The demise of the 'second largest country in Australia': Micronations and Australian exceptionalism

The Principality of Hutt River was founded in 1970. Led by a committed and eccentric family, the Principality was Australia's most famous micronation. Micronations assert their claims to sovereignty in myriad ways. In this article, we explore what it means to be a micronation by contrasting this phenomenon with Indigenous peoples and communities who also assert a right to sovereignty. As we explain, Indigenous nations are not micronations because they possess a historical claim to legitimacy. We also explore Australia's approach to micronations. Micronations are particularly prevalent in Australia, with estimates suggesting that of the around 100 active micronations across the globe, over one-third are in Australia. We consider three reasons why this may be the case.

Keywords: micronations, sovereignty, statehood, recognition, Indigenous peoples, Indigenous communities

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Introduction

On 21 April 2020, the Principality of Hutt River celebrated its fiftieth anniversary. Half a century to the day earlier, wheat farmer Leonard Casley purported to secede from Australia because of a dispute with the Western Australian government over production quotas. In letters addressed to Governor-General Sir Paul Hasluck, Prime Minister John Gorton, the Office of the Governor of Western Australia, and Premier of Western Australia Sir David Brand, Casley issued a formal notice of secession and called upon the respective governments to 'resolve co-operatively and mutually successfully this problem' (Casley 1970a, 1; Casley 1970b; Casley 1970c; Casley 1970d). Casley failed to receive a response, but that did not stop him from officially declaring the formation of the newly independent Hutt River Province, a 75km^2 enclave 500km north of Perth, and investing himself as His Royal Highness Prince Leonard I of Hutt.

The Principality's fiftieth anniversary was a moment to celebrate Prince Leonard and his tenacity to 'bring about the survival of the Casley farm' (Meachim and Barndon 2020), but it was also tinged with sadness and uncertainty. Prince Leonard had passed away the previous year, and his youngest son Prince Graeme had acceded to the throne in 2017. The Principality's finances were in a precarious state, with $3 million owed to the Australian Taxation Office (*Deputy Commissioner of Taxation v Casley* 2017). In January 2020 the Principality closed its borders and public offices so that it could reassess its future, citing declining agricultural revenue, reduced numbers of tourists 'passing by and dropping in for a chat', and the increasing costs involved in running 'a small country' (HRH Prince Graeme 2019). On the anniversary of its purported independence, Prince Graeme suggested that it might be time to 'sell up and move on' (Meachim and Barndon 2020). In August 2020, that time arrived. Prince Graeme announced he would dissolve the Principality and re-join Australia (Zhou and Doherty 2020), bringing to an end what has been described as the 'second largest country in Australia' (Ackman 1982).

The Principality of Hutt River was one of the world's longest running and most successful micronations. It was not an independent nation and it was never recognised as such by Australia or other independent states. Nonetheless, Leonard Casley's actions have inspired and motivated people around Australia and across the world to create their own micronation. As we explore in this article, micronationalism appears to be a particularly Australian phenomenon. Estimates suggest that of the around 100 active micronations, over one-third are in Australia (Siegel 2012).

Notwithstanding their prevalence, micronations are understudied. In 2005, sociologist Judy Lattas remarked that she could find 'no significant study in the scholarly press on the micronationalism that is the contemporary phenomenon of ordinary people (however quirky), in long-established democracies, getting the idea to create their own

countries' (Lattas 2005, 2). While the *Shima Journal* has since published an anthology of micronationalism in the context of island cultures since 2018 (Shima 2020), there remains very limited engagement with this phenomenon by political scientists. This article rectifies that lacuna by exploring what micronations are and analysing Australia's approach to micronationalism.

We begin in Part II by outlining our definition of micronations. We do so by comparing and contrasting the Principality of Hutt River with another entity that has sometimes been referred to as a micronation: The Sovereign Yidindji Government (Trigger 2017). Established by Yidindji journalist and activist, Murrumu Walubara Yidindji (formerly Jeremy Geia), the Sovereign Yidindji Government renounced legal ties with and sought to secede from Australia in 2014, in the process claiming title to a stretch of land in Northern Queensland. In Part III we consider Australian micronationalism more broadly. Unlike other states, Australia generally tolerates the existence of micronations, provided that they comply with the laws of the land. Exploring why Australia is known as 'Micronation Central' (Siegel 2012), we offer three theories for their proliferation.

Micronations and claims for statehood

Micronations are an incredibly diverse phenomenon. Some micronations are speculative experiments in statehood, including utopian examples of how nations could or should be organised. Others are established for personal entertainment, fantasy or artistic expression. Where a town or small community supports the idea, micronationalism can even promote tourism and deliver an economic boost to a region. Others still are formed explicitly to challenge and critique statehood and sovereign authority or to make quick money by fair or foul means. Some of the more enduring micronations emerge from personal grievances as a manifestation of anger, frustration and desperation.

