self-determination. The case of anti-statists encourages a secondary but related limitation, where external self-determination in international law is permitted only for communities in particular contexts yet anti-statists operate in the context of external self-determination *for the individual*. I engage with this tension in chapter eight of this dissertation, *A Theory of Intentional Noncitizenship,* where I explore an individual right to self-determination. First, I turn to a third instantiation of intentional noncitizenship in the case of the anti-authority movement which refuses the state through practices of citizenship.

Chapter Six: The Anti-Authority Movement: Refusing the Expectations of Citizenship as Moral Autonomy

I. Introduction

Along with rights, citizenship is understood to encompass responsibilities to the state, duties to which the individual citizen must adhere. Such responsibilities include obeying the law, taking care of one's family, serving on a jury, voting in elections, and helping others in the community (Government of Canada 2016). The idea is, generally, uphold justice and pay your bills and life will function as it should. For most, these expectations are normal, basic conditions – and indications – of a peaceful and democratic way of living. To refuse to pay your taxes or identify yourself to authorities is absurd; such regulations are not only reasonable but necessary to facilitate contemporary subject-state relations. Yet many do. One such group that refuses the duties of citizenship in the name of perceived state injustice is the anti-authority movement (AAM). I noted in chapter two, *Methodology*, that several in-depth studies give insight into various elements of AAM arguments, objectives, and activities including what triggers AAM resistance and violence. Though we have snippets of why the AAM argues what it does, what is missing from this literature is an understanding of what their arguments mean in political terms. In this chapter, I embark on a political analysis of the anti-authority sentiment and adherents' refusal of citizenship.

Before I begin, I offer a brief note on why I analyse the AAM in the political framework that I do. There is more than one way to analyse the AAM, to frame their political claims and the conceptual and practical implications that follow. Two approaches are philosophical anarchism and libertarianism. Some thinkers see anarchism and libertarianism as two strands of a larger anti-authority paradigm, one that criticizes "the view that authority should be the organizing

principle of social life" and which argues "for the transcendence of such structures and suggest[s] alternative social, political, economic and technological forms that would maximize the realm of freedom, autonomy and self-management" (White and Kossof 2007, 51). Indeed, anarchism and libertarianism share a contempt for the 'principle of authority', particularly hierarchical authority and its inherent forms of domination found in the contemporary state ranging from capitalist labour exploitation and a state's monopoly over violence, to social welfare schemes and law generally.

Both anarchists and libertarians, generally, propose horizontal forms of governance to replace relations of domination inherent to the modern state but differ greatly in the types of solutions they embrace, marking the moral and terminological distinctions between sub-groups. For example, so-called left-wing, social, or communitarian anarchists tend to prioritise collectivist enterprises through networks of communes and free cities as alternative non-state mechanisms that can facilitate social relations. Such anarchists embrace social solidarity and reject capitalism as a form of domination (White and Kossof 2007, 51), along with militarism, racism, patriarchy, and organised religion (Long 2022, 186). So-called free-market anarchists or free-market radicals, also referred to as libertarians, diverge and see the market as increasingly suitable to meet most needs of most human societies including food production, security, private property, and legal rules (Long 2022, 188). This camp includes anarcho-individualists or anarcho-capitalists who prioritise individual sovereignty and private judgment (White and Kossof 2007, 52).

Social anarchists and libertarians differ on an additional matter that is fundamental to our purposes here – the state. Whereas social anarchists tend to refuse the state on the grounds that it is an oppressor, a source of domination (Marshall 2010, 18), libertarians tend to tolerate a

minimal state to provide basic goods such as security (White and Kossof 2007), and defend the minimal state as considerate of the individual's moral rights and as having greater utility than alternatives in protecting and not interfering in private interests (Gordon 2022, 205) . As will become clear in this chapter, though AAM adherents refuse practices associated with citizenship, AAM adherents do not refuse the state in totality but rather make particular claims about what state governance *ought* to look like. Members generally do not claim they do not need to be governed, but rather call for different forms of governance – more direct representation, less interference in family and child matters, trade protectionism – mechanisms that differ from contemporary customary and legislative processes.

Just as the AAM espouses some but not all anarchist thought, AAM adherents cannot be said to be totally libertarian. They do not propose the free market as an alternative to the paternalistic state but in fact tolerate the state as a useful, if corrupt, governing body. For this reason, alongside the AAM's reliance on natural rights and prioritisation of personal autonomy, I frame my analysis in this chapter according to a libertarian disposition. As such, drawing upon libertarian thought, I find the AAM to make four sets of claims. First, the positive law of the contemporary state has no authority over the individual. Second, the state harms its subjects and causes insecurities through globalised interests at the expense of national values. Third, freedom is an act of redemption from the specific set of practices the state uses in their efforts to subjugate. Fourth, citizenship comprises a set of expectations that indicate the state's paternalism. In this way, intentional noncitizenship is a mechanism of individual self-determination that can reverse the corruption of the individual and restore 'traditional' politics. I conclude by arguing that in addition to exhibiting personal autonomy by reflecting upon and

authoring decisions, AAM adherents demonstrate moral autonomy – an inherent concern for justice.

Pseudo Law Sources of Sovereignty

The anti-authority movement grounds its claims against the state in various interpretations of what it considers to be sovereign authority. The AAM upholds the narrative that sovereignty is supreme authority over a particular jurisdiction with the right to self-determination in both internal (domestic) and external (foreign) matters but is fragmented in beliefs on the source of that sovereign authority. The source of sovereignty is located in 13th century English law, the sovereign individual, and explicit consent. Together, these sources are loosely termed 'pseudolaw', "'law' not drawn from recognized sources. Instead, these are an alternative, different set of rules that mimic or ape the structure and language of 'conventional' law… it superficially appears to be law, or related to law, but is otherwise spurious' (Netolitzky 2018, 1045). AAM adherents focus primarily on the source of sovereignty rather than its scope.

One variation of this 'pseudolaw' is an alternative legal system based on the Magna Carta and the more obscure 1217 Charter of the Forest where free men were given certain rights to commonly held resources. This common law is perceived to have "super-constitutional status [which] restricts state and court action" (Meads 2012, para 7).[102] This "idealized foundation of modern law" (Perry et al. 2017, 28), is believed to be the grounds for the contemporary legal system in Canada (Pytyck and Chaimowitz 2013, 152). Kersey (2010) summarises:

> "A natural person is endowed with a number of inalienable, God-given rights. That natural person is referred to as a Freeman on the Land. By contrast, civil or statute law […] is not universally applicable but instead, because of its commercial basis (in

[102] The Charter shifted responsibility and use privileges of forests from the monarch to the community and permitted individuals to develop their lands without prosecution.

> the law of the sea), rests upon a contract between two parties, the first party being the state, and the second party being the legal fiction representing a given individual."

Adherents to this understanding of law see the court system, enforcement, and all state authorities as operating within a 'false' set of statutes that deviate from those contained in medieval declarations.

A related interpretation sees the court system as admiralty or military courts and thus with no jurisdiction over 'free' individuals. Here, Canada's authority "is restricted to the oceans that surround the landmass and its internal waters "(Meads 2012, para 271). In his family court case, Dennis Meads asserts what he perceives to be the illegitimacy of the court: "This is an admiral court, your jurisdiction is on water, it's not on land; I am a freeman on the land" (Meads 2012, para 24).[103] This is a medieval reading of jurisdiction which sees authority bound by territorial waters and which rejects the idea that state sovereignty holds power over individuals on land.

These alternative frameworks see the individual as sovereign, equipped with equal status with governments and their authorities including legislators, judges, and enforcement officers. This means case and statutory law only apply to the fictional 'Strawman' identity applied by the state to the person (explored below), and that attempts to govern the 'natural' person are unjust (Perry et al. 2017, 28). Key here is the assumption that the government must negotiate with the AAM in matters of dispute: "the failure to do so is perceived as the government acting 'in dishonor' and will result in an automatic default judgment in [the AAM adherent's] favour" (Perry et al. 2017, 28). Menard writes in *Bursting Bubbles*:

[103] Other AAM adherents claim the opposite, that they are only subject to admiralty law. See Meads vs. Meads 2012, para 332. Still others see the state or government as a corporation, and thus with only the rights of a corporation. See Meads vs. Meads 2012, para 384.

> "Canada is a Common Law jurisdiction. What this means is you have the ability to establish rights merely by claiming they exist. Give proper Notice to those who may be affected and [the government has] 30 days to raise an issue or express a dispute. If they fail to do so, they agree the rights mentioned exist and may be exercised lawfully. Any court in the land will recognize and support your rights, if properly established. Actually all the rights you have exist because they went through this process in one way or another" (in Netolitzky 2016b, 151).

Others interpret their obligations to authorities to be grounded in explicit consent. Those holding this view deviate from their counterparts above and accept that the state can hold authority if an individual explicitly consents to being governed in a particular way. In this way, the idea that "everything is a contract" embodies the all-encompassing and absolute nature of AAM rhetoric where "all legally enforceable rights require that a person *agree* to be subject to those obligations" (Meads 2012, para 379). Anything otherwise is an immediate, and intentional capture of the natural person into subjecthood. Thus, some AAM adherents argue all law, case and statute, is contractual, and they must adhere only to laws to which they have explicitly consented (Hofmann 2020, 81). All other laws are invalid and have no legal basis (McQuaig 2019, 68). Here, AAM adherents argue away obligations, for example to pay taxes or carry a driver's permit, as unenforceable since they have never entered an explicit contract with relevant government authorities (Meads 2012, paras 388, 395).

The Insecurity of Class Inequality

The second set of arguments made by AAM adherents is deduced from the idea that the individual's inalienable rights have been usurped by the sovereign state system to indenture individuals for the state's profit. AAM members, it seems, generally accept that the state, despite having acquired sovereign authority by abuse of artificial power, or having abused their sovereign privileges in general, indeed *ought* to protect their subjects from foreign and domestic

threats. Like anti-statists, the appropriation of sovereignty from the individual to the state does not preclude the state from obligations of justice to its subjects. AAM adherents temper this normative claim, however, with the empirical observation that the state does not ensure the security of its subjects by protecting them from other states and individuals through mechanisms of coercion such as law and enforcement. Instead, focusing more on the broader state task of securing the private interests of subjects from foreign interests, the state is seen to be corrupted by a liberal managerial elite and it is precisely through classist inequality that the state causes explicit harm to its subjects. It is therefore unfit to represent individuals.

AAM challenges to government reach into and regulation of daily lives can be considered building blocks in a broader critique of the administrative state and its contributions to an erosion of nationalist values. The administrative state is said to be a product of an increasingly interconnected liberal world order that permeates national socio-economic and political practices and traditions (Abrahamsen et al., 2024). Scholars note a common thread in AAM sentiment where diverse state-caused financial crises result in individual financial ruin (Kent 2015, 2),[104] a perception that can result in frustration and the seeking out of alternative ways of living (Perry et al. 2017, 35). AAM members view the 'system' as "wholly corrupt and morally bankrupt" (Perry et al. 2017, 38) deliberately oppressing society, and law as a mechanism that upholds and legitimises this oppression (Pytyck and Chaimowitz 2013, 152). AAM adherents uphold the general disposition that the government is greedy and will interfere in individuals' assets and ways of living. Where the state is charged with the protection of the private sphere from foreign intervention, the state itself intervenes in the lives of individuals, causing precarity. One adherent

[104] Hofmann notes far-right leaders in the U.S. have responded to such crises by constructing "a credible narrative of imminent threat that was central to the development of an anti-government ideology that appealed to angry and disenfranchised segments of the American population" (2020, 83).

claims "…if you own property, they'll [the government] steal it from you, even if you're right" (in Perry et al. 2017, 39). Another notes,

> "For the urban people, it might be financial issues, whereas in the rural areas it might be because they want to be left alone to live off the land like west coast hippies to make their own food and so forth. So, they try to establish their own sovereign rural place." (in Perry et al. 2017, 23).

Another elaborates:

> "We are pushed into corners. People who have their children stolen, people who have their homes taken away, people who have…let's say a tax debt and then the government…they step on their neck. Give them nothing to live for. Nothing to… nothing to look forward to. And this is what you get: people who are fucking pissed off, and all they want to do is anything other than listen to what the government has to say" (in Perry et al. 2017, 41).

Another common thread is corruption and distrust with inequalities (Perry et al. 2017, 25). Those in the AAM camp range from Left to Right dispositions and certainly cannot be narrowed down to one or even a few value systems. Yet, when approaching their political grievances in the context of anti-liberal narratives, we can begin to see the AAM more clearly in the camp of the 'Right', a diverse collection of aggrieved individuals and communities unified in their feeling of discontent with the administrative state (Abrahamsen et al., 2024). An AAM adherent states: "…recognizing the dispersion, and the difference between…the wage gap between the wealthy and the non-wealthy… [and] I guess over the years I've seen that margin grow, grow, grow, grow" (in Perry et al. 2017, 25). AAM members argue the state has failed to protect the working class against larger, elite class interests. This perspective is shared by another:

> "The problem we're having here, I say, is racism against the poor. The poor is not a race. Classism, elitism…its discrimination. It's not right. We've got some neighborhoods that are poor. The people on the less fortunate side are treated like shit" (in Perry et al. 2017, 25).

Such insecurities are perpetuated by government involvement in industry and corporate relationships, where “contemporary nationstates are viewed as little more than corrupt shells of their former selves, controlled by foreign financial or corporate interests” (Hodge 2019, 5). John Carlos Quadros, who was killed after he fatally shot a priest and wounded three RCMP officers in 2014, wrote of government officials “…protecting the various agendas of the Big Billion dollar Corporations even if it means the suffering and death of countless numbers. May GOD protect you and the TRUTH set You FREE” (Robb 2014).

Some AAM adherents see state relationships in the international realm as equally delegitimising. Hodge explains that participation in international governance through treaties, global institutions, and trade agreements is seen to erode national sovereignty as states are “no longer able to effectively guarantee property rights of its citizens” (2019, 5). Here, states are not living up to their obligations to protect individuals from various forces and are seen to contribute to financial and national insecurity.

> “The system feeds on those who are obedient to it, as well as those who resist it. The result is that the system, a group of political "leaders" simply empower themselves and leave the citizenship feeling hopeless, angry and afraid. The result is a circle of increasing despair and violations of human rights. The result is chaos presented as culture” (Roberts, 2014).

Communities on every continent are vocalising their contempt for the state’s so-called ‘managerial elite’ perceived to be power players in globalised forces that ignore, isolate, and weaken national values and ways of living. This ‘global Right’ is said to have launched a counter-hegemonic struggle where rather than authoritarianism or dictatorship, the real ‘enemy’ is in fact the post-World War II liberal world order that seeks to neutralise nationalist identities

(Abrahamsen et al. 2024). In these terms, the AAM is leading a counter-hegemonic struggle of its own.

Furthermore, the state's failure to secure the working person's financial opportunities informs the larger critique that the state's partnership with globalised economic forces further isolates the people from the decision-making processes that impact them. AAM rhetoric argues states are therefore unfit to represent societies. Government authorities are not accountable for their actions and are permitted to act irresponsibly, and thus cannot legitimately represent individuals. Menard expresses his contempt for political representation:

> "Why should I have to let some goober represent me? He or she will most likely be more concerned with their own political power then my concerns. What ever they are voting on, why can we not vote on the issues ourselves? If they claim that we are not qualified to do so, then how can we be qualified to elect someone who is? I am my own best representative. All others are a poor second choice. …We can have a population that no longer mistrusts the Law. We will have accountability in our government; we will have bureaucrats who are responsible for their actions. We will have far less fear and far more control. We will have more freedom" (in Mcquaig 2019, 44).

Participation removed from popular hands to representatives can be extrapolated to the global sphere where elite decision makers represent 'Canadian interests' at NATO, the United Nations, or the Inter-American Commission on Human Rights, for example. Countries (and thus communities and individuals) are losing control of their resources and assets in an internationalised world where elites are controlling socio-economic, political, cultural, and educational environments. Rather than calling for a libertarian night watchman state (Nozick 1974 [2013) or city-scale anarchist horizontal governance (Bookchin 2002), AAM grievances are really about their traditions and values – their countries – being taken away from them.[105]

[105] This is a global sentiment. Many groups across the world are 'taking back' their nations via coup attempts and politicised groups are making significant gains in national leadership: Argentina's Milei, Brazil's Bolsonaro, Hungary's Orbán, Mexico's Orbrador, and of course the U.S.A.'s Trump. Canada's 2024 Durham region federal byelection saw the Canadian Conservative

Freedom from Imposed Identity

Perceiving the globalised state as corrupt and a cause of insecurity runs parallel to the view held by AAM adherents that the state dominates its subjects by imposing upon them practices and narratives of identity. Like their FBM and anti-statist counterparts, there is a duality in their engagement with freedom. The AAM upholds the idea that freedom is both the absence of external constraints and the capacity to act as an agent in pursuit of one's life choices. Aligning with their claims related to security, they accept the general claim that states, despite having acquired sovereign authority by abuse of artificial power, indeed *ought* to facilitate the freedom of individuals. For the AAM, freedom is an act of redemption from the specific set of practices the state uses in its efforts to subjugate, in particular the imposition of legal identity and the corruption of the natural person.

The AAM displays a libertarian disposition as it upholds that "each person possesses an inviolability, founded on justice, that forbids others from sacrificing them to achieve greater social stability, economic efficiency, or desirable cultural ends" (Brennan et al. 2017, xvii). It follows that the AAM sees the state as a bureaucratic monolith of power that interferes in the liberty of its subjects through overregulation. The crux of AAM ideology is the view that state institutions and practices oppress and transform our identity as flesh and blood human into a corporate asset. This transfer takes place when interacting with the state in any formal or legal way. As ubiquitous as such involuntary enslavement to the government may be, AAM adherents claim that by simple and deliberate acts of refusal one can redeem their individual freedom and sovereignty.

Party's Jamil Jivani win the seat on an anti-establishment platform that vows to take on Canada's "liberal elites who run big banks and big telecommunications companies driving up the cost of everything" (Benzie et al. 2024).

On this view, there are two parts to existence: the flesh and blood of a natural person, and the legal entity that is meant to represent the body in law, policy, and state-subject relations, referred to as a 'strawman'.[106] Hofmann sums it up well: "when a baby is born the government creates a fictitious legal persona (a 'straw man') attached to their birth certificate that is distinct from the physical individual (a 'living person of flesh and blood'). Since this legal persona is a creation of the state, it is the only aspect of the individual over which they can claim legitimate authority" (2020, 81). Here, the strawman identity is "an economic-political construct", an "object" whereby the person is "unwillingly made double" (McQuaig 2019, 37). Responding to a court action, Fred L. Jajczay declares that:

> "Fred L. Jajczay, is my private property; that I have never given permission or authority to any person, men or women to associate my name with a dead corporate entity; that the alteration of my name in any manner is fraud" (Meads 2012, para 425).

