

# SEALAND AND HAVENCO: A NEW INTERPRETATION

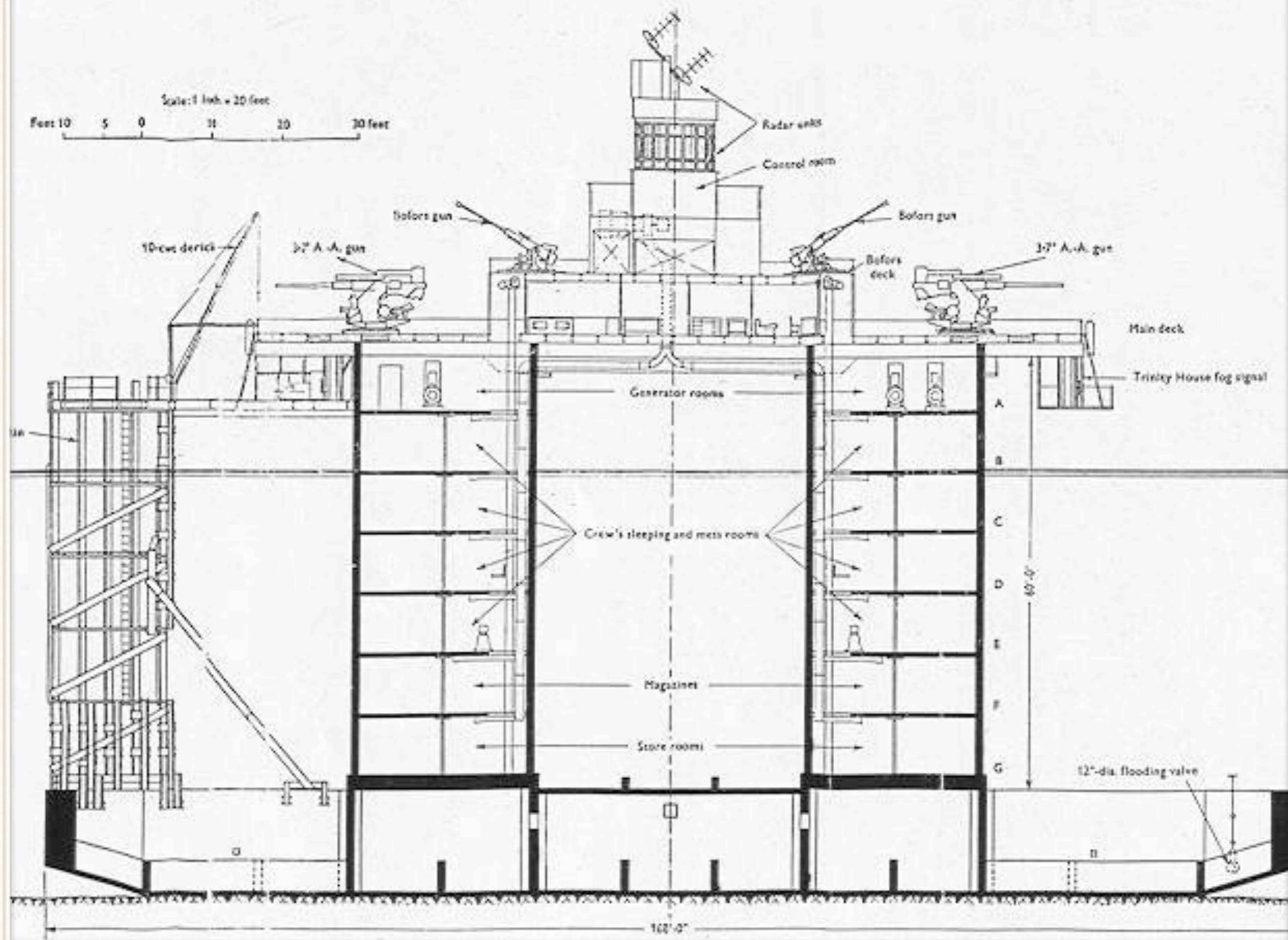
---

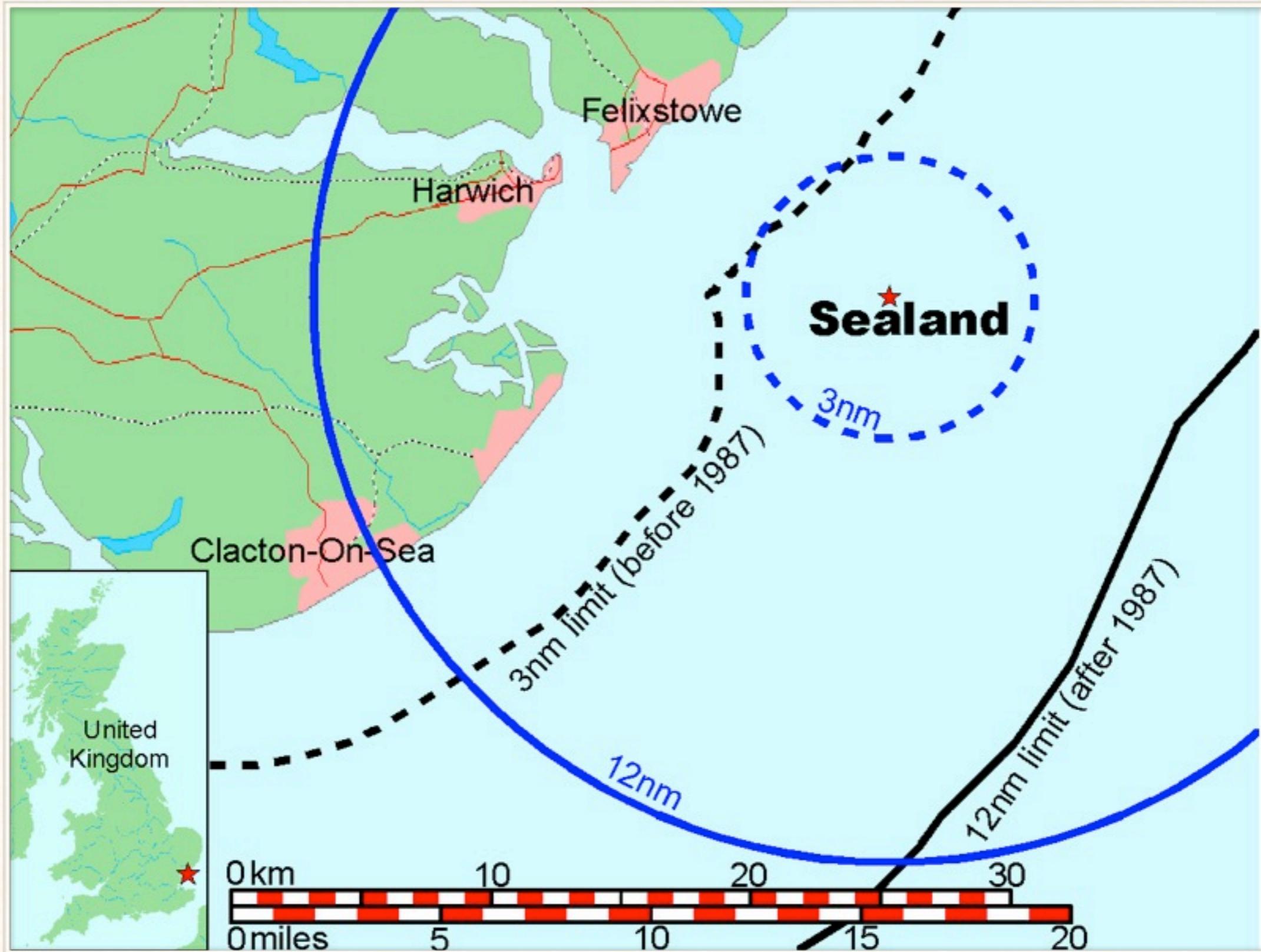
JAMES GRIMMELMANN  
BITS WITHOUT BORDERS  
SEPTEMBER 24, 2010

# I. HISTORY



Scale: 1 inch = 20 feet  
Feet 10 5 0 10 20 30 feet















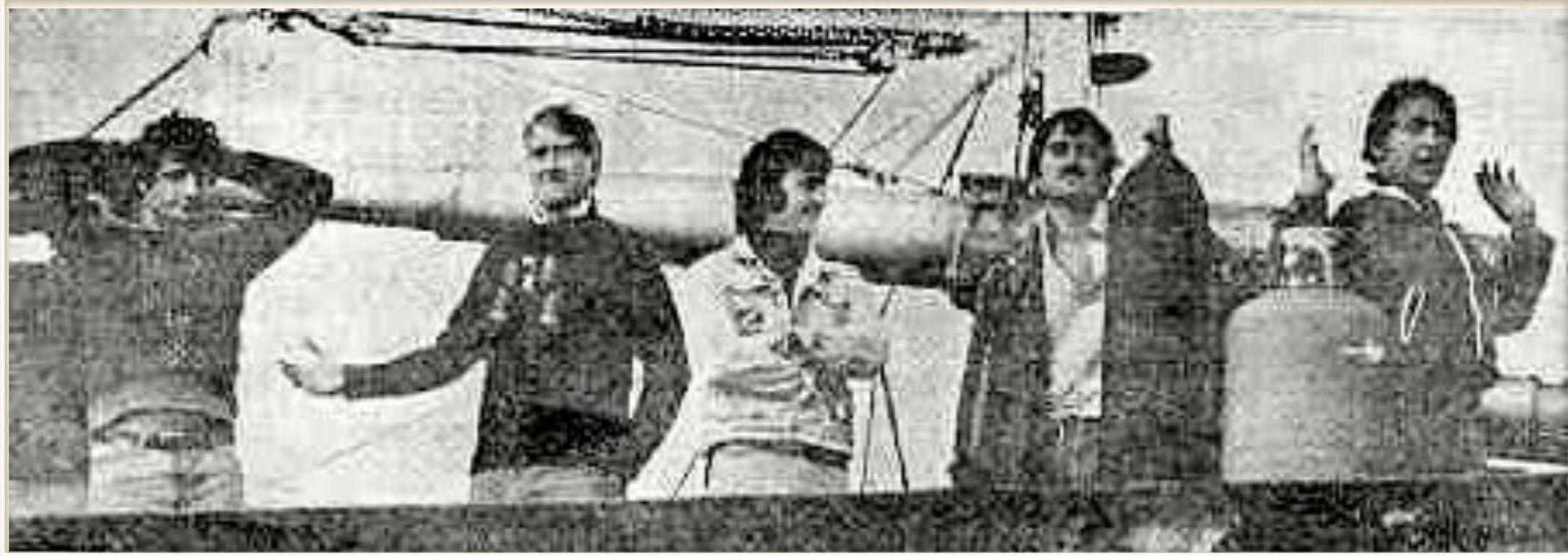












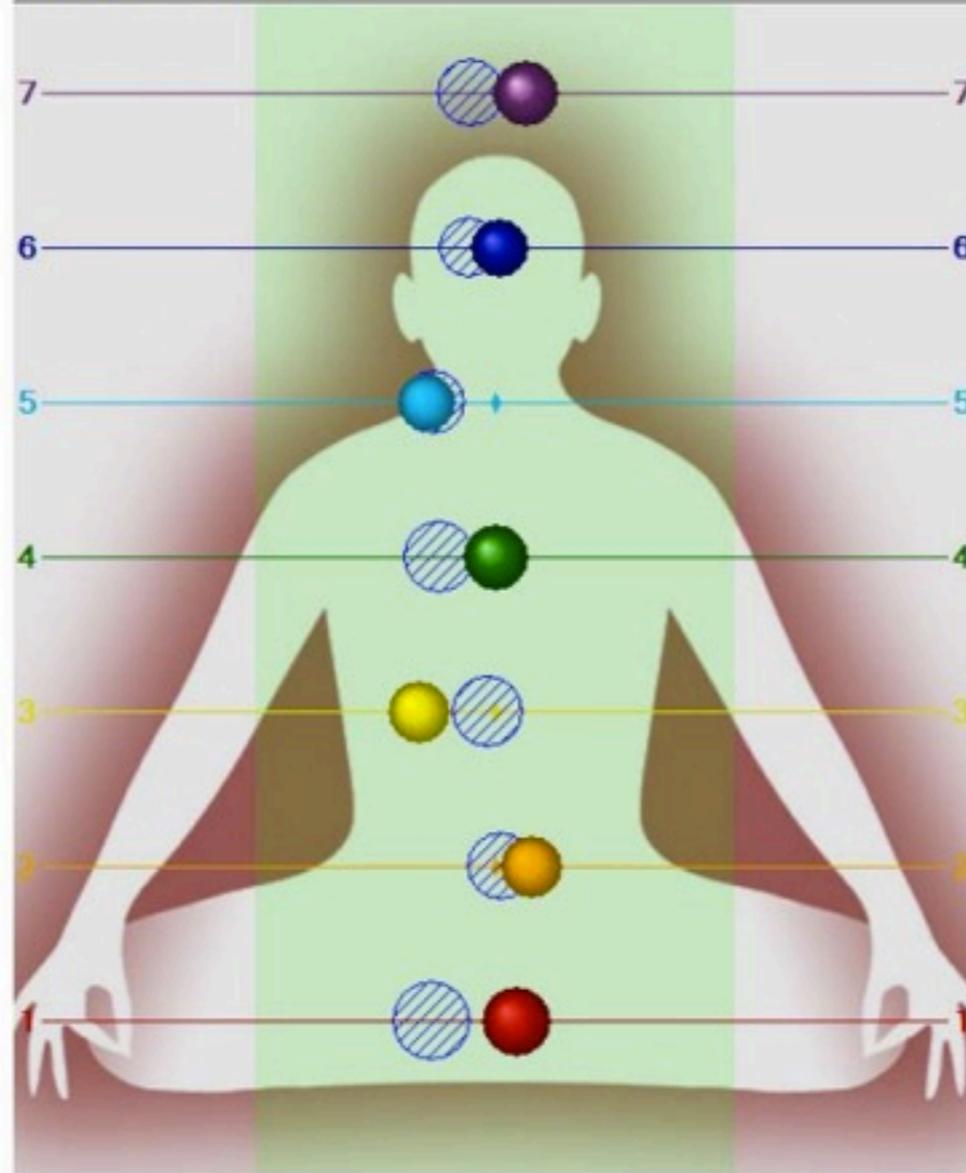


# GDV Virtual Chakra - Herrn Johannes Seiger; Alter: 68 Jahre

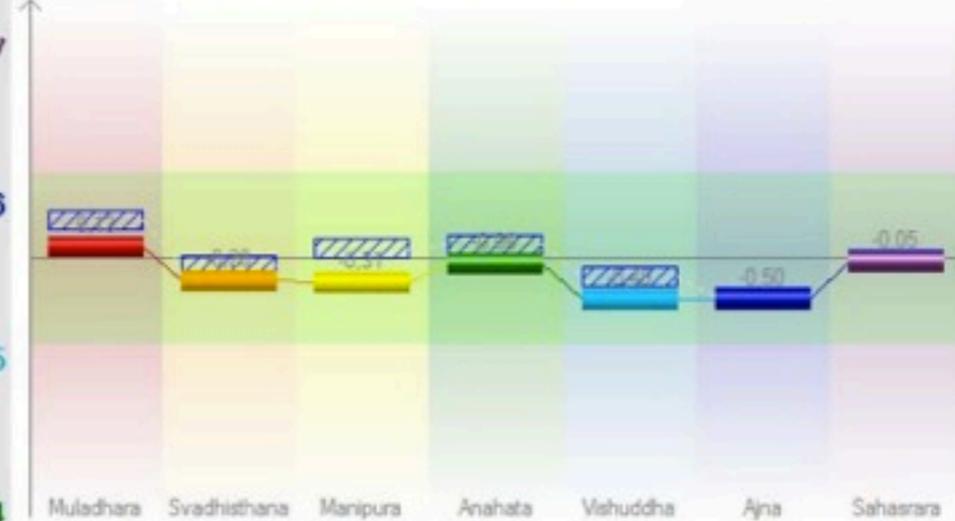


