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Episode 171: Sealand

Air Date: August 27, 2021

Speaker 1: I was at boarding school. And I recall that the only pop music you could get on the radio was from the BBC, British Broadcasting Corporation. And that was only for an hour every Sunday where they played the Top 20. There was just no music for the kids.

Phoebe Judge: Michael Bates grew up in England in the 1960s. He was 11 in 1964 when the Beatles first performed in the United States and the Rolling Stones released their first album. But that wasn't what the BBC was playing.

Michael Bates: It was all very, very straight -aced classical music. The BBC had its own orchestras. And if the Beatles, for instance, had a number one record out apart from hearing it for that one hour on a Sunday, you wouldn't hear it unless it was played by the BBC Light Orchestra. And they held the only licensed radio stations in the UK. So

some entrepreneurs had the idea of putting a radio station outside of territorial limits and broadcasting into the United Kingdom. [music comes in]

Phoebe Judge: The idea was that if there was a radio station technically just outside of the UK, the country's prohibitions on broadcasting wouldn't apply. You wouldn't need a license and couldn't get in trouble. At the time the UK's territory extended three miles from shore stemming from a 17th century law marking a country's territorial limits as the distance you could fire a cannonball from shore and hit a ship. Aspiring DJs started getting into boats, traveling three miles from shore and setting up unlicensed radio stations in the sea. Some people did it on old fishing boats. And some people set up stations on abandoned forts. The forts had been built in the water during World War II to protect against German air raids. But they were decommissioned in the 1950s and had been sitting empty ever since. By the mid-sixties, they were rusty and falling apart. But most were outside of the UK as territorial limits. So young DJs took them over to broadcast whatever music they wanted.

Michael Bates: So the kids absolutely loved what the pirates did. And they were called, by the way, they were called the pirates because the British government was so incensed about what was going on, they branded them pirates, which they thought was a disparaging term. And of course, it was the best form of branding that the stations could ever had because the British absolutely loved the pirates, you know— *oooh, pirates.*

Speaker 2: Some of these broadcasters were, you know, essentially professional in every other way aside from being totally unlicensed.

Phoebe Judge: This is author Dylan Taylor-Lehman.

Dylan Taylor-Lehman: I mean they had professional equipment. They had, you know, real tech heads building all of this stuff, and some of their broadcasts had pretty significant reaches. [music fades out] And as some of the stations grew in prominence, they also drew proportionally large advertisers and advertising revenues. So they ultimately got to be a pretty substantial enterprise.

Phoebe Judge: The DJs would pack up their own records. In 1965 in England, the Beatles and the Rolling Stones were popular along with Sonny and Cher, The Kinks, The Who, and The Animals. Eventually the labels began sending records to the DJs, even though it was pirate radio. The more the songs were played, the more record label sold. A BBC survey from 1965 found that 77% of those surveyed had listened to pirate

radio. Some survey respondents described the BBC's music programming as quote “square”.

Dylan Taylor-Lehman: And so this phenomenon became not only incredibly lucrative to some of these producers, but just this really beloved phenomenon across the country. Almost like a Robin Hoodian type enterprise.

Phoebe Judge: A man named Roy Bates decided he would give it a try.

Dylan Taylor-Lehman: Roy Bates was a... definitely a larger-than-life guy. He was a decorated veteran of World War II. And after the war, he embarked on a number of pretty interesting business ventures from operating a rubber factory that made swim fins to a chain of butcher shops until before ultimately, you know, realizing that those entailed a little too much time in the office. And so he wanted to kind of regain a sense of adventure in his life, and that's where he got his start with the pirate radio phenomenon.

[music comes in]

Michael Bates: My dad owed fishing boats.

Phoebe Judge: Roy Bates, son, Michael Bates.

Michael Bates: And they weren't fishing for fish; they were fishing for a product called air fern, sea fern which incidentally was mainly exported to the United States and Canada. And so it was a decorative green fern used in the florist industry. But it was quite a big business at one point. And we were out one day on his boat, and he looked across at the Knock John Fort, and he said, “I'm thinking of getting involved with this thing called pirate radio. It's really exciting.” And he took the boat across there—and it was low tide, so there's no tide running backwards and forwards—and he tied the boat up underneath and he climbed up the ladder and left me on the boat.

And I felt all left out of it and I said, “Can I come up?”