Reflecting this diversity and limited scholarly engagement there are few clear definitions of micronations. The most prominent account is offered by Lattas, who defines micronations as 'tiny countries declared by ordinary people in an act that repeats the establishment of sovereign nations, at least in some of its protocols' (2009, 129). This definition accurately identifies the eccentric nature of micronationalists, but it fails to capture all of their elements. After all, some micronations are established by prominent political actors rather than ordinary people. Other micronations, like the Principality of Hutt River, might have only a very small resident population but may claim authority over large areas of land. Spurred by the growth of the internet, some micronations also claim hundreds of thousands of citizens, significantly more than many recognised states.

We adopt a different approach. We define micronations as self-declared nations that perform and mimic acts of sovereignty, and adopt many of the protocols of nations, but lack a foundation in domestic and international law for their existence and are not recognised as nations in domestic or international forums. By their very nature, micronations make, but cannot sustain, a claim for statehood.

No unambiguously 'accepted and satisfactory legal definition of statehood' (Crawford 2007, 37) exists, but the definition in the *Montevideo Convention on the Rights and Duties of States* (1934) is most commonly adopted. Under the Convention, an entity must meet four conditions to be characterised as a state: (1) a defined territory; (2) a permanent population; (3) a government; and (4) a capacity to enter into relations with other states. The criteria are flexible in practice as recognised states may not satisfy each condition. For instance, Somalia's statehood remained secure despite not possessing a functioning government for many years.

Micronations appear to meet the international criteria for statehood. The Principality of Hutt River, for example, had a defined territory, a permanent population,

and a government organised under Prince Leonard. The Principality also frequently sought to engage in diplomatic (and sometimes not so diplomatic) relations with other states—in 1977, the Principality declared war on Australia (Casley 1977). Nonetheless, the Principality was never considered a state for the reason given below.

Indigenous nations also appear to satisfy the conditions of the *Montevideo Convention*. For instance, the Dene Nation's territory stretches from present day Alaska to Hudson Bay, while the Navajo Nation occupies some 71,000km^2 across north-eastern Arizona, south-eastern Utah, and north-western New Mexico. Both political communities exercise self-governance within their territory, as well as enter into relations with other Indigenous communities and recognised states. Despite arguably meeting the criteria, however, Indigenous nations are also not regarded as states in the international legal system.

Neither micronations nor Indigenous nations are recognised as meeting the international criteria for statehood. As James Crawford explains, the reason is that the key to statehood, implicit in the *Montevideo Convention,* is 'governing power with respect to territory' (2007, 56). That is, 'to be a State, an entity must possess a government or system of government in general control of its territory, to the exclusion of other entities not claiming through or under it' (Crawford 2007, 59). Micronations and Indigenous nations may assert their independence, but they are unable to do so to the exclusion of other states, in particular the nation-state within which they are located.

This is where the similarities between micronations and Indigenous nations end. As we explore in this Part, Indigenous nations are distinct from micronations in at least one critical respect. Micronations lack any legal foundation for their assertion of jurisdictional authority over territory. Even if their actual occupation is permitted, their legal claim is contested by sovereign states and not recognised in domestic and

international forums. In contrast, while Indigenous nations may also have their claim to assertion of unrestricted jurisdictional authority contested, they possess a historical foundation for their claim. Indigenous nations are distinct political communities composed of individuals united by identity that have a long history of operating as a distinct society, with a unique economic, religious and spiritual relationship to their land. This status is accepted in international law and by a range of comparative states, even if domestic Australian law does not recognise the inherent sovereignty of Indigenous nations.

The Principality of Hutt River

In the 1960s, Leonard Casley bought a property at Hutt River in Yallabatharra, about 500km north of Perth, to establish a wheat farm. Under the *Wheat Industry Stabilisation Act 1948* (Cth), the industry was regulated and managed by the state-owned Australian Wheat Board. The Act and the national and State Boards sought to shelter growers from volatility by stabilising prices and incomes in the industry (Longworth 1967, 20). The Board compulsorily acquired and pooled all wheat produced in Australia, established a home consumption price, and had the sole authority to market wheat domestically and internationally. Following a bumper harvest in 1968, industry sought the introduction of production quotas to reduce stock buildup and maintain pricing levels. The Western Australian government agreed, imposing quotas for the summer harvest.