The birth certificate is considered the first instantiation of the legal person, the instrument that facilitates the strawman that is to remain an individual's legal identity. General AAM sentiment posits that registering the birth of a child is an act of submission to the Canadian government and must be refused to secure a child's freedom (Menard 2003, 24; Renner 2012; Spirit n.d.).[107] AAM adherents thus regard the birth certificate as the foundation from which bureaucratic control and institutional coercion through identity documents is maintained. Eldon Warman offered the following on his now non-operational website, DetaxCanada.org:

> "The 'registry' of a child places that child as a 'ward of the Crown (or State)'. That is how government gains control over our children, and forces parents to have their children educated in the government/Jesuit 'collectivist' brainwashing school

[106] Other terms are "corporation, corporate entity, corporate fiction, dead corporation, dead person, estate, a legal person, legal fiction, an artificial entity, a procedural phantom, abandoned paper work, a slave name, slave person, or a juristic person" (Meads 2012, para 471).
[107] Furthermore, the role or value that a birth certificate is said by authorities to provide can be replaced by a 'record of live birth', the "King of documents" which one can use to travel (Menard 2003, 119).

> curriculum. 'Registry' […] is the scheme. 'Recording' the live birth of a child with the local level of government is supposed to be merely a safeguard for the child and the parents, and that is what most people think they are doing when completing the birth 'Registry'" (in Perry et al. 2017, 38).

The birth certificate is also understood to represent the natural person as a financial asset to the state. Details vary between adherents (Meads 2012, para 532), but the claim is generally that the government uses citizens as collateral and exchange on the international market, where the birth certificate becomes a material indication of each individual's labour value. The birth certificate is a bond, funded at birth which fixes the individual as enslaved to the state (Pytyck and Chaimowitz 2013, 152). The Freemen Society website states:

> "Placed on every new born infant as a Birth Certificate which also gives ownership of the new born infant (body and soul)[108] to the Corporation of Canada. Putting the new born child in debt to that Fictitious Person a Corporate Entity which then borrows under line of credit, then those borrowed funds are invested in stocks and bonds then put on the Stock Exchange and Traded. The amount borrowed could be up to $1,000,000" (FMSOC 2012).

The second part to this argument is the merger between the strawman and the natural person. Here, the natural person and its legal fiction are joined into a single entity beholden to the authority of the government. This 'joinder' comes into reality once an individual acknowledges their legal fiction, for example in the form of official identification and documentation, upon which an individual's name is often written in the LAST NAME, FIRST NAME capitalised format. This joinder format is not representative of an individual's natural (non-legal) name and identity, thus the AAM avoids official documentation including birth certificates, passports, SINs, driver licences, among others (Perry et al. 2017, 27). As Hofmann notes, the belief is that "*any* verbal or written acknowledgment of a link between oneself and their straw man identity

[108] That the soul is also owned by the state through application of birth certificate appears inconsistent with the AAM position that distinguishes between the flesh and blood of a person and their corporate, legal identity. It would seem that the soul would be a part of the physical rather than legal person, but this is not elaborated upon or clarified in the data I have found.

legally fuses the two identities together, providing the legal justification for the state to exercise coercive control over previously emancipated individuals" (2020, 82). Norman Raddatz, who shot two Edmonton police officers killing one, wrote in 2014,

> "Yep, we are used as collateral by way of the all capital legal FICTION name […] We have been brainwashed and lied to, into thinking that a natural human being is liable for fees, fines, penalties, and taxes accumulated by a corporate legal fiction" (in Morlin, 2015).

Key to this AAM claim is that the strawman identity is a purposeful tactic to enslave subjects and deny freedoms and is deliberately kept hidden from the public. By consenting to the strawman identity "the vast majority of people are willingly participating in a master-slave relationship with government and other authoritative bodies" (Perry et al. 2017, 27; see Hofmann 2020, 81). One AAM adherent states "the Judge is enticing me to accept indentured servitude," (Patient A in Pytyck and Chaimowitz 2013, 150).

It is thus both possible and imperative to sever the connection between the individual and the state. Doing so turns us to the 'action' component of the strawman argument, the act of redemption, whereby one can free themselves from subjecthood and enslavement (Perry et al. 2017, 26-27). There are a few ways to declare this separation and preferred methods vary. These include refusing to use strawman identity formatting in favour of alternatives, the destruction of strawman documents such as birth certificates and SINs, written or verbal withdrawal from government subjecthood, and pledging allegiance to an AAM group (Hofmann 2020, 81). Suffice it to say that the joinder can be as easily absolved as it is applied. Such 'redemption' divides the natural person from the fictitious and oppressive corporate strawman and releases the individual from illegitimate state authority and related obligations including identification, taxation, financial debts, and criminal charges (Hofmann 2020, 81).

Method is key here; it is the "bizarre content and syntax of their speech and written documents" that, when used in "the precisely correct assortment of words at each appropriate juncture", adherents believe they will be absolved from responsibilities to the state and other subjects (Pytyck and Chaimowitz 2013, 152). This is a cornerstone of the AAM argument: state deception and injustice *can* be reversed. For example, a way to avoid the entrapment of tacit consent is to use alternative naming practices to denote one's natural, non-legal identity. Many adherents "use the dash-colon naming structure (e.g., Robert-Arthur: Menard) or a "of the family/clan" notation (e.g., John of the family Smith) to denote the living/natural person" (Perry et al. 2017, 26). Justice Rooke notes variations:

> "OPCA guru David Kevin Lindsay styles his name as "David-Kevin: Lindsay" […] Mr. Mead in his documents identifies himself as "::Dennis-Larry: Meads::", "::dennis-larry: meads::", or ":::dennis-larry:: of the meads-family:::" (Meads 2012, para 207).

Another strategy is to declare one's 'official' withdrawal from a particular relationship with the government which is then seen to set a precedent where all contractual relationships with the state are then dissolved (Meads 2012, para 390). An unnamed AAM member articulates their non-consent to appear before an Alberta court:

> "NULL APPEARANCE. As a private non-belligerent without the Canada or United States, I do not consent to a general appearance now and/or in perpetuity, and none can be assumed without a conversion of personal liability. No grant of *in rem* or *in personam* jurisdiction is expressed or implied" (Meads 2012, para 409).

Finally, in redeeming oneself, one can reclaim the funds in birth certificate trusts by handing over their birth certificate marked with the words 'Accepted for Value' (Pytyck and Chaimowitz 2013, 152). Meads attempts to do so by declaring in a "Commercial Security Agreement" that "'DENNIS LARRY MEADS, A LEGAL ENTITY' assumes all debts and

obligations of ‘Dennis-Larry:Meads, a ‘Personam Sojourn and People of Posterity’’, while granting Dennis-Larry:Meads all his property” (Meads 2012, para 437). This transfer absolves Meads of liabilities related to all legal relationships including his SIN, marriage certificate, driver’s license, passport and court orders (Meads 2012, para 435-436). Perry et al. sum up the logic: “we need only find the ‘magic number’ to access those accounts to collect millions of dollars that the government would otherwise hold for itself” (2017, 38). Indeed, the Freeman Society website declares:

> “I claim the right to use the funds either in my bond (evidenced by the bond tracking number on the Birth Certificate issued to me by the government) or to use the funds generated by the bond to either pay off any loans if I do have any, or to pay directly for my wellbeing” (FMSOC 2012).

The AAM challenge to this perceived overregulation in daily life is a critique of paternalism broadly speaking, and reminiscent of Foucauldian arguments on governmentality. What paternalism means to the AAM, however, is a matter of significant degree: like softcore libertarians (Mack 2018, 3), some AAM members refuse all forms of paternalism as a matter of principle, while others hold a practical objection, refusing some forms and accepting others (see Conly 2017). What is consistent across AAM rhetoric is that the state has become equipped to infiltrate further into our lives. From prisons, the education system, enforcement, taxation, the institution of marriage, and surveillance to non-disciplinary biopolitical controls –administration over the body in the areas of demographic statistics, sexual prevention and management, and health policy – sovereign state power has become decentralised and distilled into the very social and physical fabric of societies, techniques of governance, or a ‘governmentality’ (Foucault 2003, 43-6). For the AAM, this governmentality is present in identification practices.

Citizenship as Paternalistic Expectations

Like the Freedom Babies movement and anti-statists, AAM adherents outwardly reject birth certificates and may also make efforts to renounce their citizenship. While sourced data yields no confirmed renunciations of citizenship or non-registration of birth, AAM rhetoric is filled with the charge that birth certificates, at the very least, must be refused.[109] Upon deeper exploration, however, the AAM may not actually renounce or not register at all. Citizenship or membership – and their corollaries noncitizenship and statelessness, intentional or otherwise – are not terms used by AAM adherents. They comment little on what it means to be a member of a political community generally, and do not comment directly on the claims that individuals ought to be a citizen of the state, or that citizenship facilitates material and ontological benefits. Instead, the AAM disengages from citizenship by refusing to take part in specific practices that are generally understood to constitute membership, what I refer to as *expectations* of citizenship. AAM members argue that it is the expectations of citizenship that indicate a paternalistic state which therefore ought to be negotiated and refused.

AAM adherents articulate three sets of expectations related to citizenship that they perceive as coercive: law and the legal system, public processes and symbols, and identification practices. First, from statute and court processes to the conceptualisation of the individual as subject, the law is considered illegitimate with no jurisdiction over the person. Detachment from the law and legal system is accompanied by an offensive against public practices such as the interference with public or private spaces and symbols. Examples include interfering with public utilities such as meters, service connections, inspections and maintenance, including

[109] This claim is actively promoted to parents. In an obscure video presentation by an AAM adherent to the 100 Million Moms community, a rights based movement concerned with rights to mothers' and babies' bodies, not registering the birth of a child is promoted as a just and effective way to combat state control (Christo 2021). See (https://100millionmoms.com/pages/about-us).

unauthorised connections and modifications (King n.d.), and occupying uninhabited land or buildings, or taking over another's property in a brazen display of sovereign power.[110] AAM members also refuse to pay taxes and traffic tickets (Humphreys 2013), resist arrest, and refuse to be searched (Pytyck and Chaimowitz, 2013, 151). They are also known to refuse to identify themselves to authorities.

> "I refuse to provide my identity, under common-law I don't have to" (Patient B, in Pytyck and Chaimowitz 2013, 151).

The driver's permit is a particularly popular form of identification that AAM adherents fiercely refuse. Adherents are known to use alternative identification markers in place of their license plates or in their car windows, or full declarations of the right to drive autonomously and without subjectivity to driving laws or their enforcement. Roads are considered 'public property' and free from government interference.[111]

The AAM understands expectations of citizenship as indicative of the state's ability and prerogative to infiltrate daily lives aligning with the libertarian observation that whereas "respect for individual liberty is the central requirement of justice" (Brennan et al 2017, xvi), the state undermines that liberty by coercing individuals in adhering to certain behaviours. Birth certificates document children, a biopolitical mechanism of control from birth. Utility bills obstruct an individual's prerogative to access natural resources. Law and the legal system permeate virtually all aspects of private and public lives in a tangled system of imposed

[110] After renting Rebekah Caverhill's house in Edmonton in 2013, Andreas Pirelli (aka Mario Antonacci), a self-proclaimed Freeman, and "Senior Chief Justice" of the Tacit Supreme in Law Courts (TSILC), changed the locks, refused Caverhill entry, and declared the home "an embassy house" (Perry et al. 2018, 13; CBC News 2014).

[111] Bob Renner writes in his Affidavit of Truth on the Freeman on the Land website: "There is no question that a citation/ticket issued by a police officer, policy enforcer for no driver's license, current vehicle registration, or mandatory insurance, etc., which carries a fine or jail time, is a penalty and is, indeed, "converting a right into a crime" and "There can be no sanction or penalty imposed on one because of this exercise of Common Law Rights" which are INHERENT and UNALIENABLE RIGHTS" (Renner 2012).

standards. In short, paternalistic overregulation in this sense is a management technique to keep subjects obedient. The degree to which one considers the content of these practices justly coercive is not the point; rather, recognising the imposition of expectations of citizenship as a violation of (libertarian) justice allows us to cut away at the "source of sovereignty" and the 'truth' of the state and the ideals that it claims to represent, truths which Foucault claims themselves work together to oppress and subjugate (2003, 43-6).

AAM members respond to these grievances by putting forth several solutions to what they perceive to be a state gone rogue. Some propose different legal frameworks within and under Canada; others see Canada as a fiction; some call for the right to exit the state altogether and to form new societies. This evidences what Hodge refers to as a "radical individualization of the concept of citizenship, a move away from notions of collective identity and association with traditional nation-states" (2019, 4). On this view, states cannot grant "true" citizenship to anyone, and citizenship is conceptualised by members along country, state, province, family, and individual lines (Hodge 2019, 4). Hodge's claim rings true in the AAM context, where citizenship is individualised and negotiated: specific elements of citizenship are refused while others are upheld. It is at this juncture where the expectations of citizenship serve a dual function: they represent the state and that which is to be rejected, *and* they serve as tools through which AAM members can demonstrate their agency and reclaim control over their subjecthood. In considering the individualisation of citizenship as a strategy of negotiation, we can see that what seems to be a refusal of national citizenship in favour of a more individual and disconnected version is perhaps cursory. Looking deeper into the political nature of AAM claims, we can see that refusal here serves to 'bring the state back in' to its 'traditional' nationalist, non-globalised role.

Just as the AAM can be seen as an umbrella practice comprising numerous subjective grievances, noncitizenship through refusing the expectations of citizenship is a response to this collection of wrongs, a way to 'set things right' when other, more acceptable forms of resistance are inadequate. Protests, meeting with MPs, strikes, and boycotting do not have the same effects as refusing to identify oneself or fining a judge.[112] While these are all aimed at more just governance practices, the latter carry more weight and pack a meaner punch. In the absence of real capability to make change, refusal here is confrontational, obnoxious, and irritating, and demonstrates a "refusal to be aspirational in the right way" (McGranahan 2016b, 338). Here lies the crux of this chapter, that to reduce AAM rhetoric to the potential of violence (Sarteschi 2021), or to personal experiences "cobbled together" to evade legal obligations (Perry et al. 2017, 26), or to "gibberese" (Meads 2012, para 435) is to ignore important political lessons that are hidden by otherwise illogical and fantastical grievances; and this is my claim, that the AAM is political in nature and should be treated as such.

Approaching AAM exit in light of anti-liberal 'Right' critiques, I note perhaps the most glaring tension, the contradictory claim that the individual is not subject to the state, yet *the state must be held to account for its harms*. It is here where we can see what noncitizenship may mean to the anti-authority movement. Disengaging from the state is a symbolic and practical way for adherents to take the state to task amidst what is perceived to be the impossibility of actually and effectively holding the state to account. A member says:

> "They're just people with a problem and they found a solution. It may not work perfectly, but what they're doing is saying, "this is better than the society that I live

[112] A technique deployed by AAM adherents is to invoice state authorities for time spent or services rendered with authorities, or to fine authorities for what is perceived as abuse of power. Perry et al. summarise this practice well: "Officers are often 'served notice' with bills for 'services rendered,' fines for their 'illegal' attempts to detain them, and even have fictitious liens placed upon their property" (2017, 55). An example is seen in Dean Clifford's attempt to fine the judge at his trial $50,000 for time spent in court, and again for over $500 million as compensation for the three years he was incarcerated following his conviction (Perry et al. 2017, 56).

> in right now. At least I have choice. I can make up my own mind" (in Perry et al. 2017, 35).

Here, the adherent takes matters into their own hands. Exasperated with the conditions they find themselves in they exercise control over their circumstances. Refusing state practices is thus a way to "reinforce their alienation from, and rejection of, significant social norms associated with institutions they feel have failed them" (Kent 2015, 8).

Anti-authority refusal of such perceived injustices is messy. Virtually every writer on the AAM in Canada has observed the group to be inconsistent, incoherent, and conspiracy laden. It is held that their political views are far left, far-right, and centrist "shifting between the categories when convenient" (Hofmann 2020, 80),[113] and honouring "state, regulatory, contract, family, fiduciary, equitable, and criminal obligations if they feel like it" (Meads 2012, para 4). Analytically, AAM arguments present multiple challenges ranging from conflicting positions on foundational principles to paradoxical understandings of what a citizen is. AAM adherents refuse some elements of the subject-state relationship yet accept others; the permission to drive is rejected in near absolute terms but almost nowhere do AAM adherents mention other regulatory processes or 'benefits' associated with membership, for example, subsidised healthcare. Adherents claim the right to travel on their own passports and identification documents but do not remark on their attempts to do so, or whether they have ripped up their Canadian passports. This 'pick and choose' feature of the AAM serves up a dish of illegitimacy. How can a movement be taken seriously if there is such variation in core dispositions? Indeed, these arguments beg clarification but whether they are fantastical, delusional, or whether they possess

[113] This approach is seen as a part of the 'Canadianising' strategy to appeal to a variety of political views in Canada (Hofmann 2020, 82).

any merit at all is not my concern here. Rather, I observe that what unites AAM perspectives is the idea of taking (back) control of one's life course. In this way, withdrawal from the expectations of citizenship is a strategic response to the inability to hold the state to account for harmful practices, and thus a mechanism of individual self-determination that can reverse the corruption of the individual and restore 'traditional' politics.

II. Conclusion: Refusal as Moral Autonomy

In this chapter I set out to explore noncitizenship in the context of the anti-authority movement in Canada, a diverse collection of individuals who refuse specific, unjust aspects of the state. I treat AAM claims as political and see their refusal of the expectations of citizenship – law and the legal system, public processes and symbols, and identification practices – as claims making that responds to statist claims about the nature of the subject-state relationship. To begin my exploration, I gathered arguments used to justify the refusal of expectations of citizenship. Guided by libertarian thought, I found the AAM to make four sets of claims. First, the positive law of the contemporary state has no authority over the individual. Instead, the source of sovereignty is located in a range of three pseudo-law sources – 13th century English law, the sovereign individual, and explicit consent. Second, the state is harmful, and purposely so. The state is seen to be corrupt and cause financial and familial insecurity through various international and corporate relationships, resulting in class inequality reflective of a global trend where the administrative state embraces globalised interests at the expense of national values. Third, the AAM perceives the natural person as distinct from its legalised form, the former having been manipulated into the latter by the state's quest for power through paternalistic overregulation. By taking specific steps, one can refuse such conditions and reclaim inherent

freedom, restoring justice to individuals. In this way, freedom is an act of redemption from the specific set of practices the state uses in their efforts to subjugate, in particular the imposition of legal identity and the corruption of the natural person. Finally, citizenship comprises a set of expectations that indicate the state's overreach and thus ought to be negotiated and refused. In this way, intentional noncitizenship is a tool of individual self-determination to reverse the corruption of the individual and restore 'traditional' politics

It is clear that the AAM member responds to their living conditions by taking action to restore justice usurped by the state. In recognising and challenging the moral culpability of states, the AAM member becomes empowered and overcomes frustration and vulnerability associated with subjectivity to both oppressive global economic forces (Hodge 2019, 6), and to daily practices in both public and private realms to which one cannot realistically consent. I argue that in doing so they exercise personal autonomy through reflective, and thus authentic, self-government, but I go further and argue that in reflecting upon and making their autonomous decisions, AAM adherents also demonstrate moral autonomy – an inherent concern for justice.