## Ergebnisse VOR der Einwirkung des Vrilstabes

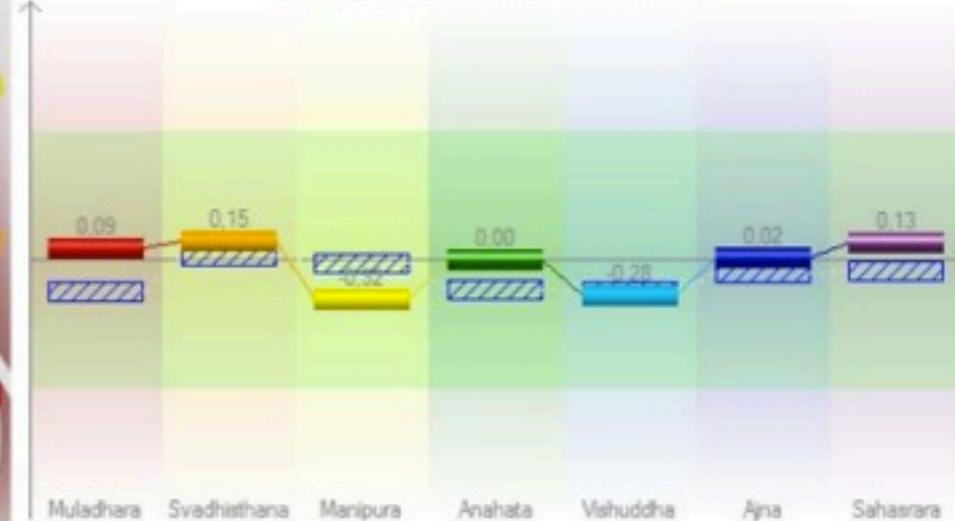
### GDV Virtual Chakra



### Normalisierter energetischer Wert der Chakras



### Physisch-emotionale Unbalance



Anzeige der numerischen Diagramm Daten für:  
Seiger Johannes W. F. - 15.05.2009 14:23:55 - GDV-Aufnahmen ohne Filter

**The Principality of Sealand**  
**REGISTRATION DEED OF INDIVIDUAL NOBLE TITLE**

*This Individual Noble Title Award is approved and granted by Our Sovereign, the Head of State, and the Royal Family of Sealand, according