The quotas had a deleterious effect on many farmers, including Casley. In November 1969, while preparing to harvest around 6,000 acres of wheat, Casley received a letter notifying him that he would be permitted to sell only 100 acres (de Castro and Kober 2018, 146-8). As Casley explained in a letter to the Governor of Western Australia, the quota would not 'even pay the interest on machinery purchased on H.P. [hire purchase]' (Casley 1969a, 1). Casley considered the quotas illegal, and so called for

compensation in the form of 1.8m acres of land (approximately 7300km^2) 'whose rentals will thus be a fair settlement of our losses thus being brought about by the Wheat Quota'. He also sought that the Governor 'grant us our independence, under the Queen and a part of the British Commonwealth' (Casley 1969a, 2; Casley 1969b; Casley 1969c). Casley's call fell on deaf ears. Concerned that the Western Australian government may resume or forcibly acquire his property, he served a formal notice of secession to the Commonwealth and State governments on 21 April 1970. After observing what he considered a legally required two-year notice period, Casley officially declared the formation of a new state on 21 April 1972 (Ryan et al. 2006, 23).

There was no legal basis for the declaration of independence. Casley purported to establish his nation based upon 'the rights of the Magna Carta and the rights of the Atlantic Treaty and the International rights to' create 'Self Preservation Governments' (Casley 1970e, 1). However, neither document in any way supports the assertion of independence, meaning that there is no sound legal basis for Prince Leonard's declaration of independence.

While Casley's legal position was misguided and confused, he acted as if this were not the case. At all times he sought to give the appearance that his actions were lawful. This approach was applied throughout the life of the Hutt River Province. For example, in the months following his purported declaration of independence, Casley was anxious that the Australian government might act to dissolve the Province. He identified a law passed during King Henry VII's reign as critical to shoring up the independence of Hutt River. The *Treason Act 1495* was passed to heal lingering resentment following the War of the Roses. Aiming to encourage former advocates of Richard III to support Henry VII against any potential attempt by the House of York to retake the throne, it provided that anyone fighting for the king would suffer no loss of property. Drawing on this

provision, Casley invested himself as HRH Prince Casley and transformed the Hutt River Province into the Principality of Hutt River. As he (wrongly) understood it, this law would preclude Australia interfering with a Prince 'in the discharge of his Princely duties' (Hutt River Province, n.d, 4).

Prince Leonard and Prince Graeme continued to perform and mimic acts of sovereignty that gave the appearance of acting in accordance with the law. Consistent with 'the British diplomatic laws of recognition', following independence a flag was chosen and correspondence delivered to the Governor-General of neighbouring Australia (Hutt River Province, n.d, 1). In March 1971, a Bill of Rights was adopted promising 'all persons…the full protection of the law' (Hutt River Province 1971). Hutt River coins have been minted, postage stamps and passports issued and a national anthem recorded. Casley also sent numerous letters to representatives of various states and applied for membership of the United Nations (Casley 2008).

These and other efforts proved futile. The Principality of Hutt River was never recognised as an independent state by Australia or any other nation. Nonetheless, performative assertions of sovereignty designed to elicit state responses achieve their aims irrespective of the particular response. If the state did not respond, the Principality considered it an implicit acceptance of its sovereignty. Likewise, if the state reacted by simply acknowledging receipt, the Principality asserted that its sovereignty had been recognised. Further, if the state responded by implying that the Principality had engaged in some form of criminality, this opened up space for political and legal debate to contest its claim (McConnell et al. 2013, 810).

The Principality adopted all three strategies over its half-century existence. Relying on the good faith of international actors or seizing upon loose or diplomatic language from state agents, the Principality proudly displays evidence on its website of

what it regards as implicit de facto recognition of its status as a sovereign state. This includes a Department of Foreign Affairs cablegram (1976) to the Prime Minister referring to legal advice that suggests Casley has not contravened any Australian law. It also includes a memorandum from the Department of Territories (n.d) to the Commonwealth Minister authored by 'B.M.W.' and labelled 'AUSTEO SECRET' that notes:

> It is therefore our considered opinion, that subject to the guidelines we have had to adopt, the following points are in fact the situation currently.
>
> 1. The Principality is a legal entity.
> 2. Prince Leonard of Hutt is a person exempt in Australian Law from Taxation under the current guidelines.
> 3. The Passport as used by the persons claiming to be Principality Citizens are valid, however, the act can be used to isolate them by the requirement of visa's [sic].
> 4. Nothing in any legislation currently would preclude recognition if these facts ever saw the light of day.
>
> It is therefore our suggestion that you at all costs contain this situation.

In diplomatic cables to other states, the Department of Foreign Affairs and Trade (1996, 85) has described this document as 'a clumsy forgery'. Nevertheless, the Principality provides other documents to apparently support its claim. There is a notice from the Australian Taxation Office (2008) addressed to the 'Principality of Hutt River' that states: 'You have been deemed to be a non-resident of Australia for income tax purposes', as well as a post-marked envelope from the Office of the Western Australian Governor (2016) addressed to:

Prince Leonard
Office of the Sovereign
Principality of Hutt River
Nain
Via Western Australia 6535

International actors have also been pulled into the Principality's orbit. In the immediate years following the Principality's purported establishment, other countries 'were unaware of what was occurring, and timely exchange of information with Australian authorities was impossible' (de Castro and Kober 2018, 150). Taking advantage of this, several people claimed to use Hutt River passports to travel internationally. In 2016, Prince Leonard received a letter from Queen Elizabeth II. The Palace replied to a letter Casley had written wishing the Queen a happy ninetieth birthday, conveying

> Her Majesty's good wishes to you and all concerned for a most enjoyable and successful celebration on 23rd and 24th April to mark the forty-sixth anniversary of the Principality of Hutt River (Bonici 2016).