Thinkers on autonomy tend to distinguish between moral autonomy, "the relation between one person's pursuit of his own ends and others' pursuit of theirs," and personal autonomy where "a person [is] in charge of his life, not just following his desires but choosing which of his desires to follow" (Waldron 2005, 307), though some argue the two cannot be isolated from each other (see Baynes 2009). The Platonic approach sees autonomy more broadly as a reflection of one's highest self, the ruling part of us that guides action for the good (Plato 1993; Christman 2014, 4; see Watson 2014).[114] Autonomy is also considered as the embodiment of one's rational capacity to act in ways free from the influence of passions. This approach is

[114] Autonomy in the metaphysical sense is not drawn upon by AAM adherents.

treated as an empirical physical trait of an individual, and whether they have the capacity to be rational. On this view, children and the mentally challenged are thought to not possess this trait.[115] Yet another view claims autonomy is, or ought to be, a right to be treated by others in ways that do not interfere with one's ability to make decisions for themselves (Feinberg 2014). Additionally, Kantian autonomy is intrinsically linked with morality, where one is only a fully autonomous being if they act in ways that can be universally accepted (1993 [1785], 402). At its core autonomy refers to "a psychological ability to be self-governing" (Christman 2014, 5) and it is in this context that I explore the AAM.[116]

To begin, AAM adherents demonstrate personal autonomy in that they are authentic self-governors who critically reflect upon their desires and take considered action. Assuming, as I do, that AAM adherents fulfil the competency requirement of autonomy – that they possess the rational capacity to act – I am guided by the contemporary tradition where personal autonomy is conceptualised as desire formation, which is a morally neutral model of procedural independence rather than substantive value. Dworkin posits that "autonomy is a second-order capacity of persons to reflect critically upon their first-order preferences, desires, wishes, and so forth, and the capacity to accept or attempt to change these in light of higher-order preferences" (2012, 444). Two conditions make up this conception: the individual meets the 'identification' condition when they first critically reflect on a desire and second, approve of that desire. The 'authenticity' condition is satisfied "when the agent accepts the desire, value, or preference as part of her larger set of desires, beliefs and principles" (Christman 2014, 7).

[115] The role and content of rationality in the context of incoherent, manipulated, and conspiracy-laden AAM claims merits attention but I am interested in the political implications of such claims rather than the extent to which claimants themselves can be considered mentally equipped to be rational agents in the first place.
[116] Terms used to describe this condition include self-government, self-rule, self-legislation, individual sovereignty, personal sovereignty, and self-determination all of which concern matters of the self in relation to others.

AAM members approach their conditions and author their change through such critical first-order and second-order reflection. Feeling "betrayed" by government "that refused to protect them from harsh and often illegal banking practices that courts supported and police enforced" (Kent 2015, 8), AAM adherents perceive such wrongs through "personalized narratives of failed promise or frustration with state structures" (McQuaig 2019, 107), narratives that embody what Hodge refers to as counter-memory, a "subaltern narrative constructed by culturally marginalized or isolated groups that serves to bind them together in common practice or outlook" (2019, 5). Challenging such wrongs sets AAM members apart as truth-seekers and counter-memory enables reclamation of that 'truth', a tactic of self-governance where the AAM member's ideas are uniquely their own. Here, the AAM member is authentic in that they not only desire reduced traffic regulation, for example, but they reflect upon and accept that that desire is reflective of their larger challenges to narratives and norms of governmentality. In refusing to carry a driver's permit the AAM member weighs their options and chooses this strategy as a political path forward despite the consequences and "alter[s] his convictions for reasons of his own and does this without guilt or anxiety" (Feinberg 2014, 32). The AAM member is an autonomous agent who possesses 'true', reflective knowledge about their conditions, who can now act accordingly, self-authoring as they subject themselves to forms of law and practices that speak to their particular conception of justice.

The AAM adherent also self-governs by "elaborating a distinctive conception of value in living within their subcommunity in contrast to alternative conceptions available in other subcommunities of the larger society" (Richards 2014, 253). As AAM members learn the 'truth' and subscribe to alternative sources of authority, they adapt to seemingly omnipresent state practices and work within the system to "challenge and subvert its proceedings and outcomes"

(McQuaig 2019, 78). AAM adherents *perform* in courts as they transgress their allotted physical space, defy procedures, disrupt recording practices, interrupt court officials, contradict declarations of jurisdiction, and delay court proceedings by responding to questions cryptically and subjecting court authorities to their own lines of questioning (McQuaig 2019, 83-89). Creating an alternative legal jargon and methodology discredits accepted state practice and legitimises the versions AAM adherents themselves author. The world sees AAM adherents as 'vexatious litigants'[117] and 'paper terrorists',[118] yet what is (also) taking place is an active recreation of one's political boundaries, a rewriting of the rules and regulations to which the AAM sees themselves as subject. Thus, as Feinberg notes, even the individual who rejects their obligations to society, when interpreting their duties of action doesn't "simply lay down his law; rather he reflects, and balances, and compromises" (2014, 37).

The AAM adherent's strategies of counter-memory and adapting public culture are personal endeavours; they are acts informed by surrounding social conditions, but they are carried out by individual AAM adherents and for their individual life goals. To leave it at this, however, is to ignore the deeply moral character of the AAM decision-making process. This marks what Feinberg refers to as a "special case" of authenticity, a moral authenticity where "insofar as the autonomous person's life is shaped by moral beliefs, they are derived neither by mindless conformism nor unthinking obedience to authority, but rather from a committed process of continually reconstructing the value system he inherited" (2014, 36). In considering whether AAM noncitizenship is moral, the nefarious nature of AAM tactics bears repeating. On

[117] AAM adherents file unnecessary and numerous legal claims that clog up court and application procedures (Perry et al. 2018, 11). They also obscure typical English language rules in favour of a variation that intends to delegitimise the 'uninformed' and thus illegitimate reader. Such claims tend to be illogical and incomprehensible to the court, and use 'code-speak', a "QUANTUM-LANGUAGE-PARSE-SYNTAX-GRAMMAR" invented writing style (McQuaig 2019, 61). Furthermore, AAM arguments are complex, plot-like, and embellished with elaborate markings and seals, and ritual-like behaviour (Meads 2012, para 77).

[118] In 2012, the Canadian Security Intelligent Service noted the Freemen on the Land as a domestic security threat (CSIS 2012).

a Kantian account of autonomy, the AAM adherent cannot be a *morally* autonomous agent as they do not respect the general will – in this case that citizenship practices are just – and they exempt themselves from the common rules of citizenship. The AAM is, however, concerned with justice not just as it pertains to the individual but also as it relates to their broader community. This is the crux of AAM autonomy – that it is not just personal but moral in character.

To distill this argument further I rely on Waldron's (2005) observation that the distinction between personal and moral autonomy may be "neither available nor desirable" (Dworkin 2012, 450) as the analytical division between the two tends to disregard the role that each play in the conception of the other. Waldron argues that in leading accounts of personal autonomy we in fact find moral considerations, which sheds new light on the relationship between the individual pursuit of the good life amidst matters of justice across plural conceptions of the good. For example, he notes that second-order desire and identification processes indicate moral deliberation as the personally autonomous agent doesn't just abandon desire but rather steps back from their desires and "considers whether they are the sort of thing I ought to be motivated by," and in doing so accesses one's true self "a core of moral authenticity" (2005, 317). As the individual considers their desires vis-à-vis others, they identify, reflect on, and form their desires from a "critical distance", and consider these processes in light of "who I really am" (Waldron 2005, 317). The AAM does just this; AAM members consider their desires and actions in light of their core principles and respond by articulating a robust and sustained strategy to overcome their conditions despite the social or judicial harms that may follow. Theirs is a decision about their life's course; the AAM adherent acts according not to one's immediate political discontent but in line with one's value systems, one's long-term political goals and conception of justice.

Waldron makes a second observation key to the blurring of personal and moral autonomy: in exercising personal autonomy the individual "may already be making judgments about justice" (2005, 321). Waldron makes this claim in response to Raz's (1986) requirement that autonomous individuals be good,[119] and counters by noting that as individuals critically reflect upon their desires, they necessarily consider their actions in light of wider societal norms. The AAM appear to do the same. Like anti-statists and parents of Freedom Babies, AAM tactics are not siloed events that achieve only personal objectives. In their critical reflection on which principles to chose and what actions to take, AAM adherents make judgments not just about themselves and of their ends but about what a just society ought to comprise; AAM members aim to inform wider social change. They think about and act for the poor, the scared, the angry, parents, business owners, urbanites and 'west coast hippies' – those who have been disadvantaged by the state. Obliging themselves to new forms of authority, inventing identification practices and styles of speaking and writing, and disrupting court conduct are all attempts by the AAM member to harness traditional expectations of citizenship and flip them to build one's political community anew. As such, refusing expectations of citizenship is a political act that has political consequences – a counter claim to norms of governmentality and elitism. In carrying out these actions, the AAM demonstrates that "there is no radical discontinuity" (Waldron 2005, 317) between the AAM member's evaluation of their individual goals and their reflection of those pertaining to society in general.

We can see several grievances in these arguments, which comprise a broad set of claims that range from seeing oneself as directly targeted by the state to being excused from standard

[119] Raz (1986) employs a substantive condition in his conception of autonomy. To critically reflect on one's desires and actions is insufficient; the autonomous individual must have the power of moral discernment.

norms and practices because the AAM member knows the 'truth'. As the AAM adherent harnesses personal autonomy to reconstruct their political reality, similarly to anti-statists, the AAM points us to the idea of self-determination in the individual context and raises questions with respect to reconciling individual strategies and collective goals. Before I explore this site of contestation, I turn to a discussion of the main features of INC arguments in four key areas – sovereignty, security, freedom, and citizenship – in an attempt to distill links and points of disconnection across our three cases and locate precisely where intentional noncitizenship sits vis-à-vis liberal normative claims in these areas.

Chapter Seven: The Politics of Intentional Noncitizen Refusal

I. Introduction

As I observed in chapter three *Statehood, Sovereignty, Citizenship,* normative justifications for the liberal state rely on four key principles: sovereignty, security, freedom and citizenship itself. Because nationality is a prerequisite for seeking protections and claiming political, legal, economic, social, and cultural rights, scholars argue that to hold citizenship status is a matter of justice (Belton 2015; Gibney 2013), and that "given how profoundly important states are in protecting rights of individuals, the desire to opt out of this protection is so unreasonable as to be impermissible" (Lenard 2023, 73). The Freedom Babies movement (FBM), anti-statists, and the anti-authority movement (AAM) refuse this claim at its core, and counter that the state commits injustice through citizenship itself and that one's prerogative to exit the subject-state relationship altogether is a matter of justice that ought to be respected.

The discourses of our three cases are not hidden, to use Scott's (1990) term, but resolutely public. They are direct, confrontational, and promoted to the masses. They are unapologetic for inconsistencies and confident in their claims. The INCs I survey in this dissertation take their grievances to the extreme and challenge liberal narratives of statehood not in abstract or general terms but in specific contexts. Decolonial, anti-state, and anti-authority are three vastly different types of exit that for some are incommensurable. In response to my first research question, what are the concepts deployed by INCs to justify their intentional noncitizenship?, I found each case draws upon different conceptions of the good, emerges from diverse histories (and conceptions of), and espouses distinct objectives. They come from different class and cultural backgrounds and deploy distinct tactics of refusal that their counterparts may not necessarily support. Yet they are remarkably aligned in their refusal of

citizenship and the subject-state relations therein. As I explored INC in the preceding chapters it became clear that each case critiques normative justifications for statehood and the goods it is said to provide in one way or another. INCs refuse the claim that the state is the only legitimate sovereign authority and that such authority permits the implementation of ideals and practices of governance. They refuse the narratives and processes of security that justify techniques of governmentality, and they refuse the general notion that we are free because of such. A key commonality is that INCs refuse to conform to such narratives and to be *determined* by them. In this last refusal they each land on citizenship as a concept and mechanism with which they can effectively challenge these normative claims and make new ones.

Recalling then the four concepts I used to frame my analytical approach in chapter three *Statehood*, *Sovereignty*, *Citizenship*, and which I subsequently used to structure each empirical chapter, below I explore sovereignty, security, freedom, and citizenship in turn. In doing so, I outline a response to my third research question which explores the conceptual implications of INC. I find that it is not the case that INCs reject one iteration of a concept in favour of a clearly articulated alternative. Rather, INCs interact with these ideas and practices in ways that are at times inconsistent and underdeveloped. Yet it is precisely the messy, unclear, and contradictory nature of fundamental INC ideas that encourages a rethinking of key political concepts.

Each section below follows the same format. I begin each by recalling from chapter three the leading conceptualisation of the idea in question. I then reiterate how each cases responds including its proposed alternatives, if any. I then attempt to reconcile the plurality in case responses with relevant tensions in literature. First, INCs draw upon familiar distinctions concerning sovereignty but support the call for a new "meta-vocabulary" of sovereignty that is reflective of and adaptive to the diversity of political communities on the ground. Second, INCs

support the claim that the state is a source of insecurity and membership has itself become a form of securitisation justified by the political rationality of liberal security discourse. Third, INC freedom emerges from taking action against the state, embodying a republican sentiment. A fourth, citizenship, is the concept for which an alternative conceptualisation is offered with the most clarity, as a tool of refusal used specifically to exit the state. I conclude by observing that while each case of INC surveyed in this dissertation is a unique project, they each point to INC as a particular type of refusal: it is neither absolute nor consistent but dynamic in that it responds to and negotiates its circumstances.

A New Vocabulary of Sovereignty

Recall the general notion of sovereignty I outlined in chapter three, that it is supreme authority over a particular jurisdiction with the right to self-determination in both internal (domestic) and external (foreign) matters. The FBM, anti-statists, and AAM surveyed here support this general notion but each contest that the source of sovereignty lies within the state. The question our cases pose here is not whether in fact states have sovereign power, but rather whether they *ought* to have sovereign authority in the first place. Their claims are normative in nature agreeing that the state is not a sovereign entity to which they are obliged. What emerges is a challenge to the 'truths' that sovereignty operates within particular parameters of location and scope, and that it is supremely held by the state. In this way, our cases bring empirical currency to the concepts of the grim 'nested sovereignty' (Simpson 2014) and more hopeful 'parallel sovereignty' (Lenzerini 2006). More fundamentally, however, they point to the need for a new 'meta-vocabulary' of sovereignty (Bartelson 2006) that is reflective of and adaptive to the diversity of political communities on the ground. I address each of these concepts below.

I begin with the Freedom Baby movement. The FBM interacts with sovereignty in ways related to both its source and scope. Recall that the FBM is emergent from and representative of the respective Indigenous nations of FBM mothers and families. Indigenous nations are sovereign peoples who, the FBM argues, should be treated diplomatically as distinct and sovereign political entities. Canada is unequivocally a foreign occupier whose actions should be seen as illegitimate. Sovereignty for the FBM is external and juxtaposed to Canadian sovereignty; it is not considered in terms of internal self-determination or self-government, and accordingly, jurisdiction is not shared between the two communities. For the FBM, sovereignty is a 'given', a taken for granted organising principle to which various political communities should adhere. Yet, when we consider the source and function of sovereignty articulated by the FBM, authority is found in the land and ancestral connections. It is not top-down or institutional but rather through relations across time. Sovereignty for the FBM is emergent, relational, an ethos of reciprocity with the environment.

The FBM at times uses the language of human rights but does not speak to whether people have inalienable rights by virtue of their humanity, as do their anti-statist counterparts. FBM comments on sovereignty focus primarily on its source and to a lesser extent its scope in domestic or foreign affairs. The priority given by the FBM to the individual is juxtaposed with anti-statists (and to some extent AAM thought) who see the individual as sovereign, irrespective of nationality or community connection. The person is prior to the state – a clear diversion from FBM thought – and the individual has political power and should be treated as a sovereign being. Each individual has equal moral worth, but we are all connected to humanity through shared experiences and needs. Whereas the FBM criticizes not sovereignty *per se*, but rather the colonial occupation of one nation over another, anti-statists charge the state with usurping

sovereign power from individuals and thus not having the right to govern in the first place. All states are oppressive *because* they are states, because they hold authority over individuals via practices that organise people into fictitious categories of exclusion, categories that carry out harm. While humans are the rightful sovereign beings, the anti-statists surveyed here do permit allegiance to the state as long as humanity is prioritised.

AAM adherents too focus primarily on the source of sovereignty rather than its scope. The umbrella nature of the AAM indeed reveals a collection of ideas concerning where sovereign authority lies. The AAM is not unanimous about the source of political authority, or whether the state is an entity with which one could – or should – negotiate. The AAM sees sovereign authority in a diverse set of non-state entities including medieval English law, the individual, and consent, while others see state sovereignty as confined to particular boundaries. Like the FBM and anti-statists, AAM adherents criticize states practices in both domestic and foreign realms and see governmentality and elitism as oppressive techniques to secure subjects. Where the AAM differs from its counterparts is the grievance that many of its members hold against the *weakened* sovereign state whose authority has become conditioned by a liberal world order of international law, relations, and institutions. The sovereign state for the AAM is thus a conundrum; for some it is inherently illegitimate and for others it has become illegitimate because of its globalized disposition.

Each case can be seen to live in a type of 'nested sovereignty' whereby INCs perceive themselves to be sovereign entities living under the dominant conditions of another sovereign power, where "one proliferates at the other's expense" (Simpson 2014, 12). Simpson's use of this concept is particular to the Indigenous context, but our cases connect via a sense of 'nested' subjugation in different political iterations. That our cases propose alternatives to this tension

evidences what Bartelson claims is an "outdated" statist framework "that takes [state] sovereignty as more or less 'given'", a construct that ignores the empirical fact that "there are several normative frameworks competing for both legality and legitimacy when it comes to justifying political practices" (Bartelson 2006, 474). It is our cases' normative claims then that point to the need to expand the boundaries of sovereignty as a concept. Sovereignty conceptualised in a statist context is indivisible, a quality held equally by all sovereign states (Philpott 2011; James 1999). Yet conceptualised outside of the state – in the context of the individual, nation, and environment – sovereignty embodies pluralistic value systems that operate outside territorial and jurisdictional boundaries, giving empirical currency to the claim that the current model of Westphalian sovereignty "can no longer be conceived in … absolute terms… but is today considered to a more dynamic concept" applicable to both states and non-state (sovereign) entities residing within them (Lenzerini 2006, 189). This critique destabilises the dominance of state sovereignty, an objective 'given' that renders the sovereign state "a permanent feature of political life", the primary focus of analysis, and *the* leading, superior, political community (Bartelson 2006, 465). In his exploration of the international legal developments on Indigenous rights, Lenzerini puts forth the concept of 'parallel sovereignty' whereby Indigenous peoples would be recognised as sovereign powers by international law, powers which would require states to respect and refrain from inhibiting Indigenous prerogatives in a framework of mutual limitation (Lenzerini 2006, 167). From the vantage point of our cases, such a 'parallel sovereignty' offers a potential mechanism to mediate conflicting claims to authority within an international system of singular sovereign entities of a particular scope and scale. On this view, the state itself becomes negotiable, and the supremacy of sovereignty is

revealed as rigid and one-dimensional, whilst alternative claims to sovereign authority are granted conceptual license to push back against sites of power and assert specific value claims.