And he said, “Well, the ladder's all wobbly.”

And the ladder had eroded away. It was steel a ladder fixed on the tower. And it had eroded away, like wafer thin, and it wobbled as you climbed up it sideways, you know? But he let me go up and have a look. We did all the things you shouldn't do. You should

never leave a boat unmanned... in a situation like that... with the engine running, whatever. But we did and we— and it was like going back in history. I mean, there was Cormorants, like great big Cormorant birds all sitting on the rail. And when we went inside, it had hardly been touched since the war.

Phoebe Judge: They got to work setting up the station on Knock John Fort. Roy Bates had a radio transmitter made from an old U.S. Air Force transmitter that had been used to guide aircraft. He bought old Red Cross blankets to nail on the studio walls for soundproofing. He called his station Radio Essex. Here's an early recording of one of the DJs describing the setup on air.

[archival audio comes in]

Pirate Radio DJ: We're situated on the Kock John ex-naval fort, and we are the most seaward fort of them all. And believe me, sometimes we know it. Um... [laughs softly] It's a single unit standing on two enormous concrete pillars which are approximately a hundred feet above sea level on top of which is a large concrete and steel platform with all the superstructure. The superstructure when first seen from the sea is very similar to that of a battleship. So that's what we call it, the Old Battleship.

[archival audio fades out]

Phoebe Judge: It wasn't easy to get out to Radio Essex — at least three hours by boat. The water was often rough. The DJs would stay out there for weeks. Roy Bates set up old hospital cots for them. He'd been one of the youngest majors in the British army. [music fades out] And even after the war, it was said that he operated in all ways like he was still in the army. Supplies had to be ferried out to the station, even drinking water. And the DJs would play certain songs or use specific phrases to let whoever was on the shore know that they needed more food.

Dylan Taylor-Lehman: Radio Essex was a totally seat of the pants operation. So all of the DJs would just bring their own personal record collections out to the Fort to play, you know, their own music. So some guys were really into jazz. Some guys were really into rock and roll. It was just kind of up to what that individual DJ wanted to play. And there's a story of Roy Bates hearing a demo of the Rolling Stones and just calling it complete crap. So that really wasn't to his liking, but he definitely understood just the financial aspect of what could come from these stations. Plus, the adventure of it of course.

Phoebe Judge: Michael Bates remembers that his whole family — his father, Roy, his mother, Joan, and his older sister, Penny all spent time at the radio station on the old fort. Michael says they even spent one Christmas out there. His mother cooked for everyone, including the DJs, and they brought along their family cat, Fruitcake. Pirate radio was becoming more and more popular. Competition for the forts was fierce. People would try to evict each other. There were threats of violence and middle of the night takeovers. This became very public in June of 1966 when one pirate radio entrepreneur tried to take a rival station off the air manually by forcibly entering its fort and taking apart the transmitter. The police refused to get involved claiming it was out of their jurisdiction. And the next day, one of the men shot the other man to death and claimed self-defense. The incident made headlines around the country.

Dylan Taylor-Lehman: And that really kicked the British government's efforts to shut this down into high gear.

Phoebe Judge: One member of Parliament said, “These extraordinary and tragic events serve to impress on everybody that piracy is piracy in whatever aspect it occurs.”

Within a week, the British government began working on a bill called the Marine Broadcasting Offenses Act. But the government didn't want to waste any time, and began using an older law, the 1949 Wireless Telegraphy Act, to shut down pirate radio stations. A couple of months later, the British government charged Roy Bates with using a transmitter without a license inside Britain's territorial waters. The prosecutor argued that Radio Essex was within the territorial limits of Britain if you measure the distance at low tide. Roy Bates was ordered to pay a fine of a hundred pounds and told that if he kept broadcasting, he would be fined again: a hundred pounds every single day. He did keep broadcasting; but he was losing advertisers. He shut the station down and decided to start over at a different fort, one that he was sure was beyond Britain's territory no matter how you met. It was called Rough's Tower, and it was not abandoned. He knew that it was being used by one of the most famous pirate stations called Radio Caroline. It wasn't Radio Caroline's primary location; but Roy Bates had heard there were DJs there. Michael remembers they went at night on Christmas Eve. [music fades out]

Michael Bates: We went out there and we... uh... we climbed up, it was a really flat calm night, and it was about, I dunno, it was dark—I suppose, eight or nine o'clock at night—climbed up and took it over. There was actually two guys on there from Radio Caroline and we took them ashore. There was no violence involved or anything like that. We just said, “You're going to shore now.” And they packed their bags and they went. So he took all his transmitters and his generators, and his staff, his DJs and everything [music comes in] to the Rough's Towers. And he was going to put his station back on

there. So I went out with my father one day to do a crew change on the fort at the Rough Towers, and one of the crew men left. And I said, "I'll go on then, and help Dad."