None of these actions or documents constituted recognition of the sovereign status of the Principality. Its performative assertions of sovereignty were largely tolerated by Australian governments, provided that Casley continued to follow the ordinary laws of the land, including those for taxation. Despite his protestations, Australian courts repeatedly held that arguments that the Province is 'not part of Australia and not subject to Australian taxation laws' are 'completely unarguable', 'fatuous, frivolous and vexatious' (*Casley v Commissioner of Taxation* 2007), and 'gobbledygook' (*Deputy Commissioner of Taxation v Casley* 2017, [15]; *Casley v Commonwealth* 2017). As Le Miere J of the Western Australian Supreme Court noted in 2017: 'Anyone can declare themselves a sovereign in their own home but they cannot ignore the laws of Australia or

not pay tax' (*Deputy Commissioner of Taxation v Casley* 2017, [2]).

The Sovereign Yidindji Government

From time immemorial, Indigenous peoples across the globe have exercised political authority over their lands and communities. Self-government was practiced and applied in different ways according to the cultural and political traditions of each people. On the Australian continent and surrounding islands, the body of norms, values and traditions that Aboriginal and Torres Strait Islander communities developed and applied over thousands of generations is intimately connected to the particular country that each nation is connected to and is responsible for. European colonisation displaced the pre-existing communities in Australia, Turtle Island, Aotearoa and elsewhere, challenging and contesting their exercise of authority. Indeed, the states that emerged on the lands of Indigenous communities sought to extinguish and deny their inherent rights to sovereignty, but those communities continue to exercise their own forms of political authority in various ways. In upholding their responsibilities for country and meeting their obligations under their law, Indigenous communities continue to exercise their right to self-government.

Recognition of their pre-existing and continuing sovereignty is a key aspiration of Indigenous peoples and nations. In the *Uluru Statement from the Heart* (2017) Aboriginal and Torres Strait Islander delegates grounded their call for structural reform in the reality that they 'were the first sovereign Nations' of the country. Sovereignty is a complex term subject to a range of competing and contested interpretations. While for many Indigenous peoples it may entail recognition of internal autonomy, for others it may be directed at secession and independence. In recent years, several Indigenous communities in Australia have drawn on their inherent right to sovereignty to seek just that, announcing their formal separation from the Australian state. These claims for statehood may appear similar to

micronations. Indeed, journalists sometimes include these Indigenous nations in lists of Australian micronations (Zhou and Doherty 2020; Dunlop 2017; Trigger 2017). Despite this, they are distinct in ways that mean that Indigenous nations should not be categorised as micronations.

In August 2013 the Euahlayi Nation declared their independence, asserting their 'pre-existing and continuing statehood' (Anderson 2013) over lands in upper-western New South Wales and southern Queensland. Other declarations of independence have followed, including: The Republic of Mbarbaram located west of the Atherton Tablelands in far north Queensland (2013); the Murrawarri Republic from the Culgoa River region of northern New South Wales and south-western Queensland (2013); the Wiradjuri Central West Republic situated around Wellington (2014); and the Yuggera Ugarapul Tribal Peoples based in Brisbane and Ipswich (2016). Ghillar Michael Anderson, Convenor of the Provisional Euahlayi Peoples Executive Council, grounds the resurgent independence movement in the fact that Aboriginal people have never ceded sovereignty over their lands (Anderson 2013).

The Sovereign Yidindji Government has gone further. In 2014, members of the Yidindji nation, led by Murrumu Walubara Yidindji, renounced their legal ties to Australia and announced the formation of the Sovereign Yidindji Government; a nation that 'already existed' but that Australia 'failed to notice' (Melhern 2016). The Yidindji nation operates under Yidindji Tribal Law and through the Nyangi Wanya (executive government), which is composed of ten ministers headed by Chief Minister Gudju-Gudju Gimuybara. Its territory incorporates Gimuy (Cairns) and extends from Mowbray in the north to the Russell River in the south, through the 'Goldsborough Valley and Mulgrave River regions to the Atherton Tablelands' (*Johnson on behalf of the Tableland Yidinji People #1* 2012, [2]), and east past the Frankland Islands in the Coral Sea.