Such proposals attempt to reconcile a legally bound and socially constructed stat*ist* system with competing non-state claims for authority, presenting an opportunity for empirical and discursive change concerning how sovereignty is conceptualised. The dominant understanding, again, of sovereignty is that it is supreme authority over a particular jurisdiction held by a state, yet both the contemporary state system and the experiences of those who refuse citizenship demonstrate that, to use Bartelson's words, the vocabulary of sovereignty "contains the seeds of its own essential contestability" (2006, 474). A glance at the contemporary state can help distil this idea further: states routinely lay claim to and operate in contested jurisdictions; non-territorial domains including cyber and outer space are progressively free for the taking;[120] transnational corporations wield increasing power over states. As borders are blurred and mechanisms of control no longer operate strictly within national boundaries, states are losing the ability to retain absolute authority which makes clear that our global system is organised on outdated principles. Our cases too point to the contestability of sovereignty. As they negotiate their sovereign claims in the face of the omnipresent (colonial) state, they respond to their circumstances and adapt their political strategies, and as they engage with different types of physical, jurisdictional, ideological, psychological and spiritual borders they poke holes in the idea that political authority can be held in only one supreme location. The deterritorial and overlapping expansion of jurisdictional reach on one hand and the consistent emergence of competing claims to political authority by non-sovereign powers on the other indicates that the concept of sovereignty as we know it can no longer effectively respond to how it is practiced on

[120] Despite efforts to the contrary (see CPG and CIPS 2023).

the ground. Developing responses such as ‘parallel sovereignty’ are therefore appealing, yet, to share sovereignty, or to make it parallel in some way necessarily devalues it and renders it void of its very substance: as we push the boundaries of the concept it begins to lose its meaning. This points to the need for an “accepted normative meta-vocabulary… so that the alternatives to the world of states can be gradually evaluated on their own merits” (Bartelson 2006, 474). In other words, our cases demonstrate that it is necessary to roll back the notion of sovereignty towards a ‘meta-vocabulary’ of the political community that is reflective and adaptive to various non-state sovereign forms.

The Securitisation of Citizenship

The supreme authority held by the state renders it the best option to secure our basic safety as it possesses both the resources and prerogative to protect its people. In this way it is entrusted to provide security as a good and ensure the security of its subjects by protecting them from other states and individuals through mechanisms of coercion such as law and enforcement. Our cases critique this normative justification for statehood in their claims that states carry out violence in ways that cause harm and violate norms of security. Our three cases engage with the notion of security as a good in both normative and empirical ways. Normatively, with the acknowledgment that the source of state power is deeply contested, our cases generally agree that political communities *ought* to protect their people. Thus, irrespective of whether the source of sovereign power is contested, should a political community or state hold power over its subjects, it ought to secure them against domestic and foreign threats. The outlier, of course, is the FBM, for whom the question of whether Canada ought to protect its subjects is irrelevant. Instead, and like their counterparts, they observe empirically that Canada – and, for anti-statists and the AAM, states in general – does not protect individuals, subjects or otherwise, and in fact harms them. The state is

thus a source of insecurity and membership has itself become a form of securitisation justified by the political rationality of liberal security discourse.

Taking a united front against a collection of practices that constitute the state and serve to control individuals, communities, and society at large, our cases emulate Foucault's attempt to destabilise the security narrative by demonstrating that sovereignty is not a teleological outcome of human development but rather a mode of power that is historically (re)constituted (2003, 224). This mode of sovereign power has become decentralised and distilled into the very social and physical fabric of societies, techniques of governance or a 'governmentality', the practices of which are pervasive and infiltrate virtually every aspect of our daily lives, rendering them more oppressive than any other form of power (Foucault 2003, 46). INCs neither comment on what a world absent state protection would look like nor offer an alternative mechanism through which they could protect themselves (though the FBM is clear they are warriors). Rather, our cases focus on diverse iterations of governmentality where the state is seen to carry out harm. The FBM is concerned more with techniques of governmentality in the form of biopolitical controls over Indigenous peoples domestically. Anti-statists too are concerned with the domestic space but in the form of militarism and recognition-based rights generally. The global realm is a source of insecurity for the AAM but in the context of liberal elitism and domestic class inequality. All cases pinpoint both broad and specific processes where state power permeates day to day lives and thus the fabric of contemporary society and see the principle of sovereignty – in its particular form that they refuse – as a source of domination embodying the power to subjugate and exploit (Bookchin 2002, 11).

Anti-statists challenge the narratives that uphold war as a plausible tool for peace and which support formal recognition practices as conducive to rights. Both the idea that just war is

possible and the militarism of civilian lives – including both the threat and use of violence – contribute to a normalisation of harm. Here, it is not only the possibility and legitimacy of violence, but the narrative that the state is permitted to commit harm in the name of peace that anti-statists find reprehensible. Furthermore, that an individual's legal existence and access to rights (including state protection in times of conflict) are a function of formal recognition practices is an abuse of state power that ultimately causes significant material and ontological insecurity to individuals.

AAM adherents agree, to an extent, and charge the state with the inability to protect its subjects from such harms in the specific context of class inequality. Taking aim at the state's role to protect the private interests of its subjects, the AAM poses a different challenge: the state is weakened by its subjecthood to foreign relationships, trade agreements, and international treaties, its sovereignty compromised by foreign interests and elitism generally. The result is financial insecurity and class inequality for individuals. Thus, state policies that support globalised financial strategies of big business and corporate elites, while said to facilitate national markets and thus benefit all classes, in fact contribute to the erosion of property rights and the precarity of the working class.

The Freedom Babies movement rallies against a particular type of state – the colonial state – that specifically targets Indigenous peoples. The FBM charges the state with a long list of colonial injustices ranging from genocide, identity erasure and removal of children, to patriarchal governance and general cultural dismissal and destruction, and points to ways that the Indigenous woman is particularly affected. Through colonial birthing practices and mechanisms of family separation, the state attempts to disempower Indigenous peoples to realise settler colonial objectives. The development of land is key to both the colonial project and to the sense

of trauma felt by Indigenous women and communities; each is reciprocally traumatised by spiritual and corporeal insecurity at the hands of the state.

Each case perceives a loss of control over their fates, that their worlds have been taken over by an omnipresent and unjust state. Freedom Baby mothers see contemporary recognition practices 'offered' by Canada (or, internal self-determination strategies) as a guise under which colonial femicide still takes place and their children are subject to harm. Anti-statists see global conflict not as a faraway reality but a personal experience they feel in their very psyche. The AAM feels something similar as their worlds become less secure as the state becomes more globalised. In each case, big-G government practices that operate in the background are felt too close to home to ignore. These critiques recognise that governmentality takes place in the private and public domains, but also in customs and discourse that work to mold a compliant subject. The mechanisms of security do not protect but in fact herd individuals and communities into inequality where some segments of society (and the world) are treated better than others. The Foucauldian omnipresent state is equipped to suit its colonial, military, or financial objectives, evidencing that the state's jurisdiction goes well beyond physical territory and infiltrates our social relations, ideologies, and bodies, and the social, economic, legal, and political structures that condition them (Elden 2010; Brenner et al. 2003) *in the name of security*. The state's authority over our physical and mental characters, the blurriness between the threat and use of violence, and the effects on our corporeal, material, and ontological rights is indeed a source of insecurity.

This state of affairs points to what Neocleous calls a "liberal discourse on the priority of security" (2008, 14) where the state can enact authoritarian measures in the name of liberty, rendering liberalism itself a technique of security (Neocleous 2008, 31). Here the balance

between liberty and security is a myth which has become inherent to a liberal mode of thought behind which lies a political rationality that enables "a society of security" (Neocleous 2008, 13). Across decolonial, anti-statist and anti-authority contexts our cases point to this new way of living evidenced in what Burgess (2014) refers to as the "new logic" of securitisation through which states can achieve domestic and foreign objectives by creating specific narratives and corresponding institutional solutions (see Aradau 2004). These may include, for example no-fly lists (Jamil, 2017), surveillance (Johnson, et al, 2011), and border defense (Salter, 2008), but it is citizenship itself on which the data surveyed in this project lands. Our cases claim citizenship has become a form of securitisation justified by the political rationality of liberal security discourse. For example, defining the territorial jurisdiction within which the citizen is bound, with rights (including freedom of movement) contingent upon birth or descent, the border acts as a material restraint to membership in both time and space: the location and moment of an individual's birth are a function of nationality law and territorial jurisdiction and changes that occur to them over time. The material effect of this can be seen through the use of travel documents where the entry and exit into states of both citizens and foreigners alike is heavily controlled (Torpey, 2018; Salter 2008).[121] Our cases add to this typology by highlighting how citizenship has become a technique of security through birth registration, political allegiance, and bureaucratic regulation, revealing a discursive logic on the ground where securitisation both constitutes and is constitutive of everyday democratic politics (Aradau 2004, 400). Our cases do not themselves advance a particular notion of security, but their claims support the notion that states, irrespective of whether they are considered legitimate sovereign authorities, must do more to protect individuals and communities from various harms, bringing currency to the claim that "security is

[121] Recall from the *Introduction* that the passport developed as a product of cultural and political tensions that took place across multiple geo-political tensions, one of which was the development of European sovereignty(ies) (Torpey, 2018).

not an unqualified good, which in turn implies that there can be too much of it" (Van Kempen 2013, 2).

Freedom as Performative Action

Recall from chapter three that the liberal objective of securing subjects is to facilitate their liberty. The state is designed to protect us so that we can all freely live our lives absent of external constraints and pursue our goals according to our internal desires. Freedom is generally conceptualised negatively as freedom from external constraints, and positively where the individual is agential and possesses self-mastery, or self-determination. Key to this typology is that the state is said to facilitate such freedom. Our cases reveal that Freedom for INCs is both a negative act as it disallows oppression, and positive in the sense that it permits new, alternative, or already established but oppressed forms of recognition. INCs are concerned about the freedom to choose one's destiny: to raise children in a specific way, to not participate in conflict, and to carry out day to day practices without interference. Each case fundamentally disagrees that the state is the entity that holds normative responsibility to facilitate liberty, and that the state in reality does so. In all cases, freedom emerges from *taking action against the state*, and thus embodies a republican sentiment where freedom is performative and virtuous.

We saw that the FBM points to the relationality of liberty, that one can be free only if others are free. Recall that for Freedom Baby mothers, the source *and* outcome of freedom is action against colonial oppression. Thus, freedom is at once emancipation from domination and the liberty to pursue Indigenous autonomy, to be fully a part of one's own nation and embrace its traditions and practices, and to *not* be a part of another (colonial) political community. But freedom for the FBM is also a resurgent act and process of decolonisation whereby several parts of a collective whole undergo sovereign reclamation, and spiritual and corporeal empowerment.

A different perspective is held by anti-statists, who are concerned with the freedom to disengage from their – and *all* – states. In this way, freedom for anti-statists certainly embodies an agential element; the freedom to choose one's nationality and one's political allegiances are particularly important to this case. Relatedly, freedom is conceived in the negative sense as anti-statists seek to overthrow restrictions imposed by the state that both prevent individuals from making these choices and render individuals complicit in state harm. A key diversion from the Freedom Baby movement is the anti-statist reliance upon ideas of inner conviction and moral disposition to ground their claims that the source of freedom is conscientious responsibility towards the well-being of others. Here, self-mastery is upheld as a mechanism for personal and thus social transformation.

AAM adherents do not conceptualise freedom at this depth, but rather wish to be free from the paternalistic state to engage with their chosen political community in *particular* ways. They agree with their anti-statist counterparts that the state, despite having usurped sovereign power from the individual, ought to facilitate the freedom of their subjects. They also uphold that freedom can be conceptualised as both the absence of external constraints and as agency to pursue one's life choices. Here, the AAM seeks a more direct role in the rules and regulations that permeate both their own day-to-day lives and their state's activities, from traffic stops to trade negotiations. An agential role in daily regulation is a secondary outcome of the more immediate act of freedom, which is the act of withdrawal from the specific sets of practices the state uses in their efforts to subjugate, in particular the imposition of legal identity and the corruption of the natural person.

Central to each case is the rejection of the claim that the state facilitates our pursuit of life choices. A key point here is that these cases, generally, do not disagree with authority; they do

not reject coercion in absolute terms. Rather, they refuse specific types of coercion as well as the claim that it is an overarching body (the state) that enables one's liberty. For each case, freedom is not facilitated or bestowed but acted: freedom responds to changing circumstances and exists in *taking action against the state*. Intentional noncitizens adapt: if land back is not likely to occur, Freedom Baby mothers deploy a new tactic and focus on how to remove their children from the purview of the state; if anti-war protests do not succeed in ending conflict, anti-statists renounce their allegiance; if the police officer does not recognise AAM jurisdiction, the AAM adherent pursues the matter in the officer's own court system. Responding to changing conditions evidences Roberts' (2015) notion that freedom is not merely the condition of living without external constraint or with the liberty to do something; freedom also exists in the act of escaping one's experience of non-freedom. Emancipation is not a systematic or linear outcome whereby one is not free and then free. Freedom is an act that is fluid, responding to one's conditions, a process (Roberts 2015).

Embodied in freedom as action is an undoubtedly republican flavour that places a demand upon intentional noncitizens to act with and on behalf of others; the *duty* to work towards individual and collective liberty. Arendt argues that politics is inherently public and conducive to freedom as it is the public space where an action appears and is visible to others. Arendt reiterates Machiavelli's assertion that virtuosity is "an excellence we attribute to the performing arts…where the accomplishment lies in the performance itself and not in an end product which outlasts the activity that brought it into existence and becomes independent of it" (1963, 153). Our cases agree with the Arendtian observation that freedom is not the result of a political process but the process itself, but they reject the claim that public deliberation is *enough* to facilitate our inner and outer freedom, and they certainly reject the notion that such

deliberation ought to take place within the confines of a particular political community. Instead, freedom for our cases emerges when one has materially disengaged from the state: when one actively does not register a birth, when one renounces their citizenship, or when one challenges administrative controls in court. It is not enough to think or deliberate together in the polis; one must *act* not in the Arendtian sense, but by taking steps to withdraw from the processes they perceive as oppressive, in this case citizenship. In this INC performance, freedom demands recognition of one's actions; one's voice must be heard, an objective and practice seen across our three cases. As the FBM, anti-statists, and AAM move to reclaim their liberty, they assert themselves in public, a proclamation involving others that appears in the world towards a common meaning.[122]

In this way, INC freedom (re)produces community (McGranahan 2016a, 322-3). Freedom for INCs is cooperative in the sense that intentional noncitizens are individuals making individual choices but within a broader collective. Freedom is thus not an individual experience but both an act and goal of the community. As freedom is found in resistance to state injustice, it does not trickle down from the state but emerges, bottom up from its pursuit; it needs no revolution, but comes from within us (Negri 2011, 90). INC exit in this sense digs up political action from its liberal grave. Here exit signifies a refusal of illegitimate rule but also the creation of a new way of living. In this way withdrawal enacts autonomous decision-making in the face of coerced rule and is a direct source of self-determination both for the individual and the collective. Escaping injustice in the INC context is not a singular effort with isolated outcomes but rather a kind of republic envisioned by Negri, "a mechanism within which a democracy of the everyday can organize active communication, the interactivity of citizens, and at the same

[122] I expand on these performative actions in chapter eight *A Theory of Intentional Noncitizenship.*

time produce increasingly free and complex subjectivities" (1996, 221). Here we can see that INC freedom indeed demands a kind of civic virtue – albeit vastly different across the three cases – that is embodied not in a positive legal code but an ethos of community well-being.

Citizenship is a Tool of Refusal

A final narrative of statehood rejected by INCs is that the liberal model of citizenship is a good. Recall from chapter three that citizenship is considered a good because it is a legally recognised relationship between the individual and the state whereby the individual is granted access to a specific set of socio-legal rights in exchange for fulfilling responsibilities to the state. In this way citizenship has material value as it affords full protection within and outside of a state's jurisdiction, and it entitles citizens to a range of socio-political rights including education, health care, working in a formal market, and travel across borders. Through participation in civic affairs and law, and the provision of basic human rights, citizenship facilitates the common good, equality, justice, shared identities, and personhood. It has ontological value because it facilitates recognition within a political community, trust between community members, and democratic ideals. Though citizenship is increasingly conceptualised as something more than formal status and something that is felt, practiced, and performed, regardless of one's legal connection to a community, its materiality is undeniable. Below, I recall the ways that INCs refuse the assumption that citizenship is necessary to facilitate access to the ideals and practices of governance the state is said to uniquely provide. Indeed, for INCs citizenship is a mechanism of control and a harm. But INCs don't stop there. The cases here propose a new solution to their predicaments – to take citizenship itself and use it to achieve their political objective; citizenship itself becomes a tool of refusal.

The Freedom Babies' usage of citizenship as a tool is not a criticism of membership *per se*. The goods made possible through membership (human rights, equality, trust, and justice among others) span most nations and states, and are achieved by Indigenous communities without recourse to the colonial state. Thus, Freedom Baby mothers do not see membership generally as a harm, but membership to a *particular* state – the colonial state.[123] Whereas liberal colonial assumptions endorse membership as a pathway to heal colonial injustices, Indigenous refusal of contemporary colonial recognition practices exposes those which dispossess and disappear Indigenous peoples. The FBM refuses birth registration, the procedure at the very foundation of the citizenship process, choosing non-registration in tailored response to the forced removal of children, reproductive domination, and identity erasure that has taken place through registering a child's birth. The FBM sees the act of birth registration as indicative of one's legal bond to the state and severs it carving a path of Indigenous political possibilities.

Anti-statists too offer an alternative. They neither call for a particular type of justice – for example alleviating poverty or enhancing the equality of women – nor call for the scope of global justice to be expanded upon or redefined. They argue, simply put, that the world's problems are grounded in exclusive membership – a system that divides (and conquers) by group politics based on arbitrary demarcation of land and bordered birth (see Caney 2006; Nussbaum 2005; Brock 2013). Nationality is imposed upon individuals who are given no choice in the matter. For anti-statists, it is citizenship that separates humanity into groups, and it is precisely citizenship that is the lynchpin in practical solutions to global injustices, however caused. Davis and Hanjian see intentional noncitizenship as a mechanism through which, at least symbolically,

[123] This is not new. Recall from the *Introduction* Audra Simpson's extensive work with Mohawks that details their refusal of Canadian and United States citizenship so as to further ground their own political and sovereign identity and refuse colonial oppression. For Mohawks, refusal is a political alternative to the good of recognition (Simpson 2014, 11)

state harm can be challenged. Unable to reverse the registration of their births, anti-statists aim to dissolve the legal bond between the subject and the state through renunciation of citizenship. As anti-statists view nationalism as a principal cause of inhumanity, the key ingredient in a nationalist system that makes conflict possible, citizenship is wielded to disconnect from allegiance to a harmful state and permit the individual to become an agent of their own nationality.

The anti-authority movement demonstrates that expectations of citizenship – law, public processes, and identification practices – indicate a paternalistic state which therefore ought to be negotiated and refused. Expectations themselves become material tools of refusal, where those who are disgruntled with the state can lay claim to tangible representations of it for their own purposes. The AAM adherent harnesses traditional expectations of citizenship and flips them to create new ways of living. Obliging themselves to new forms of authority, inventing new identification practices, creating new styles of speaking and writing, and disrupting court conduct are all mechanisms of possibility (Virno 2004), a potential to have a more direct role in their governance. In this way, citizenship becomes a negotiating tool to reclaim control over subjecthood and thus to respect individual liberty.

