

There is a thin line between privacy and secrecy, and increasingly only the famous and wealthy can afford to have their privacy protected when it suits them. The UK needs a proper privacy law.

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*Recent revelations of celebrity 'super-injunctions' have reopened the debate on privacy and celebrity in the UK. [Bart Cammaerts](#) finds that those who live in the limelight often have the greatest resources, compared to 'ordinary' citizens to protect their own privacy when the media uncovers stories they would prefer to be kept secret. A new, considered, privacy law might go some way towards redressing this imbalance.*



Privacy is a human right, but to misquote Orwell some animals in the kingdom are less equal than others. The relationship between stardom and privacy is an illustration par excellence of this principle. In the world of glitter, pomp and circumstance the celebrity seeks and needs publicity and uses the media to his or her advantage. In fact, the media is quintessential for celebrities to raise their profile, status and ultimately their income. Celebrity capital has to be accumulated and the media are willing allies in that mutually beneficial endeavour.

Celebrities also often commodify part of their private life, their bodies and tastes. They are all too happy to appear in the specialized press exposing their wonderful houses, their pristine family lives and their wealth. In 'all-revealing' interviews they strategically position parts of their private life in the public sphere, but on their terms. The purpose of all this is to increase their celebrity capital, which can then subsequently be converted into 'real' capital. The golfer selling watches, the footballer advertising a shoe manufacturer, the actor convincing us how delicious coffee pads are, the celebrity chef as *his* own brand, etc.

However, stardom and celebrity status are to a large extent based on the construction of an ideal, mythical, persona that cannot but fail, because humans are not perfect nor pristine and everyday life is messy, full of contradictions. Besides this, the celebrity obsessed media outlets are cannibalistic creatures. While they play a crucial role in producing celebrities, they will eat them for breakfast whenever the opportunity arises, unless the courts prevent them from doing so. But then the story becomes that an unnamed actor, footballer or chef prevents the media from reporting on something unspecified, but definitely scandalous and saucy.

Celebrities revel and feed off the limelight, but when the limelight turns into a spotlight that highlights something they would prefer to be kept hidden and secret, they, or more precisely their lawyers, will attempt to switch off the spotlight. All of a sudden the media that have been instrumental for them all along become their 'worst nightmare'. It is, however, increasingly clear that there is no exit clause anymore from the limelight. There is something Faustian about becoming a celebrity which can and often comes back to bite them. The debate here is thus not so much about privacy and celebrity since being a celebrity often precisely involves commodifying the private.

The real issue here is secrecy and the hidden – the part of the private life we are not supposed to know and which can potentially destroy or at the very least destabilise their celebrity capital, certainly if it contradicts the careful 'monogamous' image that has been constructed by them in the media before the scandal broke. Is the right to privacy the same as the right to secrecy? Does a celebrity that exploits his or her private life in the public space have a right to secrecy when less convenient details emerge from that same private life? The precise relationship between privacy and secrecy is a complex one, and has hitherto not really been addressed in the debate on the right to privacy for celebrities.

As this debate is gaining pace, it is quite astonishing to observe that the UK does not have a proper privacy law to begin with. Leaving this to the discretion of the courts and individual judges inevitably implies that only the rich, famous and wealthy can afford to have their privacy protected when it suits them. Maybe this is the moment to redress this and set out some general rules regarding privacy for all citizens and identify some clear and transparent limits to the breaching our privacy, but at the same time we should also not forget that seeking media attention and public exposure cuts both ways. A privacy law needs to protect the right of privacy of ordinary citizens who do not seek publicity first and foremost, but should not be designed to enable a public celebrity to decide what and how is being reported on him or her (usually him).