In a series of interviews with *Guardian Australia* journalist Paul Daley, Murrumu discussed his motivations for 'abandon[ing] the Australian citizenship' and identified achievements and set-backs in establishing the Yidindji nation (Daley 2015a). Murrumu has explained that colonisation has dampened the distinctive position of Indigenous peoples in Australia, transforming 'many tribal people into state citizens who live lives of voluntary servitude far removed from their tribal duties and laws' (Daley 2014). Grounding the Sovereign Yidindji Government in the unextinguished sovereignty of Yidindji Tribal People, Murrumu notes that 'the truth is that we were here before the British. The truth is that we hold sovereignty and dominion over these lands' (Daley 2014).

The Yidindji government purports to exercise its sovereignty in several ways. The Yidindji Council of Elders has issued a number of determinations, including who can speak for Yidindji country. The nation produces its own identity documents, including driver's licences and licence plates, and is considering establishing its own passports and currency. All government documents, including legislation, policy and media statements, appointments of ministerial and ambassadorial positions, and memoranda of understanding are available online. The nation has established a police force (the Yidindji Mayarra Nyalagi), with the 'powers of arrest should people or citizens within the Yidindji territory invoke our jurisdiction' (Daley 2015a). It has also obtained a twitter handle @MFA_Yidindji that serves as the 'Official Foreign Affairs & Trade Account for the Sovereign Yidindji Govt'. Through this account, the Yidindji nation congratulates states across the world celebrating national days, expresses its sorrow over terrorist attacks and natural disasters, and welcomes new leaders. For example, on 16 February 2017 the account tweeted:

> Warmest congrats to the men & women of @Lithuania celebrating Independence day. Best wishes from @Yidindjigovt @LithuaniaMFA @LithuaniaUNNY.

At times, Murrumu has faced complications travelling with Yidindji documentation on lands claimed by Australia. He has twice been charged by Australian police with driving an unregistered and uninsured vehicle with false plates and driving without a licence while possessing 'an article resembling a licence' (Daley 2015a; Robertson 2015). In the first case, he was charged despite informing local police ahead of time that the car was licensed by the Yidindji government and would be driving on the roads of the Australian Capital Territory. Murrumu explained that '[t]he Tuggeranong (police) station accepted our public notices and paperwork. But one officer told me he's never come across this situation before' (Daley 2015a). In January 2015, Murrumu spent three days in custody, charged with trespass, for allegedly setting up an embassy in Canberra public housing. His aim was to establish 'formal diplomatic relations with Australia and other nations' (Daley 2015a).

In other respects, the Sovereign Yidindji Government has been successful in its endeavours, achieving what it considers to be forms of recognition from overseas states and Australia. As Foreign Affairs and Trade Minister, Murrumu has claimed to have met international counterparts, including the Russian, Argentinian, Cuban and Venezuelan Ambassador's to Australia (Daley 2016). Yidindji documentation has also been recognised by Australian institutions in certain circumstances. Yidindji stamps have been accepted by Australia Post, which has delivered materials across the country.[1] In Queensland, a local church school accepted a Yidindji birth certificate as proof of identity to enrol Murrumu's son Thoyo:

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[1] The first author has received a letter marked with the Yidindji stamp.

> The school then decided through its administrator that that [Yidindji birth certificate] was a legitimate document and they have now allowed Thoyo to enter the school ... They have also recognised that Yidindji are the true and correct owners of the land and there are a number of schools now – I think three schools – that are flying the Yidindji flag (Daley 2016).[2]

In February 2016, federal Indigenous Affairs minister, Nigel Scullion, acknowledged the presence of the Yidindji cabinet while speaking at a national development summit in Cairns. Attorney-General Gaan-Yarra Yalmabara explained that the address was significant because it contained 'the first acknowledgement from the Commonwealth side of the true Yidindji cabinet being there' (Robertson 2016; Daley 2015b). While such recognition is not determinative under international law as to whether a state exists or not, such acts of implicit de facto recognition have been seized on by Murrumu and the Yidindji as evidence of the existence of the nation.

Performativity and Legitimacy

The Sovereign Yidindji Government appears similar to the Principality of Hutt River in several respects. Both are self-declared nations that perform and mimic acts of sovereignty. They also adopt many of the protocols of nations. Each has designed state symbols, issued stamps, and sought to engage in a range of diplomatic relations with Australia and other states. It is for this reason that these two entities are sometimes conflated in popular commentary. Such conflation is inaccurate as they differ in one key, fundamental detail. The Principality of Hutt River lacks any foundation in domestic and international law for its existence. In contrast, the Sovereign Yidindji Government

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[2] Under s 155(1)(ii) of the *Education (General Provisions) Act 2006* (Qld) an application for enrolment at a Queensland state school must include identity documentation that 'the principal reasonably requires' to decide the application.

possesses a historical claim of and for sovereignty. As such, Indigenous aspirations for sovereignty are radically different from the claims of micronations.