And he said, "No, no, you've got to go back to school. It's the holidays and you've got to go back to finish your education."

I was 14 and I said, "Oh, come on, let me—" And I managed to convince him. I mean, I thought it would just be six weeks, six months adventure, not nearly 60 years, you know.

Phoebe Judge: Roy Bates, and his 14-year-old son Michael worked to get the radio station up and running, and they also prepared to defend the fort against anyone who might try to take it over, as they had.

Michael Bates: Which I did! And there was seven or eight different attempts by rival pirate radio factions to take over the fort. And I was there for every one of them. And that was, that was... again, I was 14, 15. Yeah, they were quite violent at times. I mean, you know, I would joke 'cause my son had just bought my grandson a bicycle, and I joked with my son, I said, "You know, my dad never allowed me to have a bicycle because they're dangerous." And he didn't! I was not allowed a bicycle. I said, "But in 1966, he gave me an automatic pistol and a gallon of petrol to make Molotov cocktails with and asked me to defend the fort [laughs] from rival pirate radio factions!"

[to Michael]

Phoebe Judge: Did you use the Molotov cocktails?

Michael Bates: Yeah, we did.

[as narrator]

Phoebe Judge: Michael says that if anyone approached, and they thought it could be someone trying to take over the fort, they would shoot at them, throw Molotov cocktails until the boats turned around and withdrew. This caught the attention of the British government. Dylan Taylor-Lehman says memos about the situation with Roy Bates went all the way to the Prime Minister.

Dylan Taylor-Lehman: There are all kinds of just surprisingly in depth plans for raids on the fort involving everything from marine assaults on the water, accompanied by

helicopters to paying a disaffected former colleague of Bates to sneakily take the fort over to simply trying to outright buy Roy Bates off. But he always just came out ahead.

Phoebe Judge: Eventually the British government just stopped trying. [music fades out] One official wrote that, “Mr. Bates will probably abandon his uncomfortable perch of his own accord.” [music comes in]

[to Dylan]

I'm looking at a picture of this tower. [Dylan affirms] It looks kind of cold and dirty and not like it'd be a lot of fun to be spending much time out there at all. What was it like to live out there?

Dylan Taylor-Lehman: Yeah, I mean, that's definitely right. Once you're out on the forts, you're completely at the mercy of the weather and the North Sea is notoriously pretty rough. So once you're out, you know, it's very difficult to get on or off. But, yeah, you can feel them shaking with the waves, the wind rattles everything. I mean, they're concrete and steel, so they're certainly not insulated very well. But the views are absolutely magnificent and it's a very surprisingly peaceful place to be if you like that kind of isolation.

[as narrator]

Phoebe Judge: Roy Bates was putting everything he had into making his radio station work. But it never became the success he imagined. And then that August the Marine Broadcasting Offenses Act was passed into law, making it a crime for British citizens to supply music, fuel food and water or advertising money to pirate radio station. And a month later, the BBC launched its own pop music station with many of the former pirate radio DJs on staff. But Roy Bates still had his fort and he didn't want to let it go. He joked to his wife, Joan that she now had her own private island. [music fades out] And she replied, “It's a pity it doesn't have palm trees and a bit of sunshine and maybe its own flag.” *That* gave Roy Bates an idea.

On Joan's birthday, September 2nd, 1967, he raised a flag on the fort and announced that the structure, which has been described as an ugly concrete slab, an utterly charmless rig and a blasted looking platform, would from then on be known as its own nation: the Principality of Sealand. [anthem music comes in] This is the Sealand Anthem. A spokesperson from Britain's Ministry of Defense said, “This is ludicrous.”

Joan Bates said, "I've learned not to be surprised at anything my husband does."