to Principality law. This Award is given in recognition of your financial support towards the welfare and development of Sealand.*  
The Principality of Sealand officially declares that

**Lord Joe Bloggs of Sealand**

*has been awarded this Individual Noble Title from the Royal Family*

*This award is part of a new Worldwide initiative from the Government of Sealand to create awareness for our determination to continue our fight for freedom and independence. As our motto states: "From The Sea, Freedom"*

Your Unique Principality Identification Reference:  
**SD00000000000000**

Nautical Position Of The Principality Of Sealand:  
**Latitude: 51°52'41" North**  
**Longitude: 01°28'32" East**

There is only one Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)  
An existing individual noble title holder who has the same name as the Certificate holder is hereby notified that the title and conditions of the award are not transferable. The holder will also be responsible for their own name and will be held responsible to protect the principle and rights of Sealand.



**The Principality of Sealand**  
Official Government Photographs



**The Principality of Sealand**  
Welcome to the Principality of Sealand

Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)

**The Principality of Sealand**  
**An Independent Sovereign State**  
**Founded In 1967**

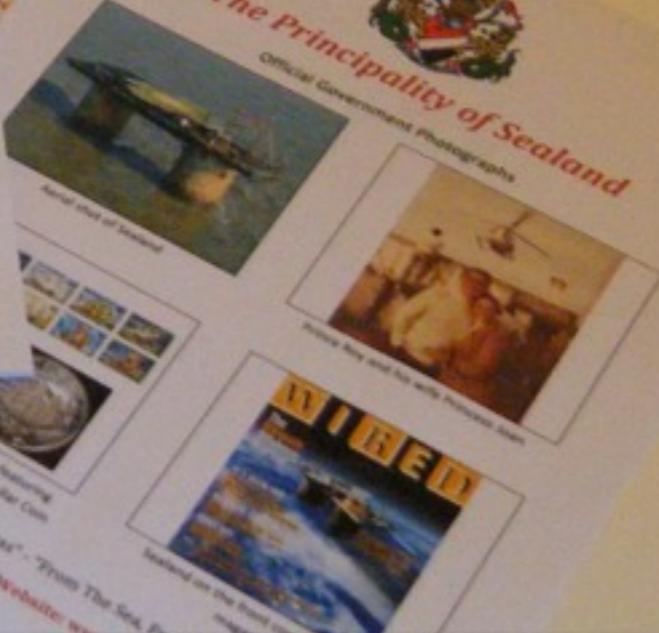
**OFFICIAL DOCUMENTS**  
*Approved & Issued By:*  
**Prince Regent Michael of Sealand**  
**and the Royal Family**