These cases show that citizenship is *used* specifically to challenge state injustice and related normative justifications for statehood. This stands in direct opposition to the literature that sees noncitizenship as potentially agential but ultimately a harm. Recall from our *Methodology* chapter that "non-citizenship" is often characterised in the context of vulnerability where, generally, non-citizens lack certain rights and freedoms, (Honohan and Hovdal-Moan 2014, 8) and embody weakness (Plotke 2014). Within these frameworks, solutions are presented in the context of rights, in various forms, that work towards a reconciliation of "citizenship,

membership, and presence in decent political regimes" (Plotke 2014, 290). Tonkiss and Bloom argue that these characterisations of noncitizenship, while contributing significant interdisciplinary and empirical value to the subject, rely on "methodological citizenism," the assumption that "citizenship [is] the only form of political relationship between an individual and a state" (Bloom 2022, 372; Bloom 2021). Here, "non-citizenship" is merely the absence, or negation of, citizenship; there is an analytical binary relationship between the two where the rights of noncitizens are considered only in relation "to the conceptualisation of citizenship and *its* relationship with justice and rights" (Tonkiss and Bloom 2016, 840). Therefore, by rejecting such methodological citizenship, we can recognise noncitizenship as its own analytical category, contingent upon social, legal, and political contexts (Tonkiss and Bloom 2016). As we have seen throughout this dissertation, this approach is successful in laying the groundwork to conceptualise intentional noncitizenship as a distinct category of analysis. Yet, while this understanding of noncitizenship makes room for agency and criticises the prioritisation of state-driven exclusion, noncitizenship theory remains dependent on the fundamental assumption that citizenship is a good and that noncitizenship is a status to be avoided.

Our exploration of intentional noncitizenship challenges these assumptions and stands to expand and thus benefit theories of (non)citizenship by inverting the purpose of and substance of citizenship. Whereas scholars tend to view citizenship as facilitating the substantive ideals and processes of the state-led political community, our cases show that citizenship is refused according to its associated mechanism of oppression. Just as citizenship comprises diverse elements (legal bond, allegiance, expectations) it is refused *through* each of these components, separately. In this way, this project demonstrates that citizenship is indeed a site of claims-making (Isin 2017; Redclift 2013b) but in its *negated* form, that is, not in affirming one's

connection to a political community but rather denying it. Whereas practices carried out through noncitizen agency towards the goal of formal or informal recognition are considered acts of performance that demonstrate one's *inclusion* in a community where that individual is otherwise excluded (Isin 2017; Landolt and Goldring 2015; Middleton 2014), the cases surveyed here show us that this relationship is inverted: citizenship itself is wielded in the performance of *dis*engagement (see Hess 2016; Simpson 2014). In their disengagement, INCs do two things: they make a counterclaim to normative justifications for statehood that rely on citizenship, and *use citizenship itself to make that claim;* the very mechanism that is refused becomes the tool which with to refuse it.

Citizenship then can be conceptualised as a *tool* of refusal, a material tool to disengage from and exit the state. As instrument of refusal, noncitizenship enables one to withdraw from formal membership and the state practices associated with it. The legal connection to a state established through birth registration is severed; the child does not become a subject of the state. Renunciation of citizenship severs the legal bond after it has already been established. Withdrawal from the daily practices of citizenship disconnects the subject from what is expected of them. Thus, membership is not just a 'gift' that is bestowed by the state (Simpson 2014) that facilitates the transition from vulnerability to empowerment. Rather, noncitizenship can itself be considered a condition of empowerment, that, in the decolonial, anti-statist, and anti-authoritarian contexts, is no longer associated with surrender, servitude, and injustice but freedom from the yolk of state injustice. Refusing citizenship – and the other principles discussed thus far – is a material expression of the observation that "indeed… a good is not a good for everyone" (Simpson 2014, 1).

II. Conclusion

In this chapter I aimed to explore the conceptual implications of INC on four key principles that serve to justify the liberal state: sovereignty, security, freedom, and citizenship itself. I found that the FBM, anti-statists and AAM critique normative justifications for statehood and the goods it is said to provide. First, INCs draw upon familiar distinctions concerning sovereignty but support the call for a new "meta-vocabulary" of sovereignty that is reflective of adaptive to the diversity of political communities on the ground. Second, INCs do not offer a version of security to which we should appeal but argue the state is a source of insecurity and membership has itself become a form of securitisation justified by the political rationality of liberal security discourse. Third, freedom emerges from taking action against the state, and thus embodies a republican sentiment where freedom is performative and virtuous. Our cases make a fourth challenge, to the idea of citizenship itself and offer an alternative conceptualisation, as a tool of refusal used specifically to exit from the state.

The communities, political spaces, and relationships presented in our three empirical chapters are dynamic indicating that intentional noncitizenship is more than a related but segmented refusal of four leading political principles. Rather, this project reveals that INC is a refusal in itself, a refusal that responds to different environments and changing objectives. But just what type of refusal *is* intentional noncitizenship? Each case does not refuse the state in absolute terms. This reveals that refusal in the context of INC is neither absolute nor consistent but dynamic in that it responds to and negotiates its circumstances.

First, while each case refuses a type of state injustice, they do not refuse all states. They call for different forms of governance, forms more in line with particular conceptions of sovereignty and justice. This is a key finding of this project – that refusing the state is not

absolute but conditional, and at times flexible. For example, the FBM claims sovereignty within an international system of states, alongside the state – one political community next to the other. It calls for the reinstatement of their own sovereign legitimacy and simultaneously refuses the colonial state. Anti-statists do no such thing and see each individual as sovereign but allow for dual allegiance and individuals to remain tied to the state of their choice. Anti-statists call for a change in the way the modern state responds to non-nationality and advocate a respect for non-allegiance. They argue for an inherent right to statelessness, prefer a cosmopolis of some kind, and allow for just states. The anti-authority movement calls for a spectrum of state governance models that move from night-watchman to welfare state and refuse specific elements of the state but accept others. They make normative claims as to what type of governance model should exist based on particular types of laws.

Second, each case does not always refuse consistently; theirs is a negotiation of their moral claims amidst conditions they must necessarily overthrow. Davis calls the United States his home and cites the U.S. constitution as a formative human rights document yet despises nationalism. He attempts to exit and enter the United States using his World Passport and (grudgingly) accepts detention when faced with it but cites various national documents and practices when contesting authorities in various countries in which he finds himself. Freedom Baby mothers appeal to strangers – who could be (colonial) Canadian citizens – for help in their fundraising efforts designed to alleviate hardships that have befallen their noncitizen children. They cross international borders, presumably with their Canadian passports.[124] Members of the Anti-Authority movement reject court and officer jurisdiction yet demand that court,

[124] Though they could be permitted to travel across the border by way of the Jay Treaty. Agreed upon in 1794 by Great Britain and the United States, the Treaty provides that Indigenous persons so recognised by both governments (and subsequently Canada) can travel freely between both countries for the purposes of "employment, study, retirement, investing, and/or immigration" (U.S. Embassy No Date). For a discussion on Canada's recognition of the Jay Treaty see Government of Canada 2024. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/indigenous-mobility.html

government, and enforcement officials recognise their claims, authority, and demands for respect and compensation. What appear as contradictions are in fact a negotiated refusal, a strategy that is deployed to simultaneously interact with a restrictive political space and carve out a new one that is more just. Rather than holding an inconsistent or ad hoc agenda, these cases are flexible in their interactions with their oppressors and adapt to the conditions they face. This isn't just strategy; it is necessity. If Freedom Baby mothers do not engage with others, their children face undue harm (broken teeth, limbs); if anti-statists eschewed all elements of state authority they would likely remain in detention or face removal; if AAM adherents do not learn the language of Canadian law and court practices, their (vexatious) legal claims wouldn't see the inside of a court room. The negotiated tactics used by INCs therefore contribute to not only the success (or for some, demise) of their own claims, but also make front page news and reach millions of potential supporters.

Just like their refusal, it is clear that for these cases, few concepts related to the state are straightforward. Sovereignty, security, freedom, and citizenship cannot be confined to a particular location or scope even if the boundaries of these principles are pushed. By grounding critiques of statehood on the same grounds upheld by those who support it, INCs reveal a limitation of the way we conceive the state. The current mode and ideals of the state system can be said to be outdated and ill equipped to respond to the various structures and values of intentional noncitizenship. Whereas these four principles are said to guide our relations and steer the implementation of ideals, INC evidences that practice does not meet theory in this way. In other words, these principles are shaken from their fixed status to reveal they are not black and white but flexible, responsive, and adaptive. Put differently, the territorially bounded liberal state cannot claim to be the superior legitimate political community that facilitates these ideals. These

cases indicate that non-state political communities themselves may be considered sovereign and facilitate requisite goods; that there is not *one* political community but several forms that embrace diverse ways of living and forms of well-being.

Now that we understand exactly how each of our three cases interacts with leading principles of political theory and practice, I turn now to a discussion of intentional noncitizenship itself. Based on the findings presented here I argue that INC is an instrumental good and ought to be considered a right.

Chapter Eight: A Theory of Intentional Noncitizenship

I. Introduction

In the previous chapter I brought our cases together and interrogated their claims vis-à-vis not just the leading normative justifications for liberal statehood but also each other. I moved from the locale of each case to a broader elucidation of key elements of INC, some first steps in understanding this phenomenon. We saw threads uniting these cases and areas of divergence in the areas of sovereignty, security, freedom, and citizenship. Each case attests to sovereignty's conceptual weakening through both anti-state claims to authority and inherent inconsistencies pointing to the need for a new "meta-vocabulary" of sovereignty (Bartelson 2006). As our cases identify security practices that render them vulnerable, they seek to emancipate themselves from the *in*securitisation of everyday democratic politics (Aradau 2004). Furthermore, INCs aim to (re)produce community (McGranahan 2016a) and stipulate requisite parameters and principles on their own terms. Citizenship is a colonial and paternal imposition therefore, intentional noncitizenship is, at its core, a type of refusal.

It is time now to explore INC itself. Here, I attempt to answer my second research question – what *is* intentional noncitizenship? In what follows I craft a theory of intentional noncitizenship that identifies some core features and sets the stage for the normative justification of INC that follows. I argue INC can be considered an instrumental good because it facilitates autonomy, political action, and obligation to others. We learned from the AAM that intentional noncitizens are reflective self-governors and demonstrate personal and moral autonomy. INC generally is autonomous action where INCs are self-determined and reflective and are inherently concerned with justice. Second, we learned from the FBM that intentional noncitizenship is indeed a form of political action. This encourages a consideration of the individual as a political

being who can contribute to new forms of political community. Third, we learned from anti-statists that INC obligation is reciprocal and relational. It is therefore communal in nature and is inherently about taking responsibility for oneself and for others.

To make a reliable claim that INC can be considered such a good, my intuitions in this respect admittedly need to be qualified – tested, to be precise. Miller outlines three mechanisms that can test such reliability – the technical feasibility test, political feasibility test, and the Rawlsian 'realistic utopia' test (2010, 46). These feasibility constraints serve two purposes: they permit a more robust delineation of the judgments I make with respect to INC, and they necessarily remind me of the assumptions I do, can, and cannot take for granted when making such claims. Therefore, in section three, I apply the first of these three assessments and test the technical feasibility of my claim that INC is an instrumental good vis-à-vis the practical realities that intentional noncitizens who are no longer citizens may inevitably face: the ontological and material harms of statelessness. In response to these claims, I argue that INC facilitates personhood, recognition, and belonging, and that if sufficiently governed through legal residency status INC may not cause material harm. For these reasons I argue that intentional noncitizenship is a viable alternative to citizenship, and that itself is a matter of justice and should be permissible.

Arguing for INC as an instrumental good that ought to be recognised points to a theory of the right, an attempt to outline a "set of distinctions around which to taxonomise different possible approaches to questions about which institutions to prefer" (Pettit 2012, 20). My aim is to elucidate a particular right with direct philosophical arguments (Freeman 1994). Therefore, in section four I consider a second feasibility constraint, the 'realistic utopia' test and explore how INC as an instrumental good can be operationalised into an individual right of self-

determination. First, I reject two related proposals – a right to non-nationality and the retention of the right to nationality as a safety mechanism – and find that a third, 'statefulness' provides a pathway forward. Next, I call for an individualised variation of the right to self-determination for peoples which both accommodates the unique individualised context of intentional noncitizenship within a statist world and aligns with key principles contained in already established human rights provisions. I conclude in section five with final remarks on how my claims pass a third assessment, a political feasibility test, satisfying a range of interests including those of intentional noncitizens, their host states, and the broader international community.

II. INC as An Instrumental Good

Intentional noncitizenship is a condition (legal or symbolic) of non-nationality that is chosen, or advocated for, to achieve a political goal. Just as refusal for Mohawks is an alternative to the "much sought-after and presumed good of multicultural politics" (Simpson 2014, 11), it is clear from the FBM, anti-statists and AAM that INC is an alternative to the good of citizenship. Anti-authority members show us that INC facilitates personal and moral autonomy. The Freedom Babies teach us that INC is a form of political action. Anti-statists reveal INC is obligatory in nature. Each case exposes a deep linkage with these respective outcomes, but crucially, these features infuse all cases pointing to a set of features of intentional noncitizenship generally. In this way, the judgments I present here are *considered* (Knight 2017, 47) – they emerge from each case individually but upon reflection they cut across cases revealing a diverse but consistent presence in each. Thus, we can consider INC to be an instrumental good in that leads to something else that is good *and* "it causes things to go better than they would have otherwise gone" (Bradley 2013). In this way, INC is a means to realise a variety of alternative, non-state

political communities, and, as we learned from the case studies surveyed here, at least three goods along the way: autonomy, political action, and obligation to others.[125]

Autonomy (Action)[126]

We have seen throughout this dissertation that noncitizenship is not always a condition of vulnerability, and when enacted through choice, it becomes one of empowerment. The fact that INCs choose their conditions warrants a discussion on what it means to be empowered, to act autonomously. Recall from chapter three *Statehood, Sovereignty, Citizenship* and chapter six on the anti-authority movement that autonomy comprises several elements related to self-governance. Personal autonomy concerns the control and pursuit of one's desires, and moral autonomy relates to respecting moral law, that is, one's pursuit of desires vis-à-vis others' pursuit of their desires (Waldron 2005). On the desire-formation account of personal autonomy, the overcoming of internal barriers towards a self-mastery involves processes of agency and reflection that work together to inform desires rendering the individual self-determined (Feinberg 2014; Dworkin 2012; Christman 2014). This first central feature of INC is emergent across cases, where each group demands to be recognised as individuals who *ought* to be entrusted with the capacity to determine their political future, including the choice to exit the state. Intentional noncitizenship is self-determination in action where INCs are self-determined and reflective, and demonstrate a moral autonomy, an inherent concern for justice.

[125] Recall that, as I noted in the Freedom Babies chapter, I do not believe the potential harms associated with intentional noncitizenship are permissible for children because the risk of short- and long-term harm to a child noncitizen outweighs any potential political gain. Thus, in the analysis and proposals that follow, I consider these in relation to the informed adult and I exclude children.

[126] I use the admittedly liberal term autonomy in this section to capture a range of self-determining actions that our diverse cases carry out, though I acknowledge the risk of epistemological harm vis-à-vis the Freedom Babies movement. Importantly, the FBM does use the term autonomy in their claims hence my use of the term here. I address a related tension with respect to the Freedom Babies movement and my proposed liberal solutions to their (and other INCs) predicament in section four below where I explore self-determination.

We learned from the anti-authority movement that intentional noncitizenship can facilitate one's authenticity, or reflective knowledge about one's conditions, as well as equip one with requisite tools to rebuild the contours of their political community. AAM adherents author their conditions anew symbolically by withdrawing from the expectations of citizenship and practically through the creation of new norms and codes of behaviour. We also saw that, despite the individualised nature of the AAM, it also has a moral character: the AAM member pursues their life goals according to deeply held value systems, and when making their decisions they consider not just themselves but the broader community. Similarly, the personal and moral characters of one's actions in the FBM and anti-statist contexts cannot be easily separated. Anti-statists demonstrate that citizenship is arbitrarily imposed and discriminatory, and its refusal is a repossession of autonomous decision-making concerning one's political preferences. Refusal is carried out by the individual but is communal in nature and aims to contribute to the well-being of others. The FBM demonstrates that as the mother chooses to not register the birth of her child, she reclaims autonomy over her body and her community's recognition practices and opens her child up to life free from colonial imposition. INC Autonomy can therefore not be reduced to a binary where an individual's desires either submit to societal norms of justice or vice versa (Waldron 2005). Instead, as intentional noncitizens work toward their broader political goals, they make moral considerations pertaining to their individual lives and those around them.

Making such considerations whilst responding strategically to one's conditions indicates that the intentional noncitizen is a self-determining agent. As AAM adherents grapple with a political community made more culturally diverse, politically inaccessible, and economically unequal, turning to alternative solutions appeals to the desire, and need, to take back control and become a more direct author of one's destiny. Responding to a changing world over which they

have no control, the AAM adherent becomes 'self-governing' as they subject themselves to forms of law and practices that speak to their particular conception of justice. As AAM adherents adapt to their conditions, like their FBM and anti-statist counterparts, they work to determine their political futures. In the case of the Freedom Babies, self-determination holds a double meaning, employed in the context of Indigenous autonomy generally, and reproductive self-determination for FB mothers. Self-determination for the FBM does *not* refer to autonomous decision-making privileges granted to an Indigenous community living within a state but rather external self-determination. Freedom Baby mothers also exercise reproductive self-determination. The FB mother aims to protect and emancipate her own physical body and her child from the biopolitical state, but also the environment from destructive resource development, and her community and nation from subjugation and potential dispossession. For anti-statists, noncitizenship is a form of individual political self-determination. For Davis, the principle of self-determination permits one to both change and renounce their nationality.[127] Whereas Davis is concerned with recognition before international law, Hanjian articulates the principle of self-determination through a set of rights, grounded in what he sees as the fundamental human right to statelessness.[128] Importantly, anti-statists show that self-determination also operates along the lines of personal transformation. Once equipped with the *desire* to withdraw allegiance to the state, controlling one's destiny becomes immediately possible but ultimately begins with self-reflection. Indeed, for anti-statists, personal transformation precedes, and is necessary for, social change. Self-determination in the context of

[127] Noncitizenship is an act of self-determination at a micro level, but Davis calls for its recognition in the international realm and relies on international law as grounds for that recognition. Recall from chapter five Davis's claim that the individual is a subject of international law, a stateless person has attributes of statehood, and human rights are legitimate in themselves (2011 [1985], 3).
[128] Recall that Hanjian's sovrien holds the right to be treated as a sovereign entity, to withhold allegiance and support from all states, and to be free from all state-imposed restrictions, requirements, and brute force (2003, 223).

INC is multifaceted and encompasses reflective deliberation about one's value systems, one's relationship with society, and one's political future.