I'm Phoebe Judge. This is Criminal. [music fades out]

Roy Bates claimed that Sealand was the world's smallest country. Dylan Taylor-Lehman says it became the grandparent of what is today called a micronation.

Dylan Taylor-Lehman: A micronation is a catch-all term for a self-declared territory typically within the boundaries of an existing and recognized country that often goes [laughs] unrecognized by any other country.

Phoebe Judge: It's been estimated that there are over 400 micronations. There's a neighborhood in Copenhagen that declared itself a micronation. In 1971, a group of people took over an abandoned military base there and declared themselves a self-governing society. The Danish government has allowed them to continue for 50 years. It's called Freetown Christiania, and today is popular with tourists. One of the most often referenced micronations is in Nevada and California, The Republic of Molossia. Their currency is tied to the price of Pillsbury cookie dough. Many micronations try to anchor their legitimacy in a document outlining the criteria for statehood created at the Montevideo Convention in 1933. The four basic requirements are a permanent population, defined territory, government, and the capacity to enter into relations with other states. Roy Bates and his family moved out to Sealand fulfilling the first requirement.

[to Michael]

What was it like living on Sealand? Did you have to go and get supplies every day? Was it lonely? Was it fun?

Michael Bates: It was... fun... it was interesting. When we first got there, they had candles for lighting. Then we moved on to hurricane lamps, like you see in the cowboy films. Then we moved on to Tilley lamps; they're the ones you put paraffin in, but you pump up. They give a bright light, but they're quite hard to keep maintaining. And then eventually we got generators going and then the whole world changed. [music fades out] But it's quite hard for people these days to envisage you are living somewhere where there's absolutely no communication with the outside world. Like, my dad would go away on the boat and leave me and my mother, for instance, or me and my sister there. And there was no communication between him and us for however long. And he would go away and say, I'll be back in two weeks' time. And you'd look at the horizon to the Southwest, looking for the boat, the shape of the boat, and you'd get the binoculars

and you'd stare, and you rest the binoculars on something for a better look, you know? And like three weeks would go by and the boat wouldn't turn up. And we used to keep a good stock of food, but then all of a sudden, you're down near down to like flour and water and tins of peas or something, you know? And there was no way of communicating— there was no radio communication— with no mobile phones in those days! So that was it. So we had some very interesting times because of that. But it's hard to believe these days, isn't it, that you just go on the internet, look things up. You go on Amazon, and you have it delivered the next day. It was an entirely different world.

[as narrator]

Phoebe Judge: Joan Bates said that the first few months were miserable, freezing cold. "It was like hell on earth" she said. "There were no windows, no doors, the wind howled through. And everything was covered with a thick layer of crumbling rust." The family tried to make Sealand a little more comfortable, covering the concrete floors with rugs, adding comfortable bed covers to the bunks and hanging framed hunting scenes on the walls. Michael says he stayed on the fort. Most of the time, he saw it as his job to defend Sealand whenever his father was away however he needed it. On May 6th, 1968, about eight months after the creation of Sealand, Michael says a ship called the Vestal appeared near the fort and came very close. Michael says the men on board were making obscene gestures at his sister who is sunbathing.

Michael Bates: And anyway, they came too close, and they were shouting in a threatening way. And I fired some warning shots across the bow of the motorboat. So we were charged with firearms offenses, endangering life within the jurisdiction of the United Kingdom. So then it ended up in Chancellor Magistrates' Court, which is quite a big court. And the judge was wearing all the wigs and everything, and the gowns, you know, as you see on the films, and my father and I were in the dock. And the prosecution, the government in other words, started going on about the charges of firearms, unlicensed firearms, endangering life.

[to Michael]

Phoebe Judge: You were pretty young — were you nervous being there?

Michael Bates: I suppose it wasn't the most pleasant place in the world to be. And... um... I was young, and I thought my father always thought he was going to win everything he did. Every battle he came into, you know? But anyways our barrister said, "Just a minute, you have to stop now. We need to talk about the jurisdiction before we waste all our time talking about charges that might not be relevant." So it went through

until lunchtime and then I adjourned for lunch. And my father and I sat in the cells, I remember that. I remember asking him what he thought about it at all. And he said, "I don't know quite how it's going to go." And then after lunch the judge said, "I need to instruct the jury on this." And he also said that this is a swashbuckling case that perhaps should have been heard in the time of the first Queen Elizabeth. [chuckles softly] And the next thing we know, all the barristers and that, are running over and shaking our hands.