**"E Mare, Libertas" - "From The Sea, Freedom"**  
Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)

**The Principality of Sealand**  
Extract from The World Fact Book Entry Submission

Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)

**The Principality of Sealand**  
Official Government Photographs



**"From The Sea, Freedom"**  
Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)



**"E Mare, Libertas" - "From The Sea, Freedom"**  
Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)



**"From The Sea, Freedom"**  
Official Government Website: [www.sealandgov.org](http://www.sealandgov.org)



# HAVENCO: THE RISE

- ❖ Data haven subject only to (minimal) Sealand law
- ❖ Strong crypto-libertarian *bona fides*
- ❖ First-world infrastructure, third-world regulation
- ❖ Legal sovereignty, redundant links, physical security
- ❖ Launches in 2000 with a *Wired* cover story



# HAVENCO: THE FALL

- ❖ Never more than a dozen customers, mostly gambling
- ❖ The huge server racks were a myth; bandwidth was low
- ❖ Relationship with Sealand deteriorates
  - ❖ Sealand advisors have low tolerance for copyright risks
- ❖ Transition to Sealand control at first amicable, then not
- ❖ “Under new management” HavenCo gradually peters out





## II. INTERPRETATION

# TWO RELATED QUESTIONS

- ❖ What was HavenCo's relationship to law?
  - ❖ National law
  - ❖ International law
  - ❖ Sealand law
- ❖ Why did HavenCo fail?

# NATIONAL LAW

- ❖ HavenCo existed to undermine national laws and policies
- ❖ Its business model was extreme regulatory arbitrage:  
“Our customers don’t want to break the law; they want a different set of laws they can comply with.”
- ❖ But arguably, there wasn’t much demand for its product:
  - ❖ Offshoring data doesn’t suffice for real-world businesses
  - ❖ And true scofflaws don’t need the veneer of legitimacy

# INTERNATIONAL LAW

- ❖ HavenCo was a reseller of Sealand's sovereignty
- ❖ Clients may pragmatically have concluded that Sealand's claims to independence were unlikely to stand up
- ❖ The one court to face the issue squarely rejected them
- ❖ HavenCo's theory of government was minimalist:
  - ❖ One person suffices for a state
  - ❖ A passport stamp constitutes diplomatic recognition

# INTERLUDE

- ❖ HavenCo rejects essentially all forms of national law
  - ❖ But is completely dependent on international law
- ❖ These two positions can be reconciled, *if*
  - ❖ Law is an autonomous system of binding rules
  - ❖ Human, political institutions are normatively irrelevant
- ❖ This is a thin vision of the rule of law

# SEALAND LAW

- ❖ In the end, Sealand nationalized HavenCo
- ❖ HavenCo couldn't object without undermining itself
- ❖ Sealand is a rule-of-law failure
  - ❖ An absolute monarch surrounded by courtiers
  - ❖ Frequent but irregular state violence
  - ❖ No professional judiciary, independent press, parties, etc.

# ON THE RULE OF LAW

- ❖ HavenCo got exactly what it wanted in Sealand:
- ❖ A minimal state, shielded by international law from interference, but with no domestic legal system of its own
- ❖ Sealand “law” was as thin and formalistic as it could be
- ❖ But this thin version of the rule of law *doesn't work*
- ❖ Laws don't protect people; people (using law) protect people

# III. IMPLICATION

# CAN DATA ESCAPE LEVIATHAN?

- ❖ Neal Stephenson's *Cryptonomicon* gets it more right
- ❖ Kinakuta is large, old, and oil-rich
- ❖ For cyberlibertarians, the physical body is an embarrassment
- ❖ HavenCo's territoriality was theoretically anomalous
- ❖ The pure vision imagines wholly online societies
- ❖ But there is a problem ...

# PURELY ONLINE STATES?

- ❖ E.g., virtual worlds present a double problematic:
  - ❖ Leviathan threatens to control them from without
  - ❖ Leviathan reappears inside, in the form of the game gods
- ❖ We can solve either, but never both at the same time
  - ❖ Some form of law is inevitable for online spaces
- ❖ The Internet needs its Madisons

QUESTIONS?