The reflective nature of INC is key: INC autonomy is reflective action where one's personal or ideological prerogatives are enacted in calculated, thoughtful, and measured steps of disengagement. INCs think through the risks of noncitizenship and respond with tailored solutions imparting an authenticity to their actions as their strategies are uniquely their own (Feinberg 2014, 32), and a moral authenticity as their decisions are shaped by and represent one's true self, 'who they really are' (Waldron 2005, 317). They go to government offices and courthouses, speak out in various advocacy settings, and sustain their efforts amidst arrest, detention, or cultural dismissal. They take legal steps, hold workshops, make symbolic gestures, speak publicly, write books, film documentaries, and travel to present at events. In doing so, INCs demonstrate personally and morally autonomous thought and action whereby they evaluate their options and prioritise their objectives (Dworkin 2012; Christman 2014) in the face of an omnipresent state system that takes care to prevent the very action they seek .[129] The lesson is that intentional noncitizens take neither their conditions nor their options lightly: they critically reflect on solutions and evaluate potential harms that may occur for themselves (or their children) and potential tensions that may arise in society.

INC is a specific status – albeit it in each case neither absolute nor permanent – that allows an individual or community to actualise the political principles that they seek. Looking at noncitizenship in this way shifts the focus from state power to individual agency as it concerns one's ethical and legal relationship with citizenship. The cases presented here demonstrate that since achieving anti-colonial, anti-war, or anti-authority objectives is unlikely, INC becomes a

[129] I am referring to international objectives to prevent statelessness such as the 2014 IBelong campaign and the 2024 Global Alliance to End Statelessness.

tool that places intentional noncitizens in a position of (perceived) immediate power where they can pursue their fates free from state discretion, and provides a pathway for such self-governance to be achieved.

Political Action (Future)

That one can demonstrate reflective action in a political context raises several questions with respect to what is typically understood as political space. In this second core feature of INC, I consider what it means to 'be political'. The contours of political action are contested in terms of both where it can take place and who counts as a political actor. A broad term, the political space is where individuals can deliberate on and engage with meaningful issues. When we think of 'the political' we tend to associate these actions and spaces with the state, however, reality tells us otherwise as people engage in political practices regardless of whether they are members of a state or an alternative, perhaps informal, community. James C. Scott, for example, uses the term 'political order' to "avoid conveying the mistaken impression that outside the realm of the state lay mere disorder" (2009, 36). Victoria Redclift uses the term 'political space' to "capture the way in which the boundaries of political community are socially, spatially and temporally produced" (2013a, 2). Furthermore, such spaces can be created by the state or by individuals in formal, informal, or virtual channels (NDI, 2016), which present both opportunity and restriction, and cannot exist independently of where engagement with civil society occurs (Stigum Gleiss, 2017). Redclift observes that the political space is also conditioned by those "excluded from history, power, and space, [and who] negotiate relationships with the state" (2013a, 55). These conceptualisations convey the general idea that what is political is subject to changing conditions and cannot be confined to the state. Our cases demonstrate this well; that

just as INC is autonomous action, it is indeed a form of *political* action. This encourages a consideration of the individual as a political being who can contribute to new forms of political community.

We learned from the FBM that non-registration of birth, and thus intentional noncitizenship is a political act that imagines new possibilities of living and works to change the political order (see Million 2014). Freedom Baby mothers enact a politics of decolonisation in what Coulthard (2014) refers to as a grounded normativity, wherein a simultaneous refusal of colonial power is met with an assertion of Indigenous resurgence. This decolonial exit translates from the Freedom Babies experience to anti-statist and anti-authority contexts. In each case, exit takes place to shake off oppressive state powers and reclaim what has been taken. In the case of anti-statists, to become once again a sovereign individual one must sever their political ties to their state. The AAM similarly wishes to reconnect with an older statist order and takes a variety of political steps to do so. My objective is not to align the colonial experience with anti-statist and AAM perspectives on injustice, but rather I wish to demonstrate that each case acts politically by carrying out consistent and critical practices that both respond to their relationship with the state and create opportunities for new political communities. In both their private and public demonstrations in resistance to the state they are "being political" (Simpson, 2014; Bloom, 2017), something that McGranahan sees as a "politics of hope" (2016b, 338).

Such acts demand recognition of the intentional noncitizen as a political being, an individual enacting at once refusal and change on their own terms. Here, politics is neither confined to the state nor exists outside of it, but rather permeates it from a liminal space – neither in nor out – (Belton 2015) where direct participation takes on new meaning. Every tweet, publication, and engagement with authorities and institutions is a political claim with political

consequences. Intentional noncitizenship is an assertion of political values. Refusal here is disengagement – quite the opposite of non-engagement – and just as citizenship becomes a site of claims-making in the negative, refusal in the context of INC can be understood as what Mengesha and Padmanabhan refer to as a challenge to the "discursive infrastructure that makes political action legible" (2016, 3). While exit is traditionally considered an act that disunites the individual and their political community (Hirschmann 1970), our cases show that it is rather a politics of the future (Virno 1996; 2004) where each case envisions a new political space wherein relations between members and governors are redefined along egalitarian lines. Here, it is the possibility of a new way of living that drives INCs to shed their formal relationship with the state. Freedom Baby mothers envision a world where they can deliver and raise a child free from state interference, live with their nation in peace, and work to heal and protect the environment. Anti-statists dream of global peace, a world where state sanctioned violence is no longer possible. Amidst the diversity in proposals for alternative political communities, what is clear from the AAM is its desire for equality, for minimal state interference, and for more secure living conditions.

This encourages a recognition that the liberal model of citizenship as a function of the nexus between statehood, sovereignty, and subjecthood is perhaps not the only legitimate way of organising ourselves politically. INC permits us to imagine alternative forms of political community, bringing currency to Cole's claim that "our discussions are not limited by states, citizenship or nations as we find them in the world, but [we] can explore alternatives as we use theory to imagine different political orders" (2017, 256). Intentional noncitizenship both embodies and produces constantly redefined political spaces from which emerge new political possibilities, new subjectivities, and new meanings of belonging.

Obligation (Relationality)

Third, as individuals and communities envision new political possibilities, questions emerge related to the relationships within these possibilities and between these and the liberal state. This is a question of practice – what these relationships would comprise, and how they would be managed in the contemporary context are equally important queries. I explore this in more detail below, but here wish to explore the idea of obligation generally. That is, how can we understand duty in the context of INC, between intentional noncitizens and the states where they must, inevitably, live. Questions of political obligation concern what responsibilities we have to others, the grounds upon which they can be justified, and whether special duties are owed to those with whom we share values and interests. Recall from chapter five that accounts of political obligation range from the fair play account, which sees the general obligation to obey the law as grounds for imposing duty upon individuals (Dagger 2008), to the associational argument which sees one's shared values and interests as justification (Miller 1995; 2002). INC obligation demonstrates both of these perspectives; it is reciprocal and relational, and is inherently about taking responsibility for oneself and for others.

We learned from anti-statists that upholding duties to one's neighbours transcends one's legal status, and obligation can be considered a dynamic reflection of relations between, and as a moral duty to, communities irrespective of nationality. Anti-statists teach us that INCs support reciprocity and association-based accounts of obligation and uphold toleration of and duty to others based on cooperation, self-regulation, and responsibility. Such principles are not limited to anti-statists but can be seen across the INC context. Each case is concerned with a better world and works toward the well-being of those close and far: their immediate communities, their ancestors, strangers across the world, and the earth. The notions of reciprocity and responsibility

permeate Freedom Baby movement principles through the notion of giving. Just as the earth lives and gives, "community is a living system" whereby social relations are horizontal and balance multiple interests (Armstrong 2007). A horizontal political order isn't necessarily what the AAM aspires to, nor are they particularly concerned with reciprocal relations with others. Rather, the AAM is concerned for the well-being of society at large. As individualised and obscure as AAM tactics seem, adherents attempt to change their own circumstances but claim to do so for the greater good. We owe it to ourselves to be free from the administrative state's enslavement, but we must work to help others achieve the same. It is this connection with the other in an experience of INC solidarity that brings otherwise disparate cases together.

This project shows that instances of exit are individualised in method – non-registration of birth, renunciation, disengagement with state practices – but communal in nature. From the realisation of sovereignty to the development of autonomous decision making, personal and social transformations work in concert to inform various forces, but in this process the individual and community are always connected. Reflection on the experience of others occupies a central place in INC thought and action as both individuals and communities acknowledge their positionalities in injustice (Campt 2019) and pursue their collective emancipation from it. Liberty, as we saw in the last chapter, for INCs, is bound to the collective: freedom for one can only exist if we are all free and vice versa, thus we have a responsibility to do no harm to the community (Negri 2011, 56), and to work towards the freedom of others (Marshall 2010).

Though our cases do not themselves use the term obligation, the spirit behind this language is strong in each case: the central claim is not about being obliged *per se*, but about taking responsibility for your actions and for others, and for the environment. Indeed, INCs embrace a sense of duty to their neighbours, communities, environments, ancestors, and their

futures. Responsibility towards others informs the decision to exit the state and informs proposals for change following one's disengagement. Here, duty moves from its contractual roots to an ethos of collective betterment, where the self-reflective individual evaluates their own complicity in injustice so as to change it (Campt 2019). Here, we can interpret intentional noncitizenship along the lines of Honig's (2021) arc of refusal, where disengagement from one type of political community demands reengagement into, or formation of, another, a process that is not a singular event but a commitment over time. The INC's withdrawal is not an individual, singular event after which one pursues their own destiny. Intentional noncitizenship is quite the opposite: political exit is re-entry into a new political form. These cases are attempting to (re)produce community, to redefine the political space, its outcomes, and the relationships therein (McGranahan 2016a), with others, and with the self.

I consider autonomy, political action, and obligation to others in the normative sense – these are all good things to which we should aspire. These principles are the foundation for why, irrespective of the harms of statelessness, we can consider intentional noncitizenship to be an instrumental good. As my reflections above show, there are lessons to be drawn concerning the value of intentional noncitizenship in these three normative iterations. INC is an act of reflective self-governance, it is a mechanism for political action outside the state, and it can facilitate the well-being of others. Indeed, intentional noncitizenship is a way to resolve socio-political and psychological harms across a range of contexts and moral settings, but my intuitions in this respect admittedly need to be tested. I turn now to my first test, a discussion on how INC responds to the claims that the absence of nationality results in ontological and material harms.

III. INC as a Viable Alternative to Citizenship

We have seen thus far that it appears that intentional noncitizenship is *pro tanto* beneficial; it facilitates autonomy, political action, and obligation towards others. But a glaring observation is that it can also be *pro tanto* injurious as it can lead to a lack of rights and protection for the bearer. My claim that INC is an instrumental good therefore must be further qualified against the practical realities that intentional noncitizens may inevitably face: the ontological and material harms of statelessness. This brings us to our technical feasibility test, which concerns whether my proposal contravenes "rock bottom social or psychological laws" (Miller 2010, 46). Two such laws concern INC: the state plays the lead role in one's access to material rights and protections, and nationality is widely considered to be crucial for one's sense of personhood. Therefore, I now begin to consider how intentional noncitizenship can address some of the harms related to statelessness and why, given these harms, we should permit individuals to become noncitizens. I make two claims. First, INC does not cause ontological harm and in fact facilitates personhood, recognition, and belonging. Second, INC may cause material harm but if sufficiently governed through legal residency status, INC may not cause such harm.

Technical Feasibility Test: The Harms of Statelessness

It is well documented that statelessness is considered an ontological harm. Recall from the *Introduction* that nationality plays a significant role in a stateless person's sense of belonging (Belton 2015), social connection (Kerwin et al. 2020), and the feeling of whether they even exist (Kane et al. 2023; Eliassi 2015). Its absence is said to be linked directly to one's sense of self, one's personhood in both private and public realms (Kingston 2019). The inability to legally participate in one's political community – to be formally recognised as an equal – relegates the

stateless person to a sphere where their rights are not fully realis*able* and their participation never fully recognis*able*. Legal status then means something much more than a mechanism for material access and equality and embodies a visibility that brings the stateless person into the political order; being recognised as a member of a greater community is essential to stateless persons' well-being. Social death (Patterson 1982), as it were, is an undeniable feature of statelessness where, despite the admirable and consistent displays of agential participation, the lack of nationality is equated with a civic non-existence.

The narratives of social death, bare life (Agamben 1998), and civicide – where a state intentionally erases societies or peoples or ideologies through membership (Appadurai 2006) – highlight the deeply important role the state holds in facilitating the basic rights of individuals across the world. In other words, citizenship matters. In our contemporary world it is indeed necessary to work, move, live, and die legally. The cases surveyed in this project do not disagree but argue that such narratives, while serving to raise attention to the marginalization of those without nationality, also serve to *uphold* the state as the giver and taker of life. INC refusal of this paternalism in both discourse and practice establishes that responding to state injustice by refusing the quintessential symbol of the state – citizenship – in fact facilitates a sense of personhood, recognition, and belonging outside the state.

Our cases demonstrate that the sense of personhood is not merely bestowed upon the individual from the state through formal recognition but is emergent from within the self and one's moral compass. Intentional noncitizenship *facilitates* personhood in the senses raised by our cases. Freedom Babies demonstrate a deep sense of purpose vis-à-vis one's community, ancestors, tradition, and environment as they reclaim practices of belonging not conditioned by legality but by reciprocity and giving. Anti-statists and AAM adherents rely on a personal

transformation that evokes a process of self-reflection and a responsibility to change one's behaviour to work towards the liberty of others. All cases resolutely reject the idea that one's sense of personhood, or 'civic existence' is top-down, formal, and granted by the state, and support the idea that INCs are themselves agents working towards a more direct sense of ownership over their socio-political conditions. As we saw above, they become political beings in themselves.

To live outside of state recognition, then, is not to have experienced a social death, but rather a rebirth into a new form of politics where nationality is not the marker of ontological well-being. To be recognised as a member of a community is indeed important to each of our cases, but for different reasons and at distinct scales. FBM mothers do not register the births of their children in simultaneous rejection of state biopolitical practices and in an embrace of traditional naming practices where the baby is 'recognised' by the community, spirits, and the creator. Anti-statists are proud to walk amongst their global neighbours as noncitizens and propose rules to guide behaviour in this new type of social relationship. To be recognised as one who acts according to inner principles of integrity and dignity is an essential component of withdrawal. Finally, to the AAM, the public facing element of their refusal is paramount to their principled stance. To be recognised by society (in good or bad terms) complements their juridical strategies and is a source of empowerment in fighting the behemoth globalised state. Our cases therefore demonstrate that the discourse on statelessness which conceptualises recognition in individual and legal terms – where an individual ought to be an equal member who is legally able to participate and be heard by their peers – is a rigid state-centric mindset bound by socio-legal norms that categorise individuals into particular polities, and is dismissive of alternative

forms of recognition that lay claim to horizontal social relationships connected by solidaristic notions of responsibility.

Whereas the discursive focal point of statelessness studies and practices hinges on the inability to politically and socially belong, intentional noncitizenship identifies exit as precisely the location of grounded connection to one's community – imagined in three very different ways. As I noted above, INC facilitates political action and obligation to others, two key markers of socio-political belonging. Rather than non-belonging as an uncertain liminality between the two extremes of with and without citizenship (Belton 2015), INC enables individuals and communities to conceptualise and operationalise new political possibilities to which they inherently belong. Here, belonging detaches from its statist hold and is distilled into alternative spaces which are designed to foster new senses of connection with others. Rather than the impossibility of relations, intentional noncitizens entrust themselves with the responsibility to nurture connections with others irrespective of – but not hostile to – the formal or symbolic allegiance their neighbour may hold.

The narrative that recognition as an equal member of a polity is key to one's sense of self is also, crucially, grounded in the empirical observation that nationality is the leading arbiter of material rights. The Arendtian claim that the stateless are rightless and thus the "scum of the earth" is a response to the egregious harms that are the consequence of the lack of nationality made possible by an international statist system premised on membership (1976, 267). Arendt's observation is a practical one: irrespective of how one feels about the contemporary state (not excluding her own disdain for it), without its formal recognition in the form of full legal status – citizenship – one is ultimately left unprotected, rightless, with no means of appeal.[130] Nationality

[130] …to their state. Of course, persons claiming statelessness may be assessed as such and granted residency in a state other than their own, as well as through the UNHCR's international statelessness determination procedure.

is thus upheld in political, sociological, and human rights discourse as paramount to accessing material rights because it is a marker of, typically, non-negotiable standing vis-à-vis the state: a citizen is protected.[131] This observation grounds the claim that INC ought to be impermissible as INC may cause material harm and citizenship protects against such harms. I argue, instead, that if sufficiently governed through legal residency status, INC may not cause material harm.

Intentionally disengaging from the body politic almost certainly carries with it the inability to access basic human rights, for example, the inability to work legally or to access health care. However, the citizenship-can-protect argument hinges on the value placed on citizenship and *its* role in protecting against material harms relative to other legal statuses. Despite the widespread tendency to associate citizenship or nationality with access to rights, it is often membership based on *residency*, however, that is the categorising mechanism that facilitates such access. As I noted in chapter three, noncitizens of many types enjoy goods the state has to offer. Permanent residents, skilled workers, international students, refugees, and asylum seekers are all granted access to various sets of socio-economic rights in most liberal states. Citizenship tops the hierarchical chain of membership, but it is often legal residency and identity documents that permit a non-national to enrol in school, obtain a work permit, or access health care. For example, individuals positively determined to be stateless are typically provided by their resident states with identity documents to facilitate access to social services as well as mobility across borders.[132] Put another way, nationality is not an automatic causal mechanism that confers rights, and it is not the lack of nationality that makes one rightless. As Swider notes, it is not the status of statelessness that is the problem, but instead it is the legal environment that

[131] Though for a variety of reasons many states are embracing the trend to denationalise their citizens. See ISI and GLOBALCIT 2022.
[132] State parties to the 1954 Convention Relating to the Status of Stateless Persons are obligated to provide such.

results in the rightlessness of stateless persons (2017, 196). Thus, the narrative that intentional noncitizenship ought to be impermissible because it may cause material harms relies on the fallacy that citizenship is necessary to protect against such harms.[133]

But this counterclaim is not to dismiss the fact that noncitizen residents remain vulnerable, are often subject to removal, and indeed, that intentional noncitizenship may result in material harm. I agree that promoting INC at all costs may do damage as it is the state that remains the arbiter of rights leaving INCs unprotected, and the empirical cases studied in this dissertation would not disagree. My approach to this dilemma is therefore one that attempts to mitigate the harm involved in intentionally becoming a noncitizen. In other words, a way forward in this respect is to constrain INC in so far as it could govern requisite rights and responsibilities. One pathway is, ironically, the already established mechanism designed to facilitate rights access for the involuntarily stateless: the stateless person status (SPS). The SPS illustrates how noncitizen status *everywhere* is conceptualised at the international level but adapted and implemented at the state level. Doing so requires coordination between multiple state agencies and authorities, a testament to the potential of political will to respond to situations of statelessness. Some twenty states have implemented a statelessness determination procedure of some kind that grants legal residency and access to various socio-economic rights through such status (UNHCR 2020). A variation of the stateless person status for INCs would enable an individual's access to legal residency, the ability to work legally, and access to education and

[133] A separate but related argument notes that citizenship is not a foolproof solution. As the citizenship-can-protect argument goes, the granting of nationality is a technical, practical, and efficient solution to the material realities of statelessness. Yet, reliance upon a technical solution to material harms ignores the "messy politics" of statelessness where individuals are actively discriminated against by their governments (Petrozziello 2019, 152). Several studies demonstrate that citizenship is not always a sufficient mechanism to protect human rights and "the ending of direct discrimination on the basis of nationality does not undo structural effects or other modes of discrimination" (Blitz and Lynch 2011, 204; Blitz 2017; Balazo 2019). While citizenship provides a legal remedy against harms caused by statelessness in law (for example, the inability to hold a work permit or the inability to reside legally), social forces including discrimination may continue to cause harms to formerly stateless citizens.

health care. It could also be tailored to grant these rights indefinitely and prohibit removal which would accommodate the INC's desire to continue to live in their communities. A stateless person status could also comprise responsibilities for the INC including paying taxes and abiding by the law which would prohibit the potential of 'free-riding' where individuals benefit from state services without having to adhere to societal norms that enable those services.