Australian law does not recognise this distinction. Contributing to the confusion, Australian law treats the Principality of Hutt River and the Sovereign Yidindji Government in the same manner as lacking any claim to sovereignty or as having a distinct and independent identity. Indigenous groups have often sought to assert this in the Australian courts, but have failed. In *Coe v Commonwealth*, for example, the High Court rejected the idea that Aboriginal people were a sovereign nation, holding that 'the contention that there is in Australia an aboriginal nation exercising sovereignty, even of a limited kind, is quite impossible in law to maintain' (1979, 129). More recently, in *Love v Commonwealth; Thoms v Commonwealth*, the Court declared that a distinct and separate Indigenous sovereignty is inconsistent with the assertion of sovereignty by the British Crown (2020). Australian law does not recognise Aboriginal and Torres Strait Islander peoples' inherent sovereignty nor their right to exercise self-government.

The distinction between Indigenous nations and micronations is well understood in comparative countries. As a result of long histories of treaty-making, the sovereign rights of Indigenous peoples are recognised by the United States, Canada and Aotearoa New Zealand. In the United States, the Supreme Court recognised the inherent sovereignty of Native American tribes as early as 1823 (*Johnson v M'Intosh*). While tribal sovereignty is limited and defeasible by Congressional action, it persists. Across the country, Native American Nations possess inherent power over their internal and local affairs, including the authority to exercise criminal jurisdiction over Native Americans and regulate the activities of non-Indians in certain cases.

Indigenous sovereignty and self-government are also recognised in Canada. Since 1973, Canada has negotiated 26 comprehensive agreements with First Nations, 18 of

which include provisions related to self-government. While each is specific to the particular First Nation, as well as place, history, and circumstance, all modern-day treaties protect and promote culturally appropriate forms of decision-making, amounting to a degree of self-government in internal and local affairs, and provide recurrent financing as a means to ensure their autonomous functioning (Godlewska and Webber 2007, 17-18).

Likewise, in Aotearoa New Zealand, the Treaty of Waitangi regulates the relationship between Māori and Pākehā. The Treaty promises Māori that their *tino rangatiratanga* (full authority) over their land, people and treasure will not be disturbed. As the Waitangi Tribunal has explained, *tino rangatiratanga* relates to self-governance. It is

> the ability of tribal communities to govern themselves as they had for centuries, to determine their own internal political, economic, and social rights and objectives, and to act collectively in accordance with those determinants (2004, 113).

Indigenous communities' inherent rights are also protected in international law. The United Nations *Declaration of the Rights of Indigenous Peoples* (UNDRIP) guarantees Indigenous peoples the right to self-determination, the right to self-government or autonomy in matters relating to internal or local affairs, and the right to maintain their distinct political, legal, economic, social and cultural institutions (2007, arts 3-5).

Indigenous nations appear similar to micronations in some respects. However, the treatment of Indigenous nations under international law and that of some domestic nations distinguishes them from micronations. Indigenous nations do much more than perform or mimic acts of sovereignty. In their case, the claim to sovereignty is deeply rooted. The continued existence of sovereignty is contested, and in some cases may have been displaced through colonisation. Nonetheless, there is clearly a foundation from which to

argue for recognition as a nation, something that the terminology of Indigenous or First Nations themselves encapsulate.

Australian micronationalism

The Principality of Hutt River was Australia's most well-known micronation, but it is far from alone. Micronations have been established in Australia for diverse reasons. Prince Paul and Princess Helena founded the Snake Hill Principality (located near Mudgee) following a long-running dispute with their bank. The Principalities of Ponderosa (150km north of Melbourne), United Oceania (180km north of Sydney), Wy (Mosman), the Independent State of Rainbow Creek (175km east of Melbourne) and the Province of Bumbunga (125km north of Adelaide) also emerged as frustration with government transformed into something more personal. In the case of the Principality of Ponderosa, Princes Virgilio and Joe Rigoli maintain that secession was the only valid response to a government purportedly discriminating against 'Christians, white Anglo-Saxons and capitalists' (Fickling 2002). For the Province of Bumbunga it was a creeping tide of republicanism (Ryan et al 2006, 144). For the Principality of Wy, it was a rejected council application to construct a driveway (Wy 2010).

Other micronations have more serious aims. The Gay and Lesbian Kingdom of the Coral Sea Islands was founded in 2004 in protest at the passage of Australian legislation prohibiting same sex marriage. Emperor Dale Anderson sailed to an uninhabited island east of the Great Barrier Reef, planted a flag, issued a Declaration of Independence, and laid a memorial plaque. As Emperor Dale explained, a claim for statehood would 'give gay people a voice on the international stage' and allow them to access international courts and hold states accountable for homophobic laws and policies (Lattas 2009, 133). Emperor Dale dissolved the Kingdom in 2017 following the legalisation of same-sex marriage in Australia.

The ease with which micronations can be established makes it difficult to assess the total number across the globe. However, estimates suggest that in 2020 there are around 100 active micronations. These entities are not spread evenly around the world. Micronations are particularly prevalent in Australia, which may account for over a third of the global tally. It is unclear why Australia is 'over-represented' (Lattas 2005, 3), but three main reasons can be proffered.