[as narrator]

Phoebe Judge: The judge had ruled the British Court had no jurisdiction over the fort and dismissed the charges. Roy Bates took the decision as confirming the validity of Sealand. He told a reporter, "Now we're in the clear." Another newspaper reported, "Sealand joins the world."

[music comes in]

Roy Bates and his family got to work making Sealand more official. They printed stamps and created an official Sealand post office on Sealand with a teller window and a sign that read "Post Office." They issued coins with an image of Joan in profile. And Roy Bates began to issue Sealand passports to, he said, "Various people who have helped me." In 1969, newspapers all over the world printed an Associated Press story about the passports, and quoted Roy Bates saying that he would shoot at anyone who tried to violate his sovereignty. British Cabinet Members discussing what to do about Roy Bates had concluded, quote, "He was doing no actual harm so far as was known. And the Ministry of Defense had no need of the fort themselves. There were no pressing reasons for evicting Mr. Bates, certainly none that would justify the use of force or the passage of special legislation." So the British government left them alone. And the Bates family tried to figure out how to make money. Over the years, Roy Bates at the bid of a casino was discussed. He claimed that the Libyan dictator, Muammar Gaddafi, expressed interest in using the fort for undisclosed reasons, and that an American church offered to buy the fort to transmit religious broadcasts to Russia. Nothing really panned out. And then a group of Germans approached about going into business together. They wanted to expand Sealand to include a casino, duty-free shops, hotel rooms and green space around the platform. They also had plans to build an oil refinery. One of the men was named Alexander Achenbach. Here's Dylan Taylor-Lehman.

Dylan Taylor-Lehman: Alexander Achenbach claims to have been a diamond trader and, you know, just this kind of this man of mystery from Germany. And he had— I think

he had only visited Sealand itself once. But he was, from what I can tell, the mastermind behind all of this. And so, you know, there were these plans to develop Sealand into this, I guess, like a resort island. But it seems like the real intention behind all of this was to use Sealand as some sort of like money laundering set up, or something to— tax evasion scheme, because turns out Achenbach was a pretty storied grifter who'd been involved with all kinds of like document schemes in Germany and had done time. [music fades out]

Phoebe Judge: Alexander Achenbach got to work trying to legitimize Sealand's nationhood. He reached out to the United Nations. A UN spokesperson responded and said, "The United Nations is an organization of governments, not of gun platforms." Dylan Taylor-Lehman says that Alexander Achenbach offered the Bates family \$1 million to buy Sealand anyway. Roy Bates wouldn't sell for so little. He said he wanted \$10 million. So Alexander Achenbach invited Roy and Joan to come to Austria to sit down and talk it over in person. And they agreed. They set a date in August of 1978, and left Michael who at this point was 26, to watch overseas.

Michael Bates: So while they were there, this helicopter turns up from Holland. It was a KLM helicopter. KLM is the Dutch national airline. And he couldn't land because there was moss on the top, specifically to stop helicopters landing. And I was out on Sealand on my own. So they started lowering people down on a winch wire. Well, the first man down was a German tax consultant who I'd met once or twice before, and I knew. And he handed me a telex, like a telegram, purportedly from my father saying, "We've signed a contract with the consortium. And please hand over to these guys."

I said, "Look, go back to Holland. Bring my father back out here with you. And I will hand over the fortress to you... the island to you." But I said, "But until you do that, and not until I see him, I'm not gonna hand it over." So they were— anyway, they were quite insistent, and the helicopters very, very loud above, and another fellow had come down. So there's two of them there now.

And the first man had come down and he said, "Look, I'm really a really shaken up by the winch wire and everything. Do you have a drink and have a whiskey or something? And I said, "Well, don't really mess around with winch wires and helicopters and alcohol at the same time." And he's absolutely insistent. So I gave him a whiskey. And as I did it, they slammed the door— they ran out, slammed the door and I was locked in this steel room. [music fades out] And it was a room with a port hole, I suppose, not even 12 inches wide. I heard the helicopter go, and then it was silence. So I'm locked in this room and I don't even know there's anybody there outside. I'm thinking, *well, my father's*

away... there's no communication with the outside world. I'm locked in this room with no food in this room [indistinguishable].