Holding a stateless person status would still render an INC a subject of their respective host state. Accordingly, a stateless person status may not be a foolproof solution to the challenges faced by the FBM, anti-statists, and anti-authority movement, but I believe it is a *reasonable* one. If presented with the opportunity to hold such a status, these groups would likely respond favourably. State subjecthood would likely be problematic for the FBM who is working towards the recognition of their sovereign nationhood, but a stateless person status for their children could accommodate both their noncitizenship objectives and their material needs. Anti-statists seem the most likely to embrace the SPS as an option as they consider statelessness an inherent right and nationality as imposed. For those AAM adherents who advocate for a rollback towards traditional nationalist values and practices, the SPS may seem a counterintuitive mechanism, though for some it may be a sufficient interim tool whilst they pursue their political goals. For those adherents who disagree fundamentally with paying taxes, the SPS may not be appropriate at any level. What the SPS achieves for all cases, however, is a legal recognition with material benefits that can serve, at the very least, interim objectives. It is therefore reasonable to claim that INC – if sufficiently governed – may not cause the risk of material harm. As such, I argue that INC is viable only if accompanied by a governance mechanism that facilitates access to material rights and regulates relevant obligations.

Those who claim INC ought to be impermissible will observe that residency-based rights in most liberal states typically do not protect as robustly as does citizenship, and rightly so. Citizenship is widely advocated for because it is said to protect fully against harms, that is, in addition to facilitating access to a range of socio-political rights, in most cases citizenship protects against a state's desire to remove or detain an individual. Indeed, though noncitizens may have firmly established ties to their respective states, in most liberal states noncitizens remain subject to removal, detention, and loss of rights as societal norms and laws evolve and change.

Furthermore, determining a person to be stateless and granting residency status takes place almost entirely in the context of forced statelessness, and though the 1954 *Convention Relating to the Status of Stateless Persons* defines a stateless person as "a person who is not considered as a national by any State under the operation of its law" (Art. 1), interpretations on whether this definition includes a voluntarily stateless person differ amongst the UNHCR, state, and regional courts (Pudzianowska 2023, 238). For example, the UNHCR agrees that voluntary stateless individuals should be included in its 1954 Convention definition but distinguishes between 'good faith' individuals who have been forcibly made stateless and 'bad faith' individuals who choose statelessness out of convenience or choice (UNHCR 2014, 55-56). Whereas the UNHCR provides for differentiated treatment of these two groups and promotes readmission to and reacquired nationality for 'bad faith' individuals (UNHCR 2014, 56), those states that do recognise voluntariness as a cause of statelessness tend to offer a lower standard of protection to these individuals (Pudzianowska 2023, 238). In other words, intentional noncitizens largely go unprotected.

A potential response to this conundrum is a mechanism that fully protects an individual's choice to live as a noncitizen across a variety of states, one that does not interfere in others' desires to become or remain a national. I envision such a mechanism to be an individual right to self-determination, and it is to this possibility that I now turn.

IV. INC as a Right

In addition to governing the rights and responsibilities of INCs and protecting against material harms, operationalising intentional noncitizenship can be an appropriate path forward in respecting the diverse ontological objectives sought by our cases. Doing so is therefore methodologically consistent with the empirical and theoretical claims in this project. Drawing from Rawls, Miller outlines a practically informed, feasibility constraint that I will now apply to my claims. As political philosophy is charged with encouraging critical engagement with political attitudes, a 'realistic utopia' constraint lies beyond political and technical constraints because most political attitudes change over time and may not "be immediately accepted" (Miller 2010, 47). The 'realistic utopia' test therefore demands that political proposals contain "principles that members of that society could be brought to accept by reasoned discussion", the practical consequences of which are "acceptable in light of the fundamental beliefs of their fellow citizens" (46-47). It is here where I begin to explore my intuitions related to "agreement on questions of public policy" (Miller 2010, 47). In line with the conceptual framework employed in this study, the empirical cases surveyed, the findings noted in the previous chapter, and the arguments I have outlined above, I will now explore how intentional noncitizenship can be operationalised into an individual right to self-determination. First, I reject two related proposals and find that a third provides a pathway forward. Next, I call for an individualised

variation of the right to self-determination for peoples to determine their political futures which would permit an individual to be a citizen of no state. This right would include the ability to renounce one's nationality without requiring another and the right to not have a nationality imposed upon them by the state. Such a right both accommodates the unique individualised context of intentional noncitizenship within a statist world and aligns with key principles contained in already established human rights provisions.

Before I sketch my proposal for an individual right to self-determination, I briefly discuss why two related alternative proposals are insufficient mechanisms to operationalise INC. Amidst an increasingly critical literature that identifies citizenship as a mode of discrimination inherent to the internationalist sovereign system premised on membership (Hindess 2000; Petrozziello 2019; Tonkiss 2017; De Chickera 2014), thinkers have conceptualised new categories of belonging to which various noncitizens, including the forced stateless, could appeal. These range from the right to belong (Belton 2018) and the right to membership (or naturalisation) (Benhabib 2004), to the right to political membership (Barbieri Jr 1998). These prescriptions are designed to promote one's access to a political community amidst the struggle to be recognised, that is, as new forms of belonging to the state. While these proposals push the boundaries of how membership and belonging can be conceptualised in an internationalist system, they do not address the desire to engage with a political community of one's choosing *and to exit the state.* In this context, three related proposals exist: a specific right to non-nationality, the retention of the right to nationality as a safety mechanism for those who wish to reverse their renunciation of citizenship, and a 'statefulness' that allows one to choose to exit the state. I discuss each briefly before moving to my proposal.

The first pathway could be a distinct right to non-nationality itself. Such a right could be envisioned as imposing a negative obligation on states to respect an individual's choice to become a non-national everywhere. Such a negative obligation could entail the duty to recognise this right without discrimination and to not impose nationality on individuals, including at birth. A positive obligation on states could also stipulate a duty to protect this right against outside interference and a duty to fulfil this right by taking active measures to facilitate it. There are two distinct challenges to the idea of a right to non-nationality, however. First, the duties of states to recognise non-nationality, to not impose nationality without informed consent of adults, or to help facilitate access to and implementation of this right could be perceived as a violation of the right to nationality. State parties to the 1954 *Convention Relating to the Status of Stateless Persons* and the 1961 *Convention on the Reduction of Statelessness* have an obligation to avoid statelessness.[134] States could be seen to be violating their own obligations and directly contravening the work of decades of human rights advocacy to prevent and resolve statelessness. Another challenge concerns the meaning of nationhood. I have not explored the concept or practice of nationhood in this project but that the notion is of deep concern is seen in the case of the Freedom Babies. The FBM may not want to advocate for non-nationality in international law because to do so may risk the international recognition of their own nation. This raises significant challenges to the notion of statehood, what it comprises, and who is entitled to it. Thus, the individual right to *non*-nationality may not be appropriate for those who are considered 'peoples'. The right to non-nationality is a proposition the intricacies of which both require significant consideration and do not necessarily serve our purposes here. Rather, what is clear is

[134] Though this obligation is not absolute. Art 2(iii)(a) of the 1954 Convention excludes those for whom there are serious reasons for considering they have committed certain crimes including a crime against peace, a war crime, a crime against humanity, or other serious non-political crime. In addition, Art 8 of the 1961 Convention permits denationalisation in cases of fraud.

that the FBM, anti-statists, and AAM in this project do not definitively call for the right to non-nationality but the capacity to determine their political futures by choosing to exit the state.

Katya Swider acknowledges the empirical fact that voluntary statelessness exists, and she responds to the understanding that statelessness is a harm by pointing to the need to protect one's right to nationality despite their desire to exit the state. Swider attempts to temper the alarm raised by voluntary statelessness and makes the claim that voluntary statelessness is not a violation of the right to nationality for three reasons. First, cases of voluntary statelessness are a matter of choice whereas when someone is forced into statelessness their right to nationality is violated. Second, possession of a right does not entail a duty to exercise that right. Third, "a voluntarily stateless person retains the right to a nationality by virtue of being human" (Swider 2018). In other words, the right to nationality is permanent despite one's efforts to disengage from it. This may be the case and would indeed be a plausible safety for those INCs who may change their minds later in life.[135] But this is an inappropriate mechanism to address the INC desire to exit the state. For example, to exercise the right to *not* exercise a right does nothing for those who already possess the right but wish for an opposing right of sorts. Swider gives the example of voting. Someone who has the right to vote but chooses not to, exercises their right not to vote. But someone who possesses a nationality and wishes to no longer possess that nationality does not no longer possess that nationality by not exercising the rights that come along with it, for example, voting. Swider's proposition avoids the need for a positive obligation to non-nationality because the right to nationality remains a positive protection mechanism for those who choose statelessness. The cases in this project point, however, to the need for a positive obligation to recognise one's disengagement from the state.

[135] Retaining the right to nationality was not discussed by our cases.

It is De Chickera's proposal that speaks to the phenomenon of INC most directly. De Chickera suggests that if provisions were in place that guaranteed all persons (including the stateless) rights associated with their 'life needs,' people would perhaps choose statelessness. He claims that both the inclusion of the individual into international human rights law, and the dissolution of nation-state identity have destabilised the state's monopoly over the individual. As a result, the objective should be the "eradication of enforced statelessness – the arbitrary deprivation of nationality – while enhancing the democratic choice of citizens to participate, including through the ultimate form of protest, denouncing their nationality, becoming stateless and not being disadvantaged as a result" (De Chickera, 2014). He writes that everyone should have the right to a nationality, a right to not be arbitrarily deprived of our nationality, a right to choose our nationality, and the right to choose not to have a nationality – a 'statefulness' as a noncitizenship form of membership (De Chickera, 2014). De Chickera argues that if such a status were an option, many "disillusioned with the nation-state, with what is done and supposedly done in their name and to them" would choose statelessness. I envision the operationalisation of such a 'statefulness' as an expansion to the scope of the right to self-determination for peoples to include individuals.

'Realistic Utopia' Feasibility Test: The Individual Right to Self-Determination

The unique circumstance in which INCs find themselves is one where they are, or wish to be, noncitizens who must ultimately live within a state. We have seen throughout this dissertation that each INC group interacts with the principle of self-determination in particular ways, and that each case refuses to be determined by status quo claims related to sovereignty, security, freedom, and citizenship. We also saw above that self-determination plays a strong role in the key INC

features of autonomy, political action, and obligation to others. The concept and practice of self-determination therefore provide a pathway for operationalising the choice to exit the state.

Self-determination is said to be "as indispensable as it is contentious" (Miley 2023, 1). Its applications are diverse and have evolved alongside the development of the state through modern to contemporary times and in myriad circumstances ranging from decolonisation, minority nation-building, and international development (Miley 2023, 8-16). In international law, self-determination is a right recognized as belonging not to individuals but to 'peoples' and encompasses the right to freely determine their political status, as well as rights to social, political, economic, and cultural freedom.[136] The principle of self-determination is consistent with the principles of territorial integrity and national unity (CERD 1996), meaning that self-determination can take the form of either internal self-government within a state or external secession from a state, but both forms must respect that state sovereignty is the organising principle upon which relations in the international world are based. As such, international law does not grant a general right to secession, or external self-determination (Sterio 2012, 22), and secession is permitted only in limited circumstances including when the human rights of 'peoples' are violated, in circumstances of colonisation, or foreign occupation or domination (Busquets 2020, 160). Not to be confused with the political independence that refers to a state's rights to control its domestic affairs noted in chapter three *Statehood, Subjecthood, Citizenship*, internal self-determination in this context refers to the freedom of minorities within a state to determine their own political futures, typically in the form of autonomous and democratic governance (Senaratne 2021, 3). The right to internal self-determination for Indigenous peoples and the right to self-government in exercising that right are articulated in Articles 3 and 4 of the

[136] See the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR).

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). UNDRIP establishes a framework of minimum standards for the well-being and rights of Indigenous peoples, one which also upholds the principles of territorial integrity and national unity (Art 46).

Conceptually, self-determination also operates outside of this dominant territory-based nation-building narrative (Miley 2023, 6). Recall that self-determination also applies to the individual in the psychological condition of governing oneself. Here the rational individual is a being who can and ought to control their own destiny, who, for some, holds the right to associate with, and separate from, whom they choose (Miley 2023, 4; see Marshall 2010). Such self-determination 'from below' (Miley 2023, 22) is where this project lands as it confronts the contemporary status quo practice of linking the control of one's destiny with the collective rights of 'peoples'. Here, Virno's (2004) abstract exodus is brought to reality as a "third path", an alternative possibility that eschews the binary status quo acquiesce/resist model of responding to injustice, and recasts self-determination into an individualised but hybrid principle where individuals can – and do – make decisions for themselves and their communities. From the cases surveyed here what emerges is a self-determination from below that is localised in the person, but which has a collective goal.

Before I proceed, I must reiterate a core characteristic of this project, one that I introduced in chapter two, *Methodology*. Despite the inherently communal objectives and tactics of our cases, to operationalise INC self-determination it must be individualised. Across the three seemingly disparate cases surveyed here, self-determination – in the context of refusing citizenship – is individualised as it relates to both the decision being taken and the outcome of that decision. In other words, while each case may make the decision to exit the state pursuant to their respective community of concern, the decision to not register a birth, renounce citizenship,

or disengage from the expectations of citizenship is ultimately an individual one. The process is one that takes place between the person and the state, and the outcome of that decision is felt by that individual alone, including potential material harms that may occur.

However, the FBM evidences most clearly that INC self-determination cannot be isolated as an individual endeavour, and it could be argued that in making the following proposal I am committing an epistemic injustice against Indigenous peoples who otherwise critique liberal atomistic ways of thinking and living. I respond with a practical observation. The trouble here is that as the international world is currently structured, UNDRIP does not provide a practical pathway for those Indigenous individuals like the FBM to pursue their political objectives. As the FBM operates outside the internal self-government framework of the UNDRIP and in the context of *external* self-determination, they currently remain without recourse in international law to determine their political futures by way of exiting the state. As such, an individual right to self-determination responds to the immediate need to exit the state whilst the FBM pursues recognition of their sovereign nationhood in alternative ways. Thus, rather than forcing Indigenous INCs to adhere to an admittedly liberal way of living, I claim that such a right can provide a considered and compromising interim benefit to intentional noncitizens – Indigenous or otherwise – as they pursue their distinct political objectives. In other words, my proposal for an individual right to self-determination is not meant to reconcile distinctions between the diverse cases explored in this dissertation. Rather, it aims to capture broader thematic connections and offer a way forward that on balance responds to and attempts to mitigate competing INC and statist objectives with respect to citizenship.

I turn now to envisioning an individual right to self determination. To reiterate, such a right would permit an individual to be a citizen of no state. This right would include the ability to

renounce one's nationality without requiring another and the right to not have a nationality imposed upon them by a state. I envision this right as an internationally and nationally recognised human right which should encompass similar rights as those encompassed in nationality such as socio-political rights, the right to travel across international borders, and diplomatic protection abroad. This right would also embody responsibilities to states such as those mentioned above including paying taxes and abiding by state laws. Importantly, I do not envision this right to include the right to public life, and I reserve this right for citizens. Doing so both protects the participatory value of citizenship held by many to be a distinctive marker of one's connection to a state and is consistent with the empirical findings of this dissertation.

Though international law does not permit an individual right to self-determination, there are international treaties and declarations which articulate fundamental principles that align with the key INC features of autonomy, political action, and obligation to others, which provides a foundation from which to conceptualise the operationalisation of INC. The first key feature of intentional noncitizenship, autonomy, is a core element of foundational international human rights principles and is typically articulated as self-determination. Self-determination covers a breadth of subjects relevant to INC but here I note the reflectiveness involved in determining one's own political future. For example, the UDHR stipulates that no one shall be denied the right to change their nationality (Art. 15). This provision does not articulate the right to non-nationality, which is, of course, intrinsic to ensuring the prevention of statelessness. Yet, key here is the acknowledgement that an individual ought to be permitted to alter their political allegiance. The ability to determine one's destiny is similarly considered in the right to freedom of thought, conscience and religion contained in article 18 of the ICCPR, but it is the UDHR's stipulation that one has the freedom to *change* one's religion or belief (Art. 18) that again values

the ability to augment one's life course as they see fit. This set of rights speaks directly to the INC demand for self-governance, for the intentional noncitizen to be entrusted with the capacity to make deeply personal decisions related to their moral disposition. Perhaps the most compelling and direct link to INC in the context of autonomy is contained in Article 20(2) of the UDHR which stipulates "No one may be compelled to belong to an association." Association refers generally to "civil society organizations, clubs, cooperatives, NGOs, religious associations, political parties, trade unions, foundations or even online associations as the Internet" and of course does include the state (UNGA 2012, para 2) but the spirit behind this right is embodied by each case – the desire to be free from the imposition of citizenship, to not be compelled to be a citizen.

In terms of the second core feature of INC, political action, international law accounts for the importance for an individual to act politically and their right to do so. For example, everyone has the right to take part in the government (Art. 21, UDHR) and conduct of public affairs (Art. 25, ICCPR), and everyone has the right of equal access to public service in their country (Art 21(2) UDHR; Art 25.c ICCPR). Of course, these rights are expressed in the context of the state, and accordingly, political action is conceived of in relation to the state. Yet, as we have seen throughout this dissertation, like their citizen counterparts, noncitizens – intentional or otherwise – have the capacity and desire to imagine their political communities, and noncitizens act politically despite not being recognised as full members of their host states. The UDHR outlines these rights for everyone, and the ICCPR reserves these for citizens, but the spirit holds: individuals ought to have the right to participate politically in their communities.

International law also makes provisions for the responsibilities an individual has towards others and to their community, linking directly with the concern shown by each case for the well-

being of others, for immediate communities, ancestors, strangers across the world, or the earth. The Preambles of the ICCPR and ICESCR state "Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of [ICCPR and ICESCR] rights." These principles resonate well with the notion of reciprocity present in INC claims. Though INC is individualised in method, its communal disposition demands a responsibility to do no harm to one's neighbours, and to work towards their freedom. Furthermore, Article 1 of the UDHR states all human beings "are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". This principle aligns with the INC feature of relationality. Intentional noncitizens are clear that we are all connected and that the self-reflective individual who pursues their own destiny does not operate singularly but within a larger community, citizen or not.