First, the act of seceding from the state and declaring one's own country is consistent with an Australian culture that celebrates larrikinism and mocking authority. The 'Aussie larrikin' emerged in the second-half of the 19th century as respectable society was increasingly preoccupied with attempting to shed the 'stigma of convict origins' (Rickard 1998, 78; Bellanta 2012). Initially an object of alarm and derision, around the turn of the century writers began to 'humanis[e] the larrikin as an interesting urban type or depict[] larrikinism as symptomatic of colonial culture in a wider sense' (Rickard 1998, 79). Today, the larrikin stands for 'the rejection of received opinion and defiance towards insensible authority' (Clark 1990, 39). A larrikin is, Clem Gorman explains,

> almost archly self-conscious, too smart for his or her own good, witty rather than humorous, exceeding limits, bending rules and sailing close to the wind, avoiding rather than evading responsibility, playing up to an audience, mocking pomposity and smugness (1990, xiii).

Even if Australians are in fact 'very obedient' towards impersonal authority, they remain, John Hirst has argued, 'suspicious of persons in authority' (2009, 306). These qualities have been confirmed by social scientists. In the most influential study of cross-cultural differences in workplaces, Geert Hofstede has found that Australians are highly individualistic and suspicious of hierarchy (2001, 500). More recently, in reviewing and synthesising almost two decades of empirical research on Australian national identity, Catherine Austin and Farida Fozdar concluded that national symbols like Ned Kelly, the

'historical embodiment of Australian larrikinism', 'remain significant to a large majority' of Australians (2018, 281, 288). Kelly himself denotes 'a romantic and rebellious aspect of national identity in contemporary Australia' (Tranter and Donoghue 2008, 386). In this way, the '*idea* of larrikinism is celebrated and recognised as an Australian cultural stereotype' (Pâquet 2020, 208).

Indeed, what better way to exemplify these traits than by 'thumbing your nose' at the nation and founding your own country? As His Imperial Majesty George II of Atlantium identifies, micronationalism in Australia stems 'from our convict heritage and disrespect for authority. American groups like the Davidian Branch tend to be more violently whacko, whereas Australians are just quaintly eccentric' (Norrie 2004).

A second key reason for the remarkable number of micronations in Australia draws on notions of security and stability. Because Australia is secure in its own sovereignty, occupying an entire continent and otherwise unthreatened, it sees wannabe states as irrelevant or at worse a nuisance, rather than a genuine threat. Australia does not entirely ignore its micronations. The state ensures that they pay their taxes and comply with all road and other rules. Nonetheless, Australia's general approach contrasts markedly with other states that may view the formation of micronations as a dangerous, incipient call for separatism that could provoke or catalyse further threats. The different approach in Australia is a product of legal factors and the nation's history and culture.

Legally, although there is no federal law concerning secession, it is clear that the Australian *Constitution* prohibits it. In the most comprehensive examination of this issue, Gregory Craven has convincingly demonstrated the Australian States 'do not possess an inherent right of unilateral secession' (1986, 81), and nor does the *Constitution* incorporate an implied right to secede (1986, 107). The only reference to secession in the *Constitution* itself is limited to its preamble, which speaks of an 'indissoluble Federal

Commonwealth'. The effect is that micronations that purport to secede are not granted any legal status and are therefore invisible to the law. Even if their nomenclature mirrors state actors, they remain subject to Australian law and are obligated to follow that law. This remains the case notwithstanding the fact that several micronations proudly display legal advice purporting to state that their actions are not illegal. Such advice is incorrect, but provides a cloak of legality and authenticity.

Secession may be illegal, but threats of secessionism have a long history in Australia, contributing to a broader political and cultural climate that views such threats as unserious. This was not always the case. In the 1930s, the prospect of Western Australia seceding was treated with alarm in Canberra. In 1933, in the midst of an economic crisis caused by the Great Depression, Western Australians voted overwhelmingly in a referendum to secede from the Commonwealth. A delegation was sent to London to petition the United Kingdom Parliament to allow the State to become a self-governing Dominion within the British Empire. Wary of intervening, Westminster formed a Joint Select Committee to determine whether it could legally receive the petition. In 1935, after hearing arguments for and against from both Western Australia and the Commonwealth, the Committee concluded that it would not entertain the petition. As economic conditions improved and the Commonwealth began making special financial assistance grants to the State, support for secessionism dissipated (Craven 1986; Musgrave 2003).