[as narrator]

Phoebe Judge: Michael Bates says he was held captive for about four days total. His captors told him he had three options: A fishing boat could take him to England, a fishing boat could take him to Holland, or he could stay on the fort but only if he remained locked up.

Michael Bates: Now bear in mind, my father still doesn't know what's going on. He's in his car driving back from Austria. I didn't want my father coming back getting himself killed rescuing me. So I said, "Get the fishing boat. Take me to England." But the skipper of the fishing boat wouldn't take me to England because he was concerned about being arrested for piracy, kidnapping and everything else. So they got me to sign... the lawyer wrote an I go of my free will document, which obviously wouldn't have held up at all anyway. But I climbed down on the troller and was taken to Holland where I was landed illegally in the middle of the night. No passport.

Phoebe Judge: Michael says he had chatted with the fishermen all the way to Holland and they became friendly. So the fishermen took Michael to his house that night. And in the morning, he drove him to the airport where Michael managed to get a flight to England. He says he went to his grandmother's house, had a bath, and started trying to come up with a plan to retake Sealand. He wasn't able to reach his father. And was only able to tell him what had happened when his father turned up at the door later that day. Not long after Roy and Joan Bates had arrived in Austria, Roy Bates suspected that Alexander Achenbach had gotten them away from Sealand under false pretenses. One of the men who had held Michael captive was Gernot Putz. He'd been Alexander Achenbach's lawyer. And at one point, Roy Bates had given him a Sealand passport. The family started coming up with a plan to take Sealand back. [music fades out]

In August of 1978, the Bates family having been kicked off Sealand by a group of men they'd hoped to go into business with, had to figure out how to try and take the fort back.

Michael Bates: We had a friend called John Crewdson who ran a company called **Helicopter Hire**. And he'd flown journalists prior to this. And he was also a personal friend. Coincidentally, he had flown in, I think, like seven or eight James Bond films. He was an absolutely brilliant pilot. But we explained the situation to him, well, my dad did, and he said, "Can you help?"

And he said, "Well, of course I can." He said, "I'll meet you over at the hangar, the aircraft hangar at three o'clock in the morning." [music comes in]

So we went down the road and we bought some ropes from the local boat chandlers, and we practiced sliding down the ropes from a 12 foot up in the air gibbet or something. And we tried to work out whether we could use gloves or bits of rag around our hands because we'd burn our hands, and we kind of decided how we were going to do it. And so we went over to the airport, it's three o'clock in the morning. John said, "Look, guys, take the doors off the helicopter." We took the doors off it. We tied the ropes on the back of the seat frames. So we flew out. We flew with no doors on the thing up into the wind, approached the fortress into the wind specifically to keep the noise down so that they wouldn't hear us until the last minute. And as we approach, we're a meter above the sea. We're standing outside on the skids of the helicopter at this point, with a coil of rope and our hands. We can't have the rope trailing because if we did, it would go into the tail rotor. So we're standing on the skids, and then as we got closer, I could see this yellow oilskins, yellow jacket shape on deck. I recognize the clothing in the distance. It's my father's yellow oilskin and some guy was wearing it. He was sleeping in a chair. He was meant to be on guard duty. And it was just breaking daylight. And I could see this guy there. He told me afterwards the first thing he saw was a helicopter appear from underneath the platform. And I was the first man to land. And the Germans were running out of the building in front of me below me. I just ran towards the Germans. I jumped off the building, which was 10 or 12 foot high, and I had to jump over an open-top water tank to do this, so I landed hard, and I had a sort of shotgun in my hand. And the butt of the gun hit the ground and went *Boom!* And went off [laughs]. And they put their hands up in the air. And that was it. We had returned.

Phoebe Judge: Michael says they locked the men up in an old ammunition magazine in one of the concrete pillars. And eventually arranged for the same fishing boat that had taken Michael to Holland to come back and get them. But the Bates family made one man stay behind, the German lawyer Gernot Putz. [music fades out] Since Putz had a Sealand passport, Roy Bates decided he could be put on trial.

Dylan Taylor-Lehman: So he was put on trial for treason.

[to Dylan]

Phoebe Judge: At the court... which is just like next to the kitchen?