Articulating the parameters of a distinct individual right to self-determination requires substantial investigation into international law and is worthy of a separate research project altogether. What I have attempted to do here is demonstrate that there are key international human rights principles that align with the spirit of intentional noncitizenship, which therefore provides a conceptual pathway to operationalising INC in practice. Therefore, an individual right to self-determination could be a practical compromise across these three diverse INC cases when they are unlikely to be given their land back, granted individual sovereignty, or treated on equal terms with Canadian authorities, and yet must inevitably live within the sovereign state system.

International principles indeed align with the key features of INC in the broad sense. But envisioning an individual right to self-determination demands further consideration of whether such a right is compatible with relevant international norms. For example, as we saw above, the

right of a community to determine its political future externally (secession) or internally (autonomous self-government) is tempered by the obligation to respect the state's territorial integrity and national unity. My proposal for an individual right to self-determination does not violate these norms. Anti-authority adherents often disengage with practices of citizenship in protest *against* the erosion of nationalism, and anti-statists explicitly tolerate the state and permit (conditional) dual allegiance. The Freedom Babies movement is the clear outlier in that its grounds for pursuing INC emanate from its unique circumstance of being occupied, which poses a direct challenge to the territorial integrity of the colonial state. The FBM, like its counterparts, however, enacts refusal of citizenship on an individualised basis despite explicitly collective goals, and an individual right to self-determination would not in itself violate international norms of territorial integrity or national unity.

A final tension concerns an individual right to self-determination and the international norm of preventing statelessness. As I considered the right to non-nationality above, I noted that states would be unlikely to recognise such a right because to do so would be inconsistent with a state's obligation to respect the human right to nationality. Similarly, an individual right to self-determination cannot be reconciled with the norm to prevent statelessness. Should someone exercise their individual right to self-determination to pursue their political future and choose to become a noncitizen everywhere, they would become stateless. Whereas I attempt to appease multiple and at times conflicting interests in this chapter, I do not attempt to do so here. And that is the point: to challenge the normative, institutionalised, and, for many, deeply personal positions that citizenship is an absolute good and statelessness ought to be impermissible. In making this claim I am pulling the rug out from under the liberal model of citizenship and its requisite normative justifications for statehood. If one takes the position that the state ought to be

the only entity against which political membership is evaluated, then indeed citizenship is essential and statelessness is an absolute harm. As such, my proposal would not pass this 'realistic utopia' test. If, however, one takes, as the cases surveyed here do, the position that citizenship is a tool of state injustice, then the reverse becomes true – statelessness can in fact be a good. In this way, it is not so much that my proposal passes this 'realistic utopia' test more than testing against the international norm to prevent statelessness itself becomes moot: a right to not have citizenship confronts the very foundation upon which the statelessness prevention norm sits. Therefore, on the basis of the empirical cases surveyed in this dissertation, the findings I noted in the previous chapter, and the arguments I have outlined above, my claims pass this second 'realistic utopia' test.

V. Conclusion

In this chapter I attempted to outline a theory of intentional noncitizenship. I defined it as a condition (legal or symbolic) of non-nationality that is chosen, or advocated for, to achieve a political goal. In section two I then distilled INC into three features – autonomy, political, and obligation to others – goods which INC can facilitate. In this way, INC can be considered an instrumental good. In section three, I began the process of testing my intuitions to consider my assumptions and strengthen my claims. I applied a technical feasibility test and assessed my argument against two counterclaims related to the ontological and material harms of statelessness. I argued that INC facilitates personhood, recognition, and belonging, and that if sufficiently governed through legal residency status, INC may not cause material harm. For these reasons I argued that intentional noncitizenship is a viable alternative to citizenship, and that itself is a matter of justice and should be permissible. In section four, I attempted to expand this

foundation into a theory of the right by exploring potential practical responses. I applied a 'realistic utopia' test to assess ways to operationalise INC as an instrumental good. I argued that an individual right to self-determination may be an appropriate avenue through which intentional noncitizens can pursue their hybrid goals of individual exit and community betterment. Such a right is compatible with key principles in international law.

Political Feasibility Test: Satisfying Interests

This brings me to the opportunity to test my claims in a third and final way, the political feasibility of INC as an instrumental good. Political feasibility concerns whether a proposal "can command sufficient political support to be adopted", and the range of interests affected if it was implemented (Miller 2010, 46). I interpret interests in the context of INC in three sets of actors: intentional noncitizens themselves, host states, and the international community.

In terms of INCs themselves, this project demonstrates that each case would almost certainly support the claim that INC is an instrumental good. The FBM, anti-statists, and anti-authority adherents surveyed here each uphold their strategies for choosing noncitizenship as beneficial vis-à-vis their particular conceptions of justice. It is no secret that they think INC serves a better purpose than the alternative; that, as we have seen throughout this dissertation, INC is a tool to facilitate important political claims, and at least the three goods noted above. Furthermore, each case has examined – some more diligently than others – the implications of choosing noncitizenship. Freedom Baby mothers have considered the medical needs of their children (and pursued INC despite requisite harms to the child) and their children's potential state-related desires as they grow into adulthood (travel, driver permits). Anti-statists have considered how living as INCs would impact their neighbours, social networks, and communities, and obligations therein. They have also prescribed ways to interact with their host

state and others as they envision travel abroad. Anti-authoritarians are admittedly less concerned with those around them, but despite their firm stance toward state authorities and their neighbours who 'continue to willfully enslave themselves', they take care to outline ways of living that ought to be carried out.

The interests of the states in which INCs ultimately reside are of equal concern. In terms of those who uphold the normative value of citizenship, I recall the previous two tests and their success. Considering the technical feasibility of INC as an instrumental good I found that INC does not *pro tanto* contribute to ontological and material harms. The deeply felt violations of one's sense of personhood, recognition, and belonging said to occur in the absence of nationality does take place in the INC context. Material harms may occur but these can be mitigated, as we saw above, with the governance of INC through legal residency status. My proposal for a residency status similar to the globally recognised stateless person status is an attempt to institutionalise a protection against the risk of material harm, and govern the rights and responsibilities of intentional noncitizens to prevent, for example, free-riding. That there is a strong socio-political infrastructure in liberal states wherein regularised noncitizens are permitted access to certain rights and protections, and wherein citizens and noncitizens enjoy similar state goods and live cohesively further supports this claim.

Finally, my claims presented here also respond to key critiques pertaining to international norms. As I explored the 'realistic utopia' feasibility of the operationalisation of INC as an individual right to self-determination, I considered whether such a right would violate deeply held legal and political principles of territorial integrity and political unity and found that such a right in itself does not do so. I also considered whether INC poses a tension with respect to the international norm and practice of preventing statelessness and found that the answer depends on

the position one takes concerning the liberal model of citizenship and related normative justifications for statehood. However, in line with the conceptual framework employed in this study, the empirical cases surveyed, the findings noted in the previous chapter, and the arguments I have outlined above I argue my claims pass this second 'realistic utopia' test.

We can observe then that my claim that INC is an instrumental good and ought to be an individual right satisfies a range of interests (INCs, states, and international norms) and therefore passes the political feasibility test. In this way, intentional noncitizenship can be considered a matter of global justice. My arguments here may appear unrealistic, naïve, or harmful, but I attempt to link them with reasonable political outcomes, practical mechanisms that could provide some guidance on how such a radical proposal could take place in our contemporary world.

Chapter Nine: Conclusion

I began this dissertation with three objectives. First, I aspired to explore, describe, and explain the conditions of the refusal of citizenship so as to understand the contexts in which INC can emerge, the mechanisms through which it is enacted, and the philosophical grounds for INC arguments. I described and explained the context and experiences of INC in three otherwise disparate cases, the Freedom Babies movement, anti-statists, and the anti-authority movement. I found that they rely on similar philosophical foundations though diverge in their specific justifications. Each case disagrees that the state is sovereign, that it effectively secures its citizens, that the state facilitates freedom, and that citizenship is a mechanism of protection. I also found that INC is enacted in a range of techniques that indicate a dynamism in the ways citizenship can be challenged. The FBM refuses citizenship at its earliest stage by refusing to register the birth of their children, anti-statists refuse once citizenship is in place by renouncing it in adulthood, and AAM members refuse citizenship by disengaging with the expectations placed upon them by society. Finally, though none of the cases surveyed here ground their claims in an explicit scholarly discipline, each can be linked to theoretical trends. Freedom Babies refusal is grounded in decolonial literature; anti-statists in a hybrid communitarian and cosmopolitan framework; and the AAM demonstrates libertarian undertones. This variety demonstrates that the empirical and conceptual conditions of INC embody a multitude of approaches one can take to further explore questions related to INC.

I undertook this contextual evaluation in the attempt to explore the wider conceptual and practical implications of intentional noncitizenship. I began by synthesising the claims made by each case and reconciling these with the narratives of statehood they challenge, and vis-à-vis their counterparts. I endeavoured to do so to establish a foundation from which to theorise

intentional noncitizenship. I found that intentional noncitizens critique normative justifications for statehood and the goods it is said to provide. First, INCs draw upon familiar distinctions concerning sovereignty, supporting the call for a new "meta-vocabulary" of sovereignty that is reflective of and adaptive to the diversity of political communities on the ground. Second, INCs do not offer a version of security to which we should appeal but argue that the state is a source of insecurity and citizenship has itself become a form of securitisation justified by the political rationality of liberal security discourse. Third, INC freedom is the ability to choose one's own political community and emerges from taking action against the state, embodying a republican sentiment. Finally, citizenship itself is perceived not as a 'gift' or process of recognition but rather as a tool to disengage from the state. I also found that INC is a particular type of refusal: it is neither absolute nor consistent but dynamic in that it responds to and negotiates its circumstances.

Second, I moved from this foundation towards a theory of INC. I defined it as a condition (legal or symbolic) of non-nationality that is chosen, or advocated for, to achieve a political goal. I extracted the circumstances of these three cases to identify three key features. INC embodies a personal and moral autonomy that is inherently reflective and self-determining. INC is a form of political action, encouraging a consideration of the individual as a political being who can contribute to new forms of political community. INC obligation is reciprocal and relational and is inherently about taking responsibility for oneself and for others. For these reasons INC can be considered an instrumental good. I then applied a technical feasibility test and evaluated my intuitions against the counter argument that the potential statelessness induced by INC is materially and ontologically harmful. I argued that INC facilitates personhood, recognition, and belonging, and that if sufficiently governed through legal residency status INC may not cause

material harm. Therefore, intentional noncitizenship is a viable alternative to citizenship, and should be permissible.

The third objective of this dissertation was to explore the practical implications of intentional noncitizenship. In line with my methodological approach of analytical political theory which endeavours to connect normative claims with practical proposals, I aimed to operationalise my theory into a reasonable political outcome. After rejecting two related proposals as ill equipped to respond to the element of intent in this project, I applied a second, 'realistic utopia' test and considered how an individual right to self-determination aligns with the methodology, conceptual framing, findings, and arguments presented here. I argued that an individualised variation of the right to self-determination for peoples both accommodates the unique individualised context of intentional noncitizenship within a statist world, aligns with key principles contained in already established human rights provisions, and does not violate relevant international norms. I then applied a third, political feasibility, test, and satisfied a range of interests including those of intentional noncitizens, their host states, and the broader international community.

Limitations

A limitation of this study is an admittedly small sample size across at least two of the three cases sourced. The purposive sampling I employed was meant to enable a broad and diverse selection of cases. Combining this approach with my need to source publicly available data necessarily reduced the sample with which I could engage. The exploratory nature of my project permitted me to take a narrow approach in exploring INC in three cases and then apply my learning at a broader scale – moving from the particular to the general in the search for possible patterns. Thus, while more cases of Freedom Babies and anti-statists would certainly have added depth to

my findings, for the purpose of generating a theory of INC I believe the participants in each case offered a substantive enough data set to analyse alongside their more numerous AAM counterparts.

A second limitation of the cases I consulted is their ideological and geographical location in the liberal democratic context. At the risk of reductionism, the cases I surveyed all reject the contemporary liberal state and its colonial, militarised, and globalised features. To explore a different set of cases in a non-liberal or non-Western context warrants a different project altogether, one that considers features of the state and sources of legitimacy that differ along cultural, religious, or demographic lines. Such a project would certainly complement this first, liberal approach and add value to the theory of INC I develop. This said, the types of exit considered here may transcend such regional boundaries: the colonisation of Indigenous peoples has taken place across the world; anti-statists speak to a global humanity and their grievances are not geo-politically bound; the AAM challenges the globalised administrative state, a critique evident in emergent political movements across the world.

Another related limitation is the demographic characteristics of the individuals I consulted in this study. Aside from the Indigenous mothers in the Freedom Babies movement, the anti-statists I consulted are White males, as are the majority of the anti-authority adherents (Perry et al. 2018). I would have preferred to explore a more diverse set of intentional noncitizens to engage with different socio-cultural and economic factors that either influence, facilitate, or follow from the choice to exit the state. But, in line with the restrictions noted above with respect to the small sample size, the availability of INCs who publicly articulate their choices is low. Had I endeavoured to carry out interviews with INCs I may have been able to reach individuals who have not been publicly vocal, who may have been referred by others, and

who may have chosen to remain ‘hidden’ from society. In this way, the demographics of INCs may have been more diverse.

Summary of Contributions

Despite these limitations, this dissertation makes three main contributions. First, theorising intentional noncitizenship marks INC as a broad political phenomenon. Hitherto, INC has been relegated to the margins of social science research. Valuable but siloed scholarly endeavours have taken place mostly in the field of anthropology, but theorising INC as a political project collects key features and reconciles differences into a field of study in itself. Defining INC establishes a foundation from which future research can explore, evaluate, and compare other versions of INC in theory or in practice, as well as potential political solutions. Key here is the recognition that different groups – nations and individuals – pursue INC across a vast range of contexts and with varying ideals, objectives, and tactics. I explored just three cases of INC but this foundation has laid the groundwork for future work on different geo-political and demographic terrain. Furthermore, understanding the ethos of INC – political change – grounds the condition as a mode of praxis; conceptualising INC cannot take place without proposing practical solutions. It is only through developing a theory of INC that we can begin to tackle larger scale solutions as part and parcel to the phenomenon itself. Intentional noncitizenship takes place across the world, and it must be taken seriously and treated systematically; this project has made an attempt to do so.

Second, recognising that intentional noncitizenship is a political project points to the value in approaching this subject through the discipline of political theory. It is understood that exit does not take place in an apolitical vacuum a la Hirschman (1970) but can be a political act

to disengage (Kirkpatrick 2017). However, outside of continental circles that view exodus as an inherently political endeavour (Virno 1996; 2004; Negri 1996), the dominant framing of exit in liberal thought is of the withdrawal from an illiberal state into a liberal state; exit is not conceptualised as a political departure from the state system itself. Analysing INC through a political theory lens helps to uncover philosophical tensions that inform such disengagement as well as the liberal structures that overlook them. Furthermore, by systematically evaluating INC on its own *political* terms it becomes clear that the practice is grounded in well-established key philosophical principles which are in need of reconsideration in a changing world. Moreover, doing so also evidences that normative INC claims are themselves in need of political evaluation. The language of political thought is uniquely equipped to facilitate requisite tensions that I did not explore in this project: what constitutes a harm in the context of INC? What role does the liberal tenet of equality play in a political community wherein intentional noncitizens live? Under what conditions can a specific INC project be considered legitimate?

I noted above that the ethos of intentional noncitizenship is inherently practical; INCs exit the state in order to create a future political community. Employing an analytical political theory (APT) methodology to research INC makes possible both theoretical evaluation and the formulation of practical proposals that can respond to requisite challenges. APT is a unique tool that facilitates the interconnections between political philosophy and ground level institutional responses in a consistent and robust fashion. The specific method of reflective equilibrium enables a direct pathway between data, arguments, and proposals through a cycle of reflection and testing.

Third, this project contributes to the field of citizenship studies, the emerging field of statelessness studies, and the fledgling community of critical statelessness studies. The findings

from this study and my claims that intentional noncitizenship is an instrumental good and ought to be operationalised into a right push the boundaries of what statelessness means and for whom, and crucially, whether statelessness can be considered an absolute harm. For those who think citizenship is an absolute good and those who consider the lack of nationality an egregious harm this project makes a provocative claim – that intentional noncitizenship *everywhere* is not an absolute harm and can be a good thing, and in some cases ought to be protected as a right. Indeed, critical statelessness studies has worked to unsettle deeply held core norms across a variety of disciplines. Critiques abound ranging from the critique of methodological nationalism in statelessness research (Reitter 2020), to the encouragement of grounded approaches including sociolinguistics (Jaber 2021) and decolonisation (Benslama 2021), to calling for a departure from deficit discourse towards the critique of the problem as created by the state (Hourani 2021), and to historical analyses that highlight the exclusion of stateless people in the drafting of the 1954 Convention (Fisher 2022). The field has indeed moved toward a deeper analysis of rationales behind causes and consequences of statelessness, but the field is still conditioned by its reliance on citizenship as an absolute good the absence of which threatens well-being in one way or another. This project destabilises this foundational narrative and departs from the assumption that citizenship is the only legitimate source of protection and rights. Statelessness, or intentional noncitizenship – as a good threatens several foundational elements of theory and practice across disciplines, not to mention the realm of international law itself. This project has shown that INC is wielded to demand recognition of political objectives and to (re)claim an identity. As a tool of refusal, intentional noncitizenship may qualify as an 'act of statelessness' (McGee 2022) but one which refuses the very logic of the field within which it sits. Conceptualising statelessness in this way paves the way for investigation into the relationship between INC and legal statelessness

and potential harms that may follow, the discursive framing of INC in 'apolitical' international circles concerned with resolving statelessness, and of course the conditions that inform INC as an 'act of statelessness'.

Practice is an intrinsic feature of this project in its findings, arguments, and proposals, and demands consideration of the unavoidable question of how INC could be governed. Despite the objectives of the cases surveyed here, to be free from the state's purview is not a realistic outcome of intentional noncitizenship. I attempted to resolve this tension by proposing an individual right to self-determination and a requisite stateless person status. On this approach, an intentional noncitizen could indeed remain unallied to all states while legally residing in one. Questions that follow concern the institutionalisation of specific mechanisms that respond to distinct forms of INC. Future research on this element could explore policy design related to the stateless person status and protections outlined in the 1954 *Convention Relating to the Status of Stateless Persons*, as well as domestic and foreign relations as they relate to a deliberately unallied population, child welfare, tax revenue, legal pluralism, and law enforcement, among other issues. Aligning policy responses to legislative changes would likely require reform to longstanding norms on belonging. Stakeholders could adopt an inclusive approach to such issues in similar ways with respect to other noncitizens including recognised stateless persons and permanent residents, as I noted in the previous chapter.

My approach in this project is a reasonable one; compromise must be made. INCs ought to be subject to laws, required to pay taxes, and abide by general norms. This predicament is not necessarily an impasse but instead provides fertile ground for policy makers, legislators, activists, non-governmental organisations, international institutions, and intentional noncitizens

themselves to explore ways forward. This project is hopefully a foundation from which such exploration can begin.

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