Secessionist threats continue, however. In the 1980s both Labor and Liberal Tasmanian Premiers suggested secession as a response to clashes with the federal government over environmental regulation, and Queensland and Western Australian Premiers often invoked the notion. More recently, in 2017, the Western Australian Liberal Party passed a resolution at its State Conference calling on the establishment of a

committee to ‘examine the option of Western Australia becoming a financially independent state’ (Laschon 2017). In the midst of the coronavirus pandemic, secessionism appears to be on the rise; according to a recent survey, 28 per cent of Western Australians want to secede (Carey 2020). Perhaps because secession has never occurred, or because of the ‘ritual’ nature of its invocation, the idea of secession in Australia is today largely regarded as ‘an essentially ceremonial challenge, rarely meant seriously by the State from which it issues, and never received seriously by those whom it is intended to impress’ (Craven 1986, 9). Rather, it is meant to indicate displeasure with policies or actions undertaken and adopted by the federal government as well as a healthy disrespect for their claim to authority.

The Australian government simply ignored Prince Leonard’s declaration of war in 1977. It also ignored the Principality of Snake Hill’s declaration of independence. In a 2012 interview with *The Atlantic*, Princess Paula of Snake Hill explained what happened after they issued their declaration:

> ‘We did fully expect the response that most people do get around the world when they try to secede: they usually get a letter or some visits from government employees who try to mediate the situation’, Paula says. ‘Mum even said that they’ll send tanks. I said: “Relax, this is Australia, no one reads anything”. And it’s true. They just sent a letter saying, “Thank you very much for the letter”, and that was it’ (Siegel 2012).

This relaxed approach is also manifested in response to Indigenous assertions of sovereignty. Consider the Murrawarri Republic’s declaration of independence. The Murrawarri people are an Indigenous nation whose traditional lands stretch across northern New South Wales and southwestern Queensland. On 30 March 2013, the newly formed People’s Council of the Murrawarri Republic issued letters to Queen Elizabeth II, Prime Minister Julia Gillard, and State Premiers Campbell Newman and Barry O’Farrell

asking them to provide documents by 8 May demonstrating that the Murrawarri Nation had ceded their sovereignty and land to the British Crown. No response was received. For the Council, this constituted ‘affirmation by the Crown of the Murrawarri Republic to be a continued Free and Independent State, in line with International law and covenants’ (Murrawarri Republic 2013). The Murrawarri Republic’s declaration received attention internationally, but not domestically. The first official response was made in response to an inquiry from an American journalist. A spokesperson for the Attorney-General’s Department noted that the government had not replied to the Council’s assertion of sovereignty

> because “there are no constitutional means available for the establishment of separate political communities in Australia”, adding that the Australian Commonwealth’s sovereignty over the continent is recognised in international law (Neubauer 2013).

A final, related reason for the prevalence of micronationalism within Australia is spatial. Australia is a large country with a relatively small population. With 25 million people occupying over 7.6 million km^2, Australia has a population density of 3 people per km^2. This ranks Australia 192 out of 194 countries in the world for population density, ahead only of Namibia and Mongolia. Population density figures are complicated by the spatial dimension of Australia’s population centres. Australia is one of the most urbanised countries in the world, with approximately 89 per cent of the population living in urban centres (Australian Bureau of Statistics 2016), and 85 per cent living within 50km of the coast (Australian Bureau of Statistics 2004). In practice, this means that vast areas of the continent are sparsely populated. For instance, approximately 79 per cent of the Western Australian population lives within the Greater Perth area (Australian Bureau of Statistics 2016), leaving around 550,000 people spread over the remainder of the state’s 2.6 million km^2. Population geography may not account for all micronations—the Principality of Wy

is situated in the northern Sydney suburb of Mosman—but it does help explain why the Principality of Hutt River survived for fifty years.

Conclusion

In April 1970, Leonard Casley announced the formation of the Principality of Hutt River. Casley's actions—and the longevity of the second largest country in Australia—have inspired committed and eccentric individuals from all over the globe to follow suit and purport to secede and found their own nation. In this article, we have examined what it means to be a micronation by contrasting the Principality of Hutt River with the Sovereign Yidindji Government. As we have argued, while Indigenous nations may engage in acts of sovereignty and adopt many of the protocols of nations, they differ from micronations in one fundamental respect. Indigenous peoples and communities possess an inherent right to sovereignty by virtue of their status as distinct political communities that exercised self-government for generations prior to colonisation. Australia may not recognise either entity, but the distinction is nonetheless fundamental in contrasting the two types of entities.

The endurance of the Principality of Hutt River speaks to the Casley family's determination, but it also speaks to Australia's relaxed approach to micronationalism. Unlike many other countries that may perceive competing assertions of sovereignty as a threat, Australia largely ignores micronations (and Indigenous nations) provided that they comply with taxation and other laws. We suggested that three reasons may account for this approach: a culture that celebrates people thumbing their nose at authority; an innate sense of security and stability in Australian sovereignty; and a combination of geography and demography. Other countries may share some of these features, but together they help account for Australia's exceptionalism when it comes to its disproportionate share of the world's micronations.

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