Dylan Taylor-Lehman: It was in one of the legs [laughs] of the— one of the levels of the legs of the fort

Michael Bates: And we had some members of the press there. And we had our lawyer's son, our British lawyer's son was there all to see fair play. And we read the charges, "How do you plea?" And he pled guilty to treason 'cause it was, you know! And we fine him some money... I forget how much it was. It wasn't a huge amount of money and they never got paid, but he stayed with us for another, I guess, six weeks I think it was.

[as narrator]

Phoebe Judge: The Bates family made Gernot Putz do chores, make coffee and clean toilets. His wife had reached out to German officials and asked for their help bringing him home through diplomatic channels. The German embassy contacted the British Foreign Office, but it didn't have any luck. One official said, "If Putz is falsely imprisoned, he is not falsely imprisoned on British territory."

Michael Bates: And the British government said there was nothing they could or would do. And British diplomats have said that the Germans that were out on Sealand were victims of their own adventure [laughs] But... so eventually, the German Embassy spoke to my mother and asked to send a diplomat out. So my mother said, yes. So anyway, we searched him, and we took his diplomatic passport, I think when we stamped it with a Sealand immigration stamp. And then we took him inside, and he said, "I want to take Gernot Putz home."

My father said, "No, you can't."

And he left without him. And he wasn't very happy. But of course, the mere fact that they communicated with us directly and visited us directly, because no one else could or would, is de facto recognition.

Phoebe Judge: Because the German diplomat had visited Sealand, the family felt that they had finally fulfilled all of the criteria of the 1933 Montevideo Convention.

Michael Bates: The criteria of being a state is you must have population. Well, we obviously have that. You must have territory. We have that. You must have government. We have that. You must have the capacity to enter into relations with other states. Well, we did that when the German ambassador visited. So I think we're pretty much there.

Phoebe Judge: Gernot Putz was released a few days after the arrival of the diplomatic official. Roy Bates told reporters that they had investigated and believed that Putz had been misled and manipulated into participating in the takeover of Sealand. By some

accounts Gernot Putz was smiling when he was released. One paper reported that he seemed happy and posed for pictures. Roy Bates said, "We're all friends now." But Dylan Taylor-Lehman says it's hard to know how to understand this whole incident. Some have speculated it was a publicity stunt. Roy Bates had a way with reporters. Others have said it was a very real and violent competition to control ceilings, one that Alexander Achenbach wasn't giving up on. [music comes in]

Alexander Achenbach claimed that Roy Bates' repossession of the fort was "an act of piracy." He announced that he had established a Sealand rebel government in exile with himself as its leader. And then, Sealand passports began showing up in unexpected places.

Dylan Taylor-Lehman: The Bates family told me that over the years, they issued— personally issued maybe around 300 passports to close friends or associates that family members and things like that. But in 1997, Gianni Versace, the fashion designer was murdered in front of his own house. And the guy who killed him eventually was holed up on a houseboat and the subsequent investigation, they found a Sealand passport and a few other materials, attesting to somebody's status as Sealandic diplomat. Police scratch their heads and they followed up on the Sealand connection and realize what Sealand was. And so, I believe it was Interpol [laughs] got ahold of the Bates family to try to see what the connection was to the murder of Versace. Of course, the Sealanders had nothing—the true Sealanders—had nothing to do with that, but the investigation revealed that there was this incredible amount of bootleg Sealand passports being issued by this gang of international criminals. And that almost certainly led back to this government in exile.

Phoebe Judge: The one set up by Alexander Achenbach. There have been many reports of people all over the world using Sealand passports to try to claim immunity from other countries laws. [music fades out] In 2000, police in Spain went to a man's house to arrest him for his involvement in selling more than 2 million gallons of diluted gasoline. The man showed them a diplomatic passport issued by the government of Sealand and claimed immunity. Police soon discovered that he was part of a group that sold forged Sealand documents, passports and even degrees from fake Sealand universities.

People were paying between \$9,000 and \$55,000.

Police discovered that there were scams involving fake Sealand documents all over the world. [music comes in] One man tried to use Sealand passports to secure a loan to

purchase 1800 cars. And someone else used fake Sealand documents to get a loan for \$22 million to buy two private planes. There were links to the Russian mafia.

Dylan Taylor-Lehman: Apparently for years there had been this underground business in Sealand documents that was successful enough that, you know, it fooled officials from other governments, and they— alongside just numerous other document forgery rackets. I mean, you could buy Sealandic doctorates, you could buy various other titles that played on Sealand statehood.

[to Dylan]

Phoebe Judge: You know what I was just thinking about, it's so funny that there's all these schemes potentially for Sealand and what could happen, but like, as big and grand as the dreams might have been, you can't actually do that much with a space that barely fits a family living on it. You're really pretty confined at how high your nation can grow if it's like the size of two tennis courts.

Dylan Taylor-Lehman: I mean, I suppose the same argument could be made for states in the Pacific. For example, there are tons of little tiny island nations with a few thousand residents, you know, at most that do a lot of trade with other countries. So, I mean, a lot of the defenders of Sealand statehood will make the argument that size isn't really material to the official status of your country. But no, I mean, yeah... and I think that that's kind of been one of the more interesting parts of this story is trying to figure out how much the family truly, truly believed in the statehood aspect of this, or how much of it was done with a little wink just in the name of getting the story told more broadly and things like that.

[as narrator]

Phoebe Judge: The Bates family continued to look for ways to use Sealand's independent status to make money. Over the years, Sealand got involved in various business ventures that didn't work out: Another pirate radio station, a pirate TV station, a Russian communication satellite, its own bank.

Dylan Taylor-Lehman: But it wasn't until 1999 that a venture really seemed to pick up steam and have some legitimate possibility, and that's when these cyber punks decided to meet with the Sealandic family with the intention of setting up what they call a Data Haven on Sealand, which was essentially like an offshore bank the idea being that they would be— since they were in international waters, they could create their own rules for what they wanted to host out there that might be illegal in other countries. So gambling,

websites and things like that. I think the idea was to just have this free enterprise for web hosting. At that point, internet laws with respect to boundaries of countries weren't entirely fleshed out. And so, it was kind of an uncertain— an interesting experiment to see where this might go.

Phoebe Judge: The experiment was the cover story on Wired magazine in the year 2000. But it didn't end up working out. Cornell law school Professor James Grimmelmann put it, "Sealand was never able to offer the kind of immunity from law that digital rebels sought." Over the years, Sealand has had interest from other parties. The torrent site, Pirate Bay, tried to raise money in 2007 to purchase Sealand. There were rumors in 2012 that Sealand planned to host the servers for WikiLeaks. But Michael says that they found a way to make money without getting involved with anyone else. Now they have an online shop where you can buy Sealand shirts, mugs, and coins or a Sealand title. You can become a Duke or Duchess of Sealand for about \$650. [music fades out]

Roy Bates died in 2012 at 91 years old. His wife, Joan died in 2016 at 86. [music comes in]

Michael is in charge of Sealand today. He says he stopped living there when he got married. But his kids grew up going out to the fort. Sealand has solar panels and wind turbines now. Michael says they're trying to do the green thing. There's someone on the fort at all times keeping an eye on things.

Michael Bates: But it's nothing like it was before in so much as, I mean, you can just pick up a mobile phone and talk to people now. You haven't got the frustration of if a boat's even going to come out, you know? [chuckles softly] Or if anybody knows if you're sort of thing.

[to Michael]

Phoebe Judge: It seems like this has been a lot of work over the years to hold on to. What keeps you working on it? Why do you want to keep Sealand going?

Michael Bates: It's a legacy. It's a legacy and it's... I mean, we can't let it go.

Phoebe: Criminal is created by Lauren Spohrer and me. Nadia Wilson is our senior producer. Susannah in Roberson is our producer. Engineering by Russ Henry. Audio

mix by Michael Raphael, Johnny Vince Evans, and Rob Byers of Final Final V2. Special thanks to Lily Clark.

Julienne Alexander makes original illustrations for each episode of Criminal. You can see them on thisiscriminal.com.

We're on Facebook and Twitter @criminalshow.

Michael Bates book about Sealand book is *Principality of Sealand: Holding the Fort*, and Dylan Taylor-Lehman's book is *Sealand: The True Story of the World's Most Stubborn Micronation and Its Eccentric Royal Family*.

Criminal is recorded in the studios of North Carolina Public Radio, WUNC. We're proud members of Radiotopia from PRX, a collection of the best podcasts around.

I'm Phoebe Judge. And This is Criminal. [music fades out] [Radiotopia jingle]

END OF EPISODE.