

# British royals take criminal action over topless photograph

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The British public has once again been subject to saturation coverage of the royal family over the past week, after the French magazine *Closer* published photographs of the Duchess of Cambridge Catherine Middleton topless. A photographer had taken the images whilst she was on holiday with her husband Prince William in the South of France earlier this month.

The royal household responded aggressively to the pictures, denouncing their publication as a “breach” of the right to privacy. Lawyers for the royal couple sought, and obtained, an order in a French court banning future printing of the images.

A royal spokesman went so far as to draw a parallel with the events surrounding the death of Princess Diana 15 years ago, commenting, “This is disappointing, saddening and turns the clock back 15 years. We have always maintained the position that the Duke and Duchess deserve their privacy, not least when they are on holiday in their own swimming pool.”

Criminal prosecutions are now being pursued against the photographer, although the magazine has yet to release its source. On Wednesday morning, French police raided the Paris offices of *Closer* to obtain the photographer’s identity.

The legality of the raid was questioned by Christophe Bigot, a barrister who practices in media law, who suggested it had been authorised solely because the royal family was involved. Bigot told the *Daily Mail*, “A law of January 2, 2010 protects the confidentiality of sources, as do numerous decisions of the European Court of Human Rights. In the case of William and Kate, I do not see how a prosecutor could justify a search of *Closer*.”

These moves represent a grave attack on press freedom, launched by one of the most reactionary

institutions of the British state. The criminal prosecution of an as yet unknown photographer is being used to intimidate others and ultimately suppress any media coverage not sanctioned by the House of Windsor.

Often presented as merely figureheads, with few remaining powers, the reality is quite different. A report in June estimated the total wealth of the royal family at over \$1 billion—a gross underestimation.

A recent *Guardian* investigation uncovered that current and previous governments had sought the consent of Prince Charles to pass at least 12 pieces of legislation since 2005. This was due to a provision which permits Charles to veto any piece of legislation that interferes in his “private interests.” These relate mainly to his control over the Duchy of Cornwall, which is worth a total of £700 million and generated an income for the prince of £18 million last year.

The hysteria stirred up over the photos is already being used by governments to promulgate new repressive legislation. In Ireland, where a daily newspaper republished the pictures, Minister of State Alan Shatter has declared his intention to review a 2006 act which introduced new press regulations.

Michael O’Kane, editor of Ireland’s *Daily Star*, which printed the images, has been suspended pending an investigation. Meanwhile, the online shopping service eBay has removed all copies of the edition of *Closer* in which the pictures were initially published.

The boundless cynicism which characterises the response to the latest episode will be lost on no one. The British royals thrive on a close relationship with the media, built up over decades. Behind their current posture as defenders of privacy, both have created an environment in which the press bombards the public with coverage of the royals’ every move.

William and Catherine are the subject of constant press attention. No such qualms over privacy were shown when press reports breathlessly informed the public of how the “then Kate Middleton” wooed her prince by parading in a sheer outfit at a private fashion show.

Their wedding was utilised, at considerable public expense, as an occasion for fawning tributes to the monarchy by the media establishment. The royal couple were portrayed as the modernising face of an age-old institution, with Catherine presented to the population as “our Kate” or the “people’s princess.”

This has continued throughout the Diamond Jubilee, London’s hosting of the Olympics, and the recent royal tour of Asia. The latest favoured topic of speculation is the attempt to determine whether or not Catherine is pregnant.

The British press was universal in its support for the Royals. Not a single paper printed the images, and the decision by publications in France, Italy and Ireland to do so was denounced. With breathtaking hypocrisy, the *Sun* declared in typical jingoistic style, “The final irony is that it is France—smug, privacy-obsessed France—that published grossly intrusive pictures no decent British paper would touch with a bargepole.”

This came barely a month after the same newspaper revelled in printing nude images of Prince Harry at a party in Las Vegas. At the time, there were rumours of plans within the royal family to sue the newspaper after they failed to dissuade the *Sun* from publicising the pictures.

As for the self-serving claims that the royals must enjoy the same right to privacy as “ordinary” people, the reality is that there is no such right for the mass of the population.

Britain has the highest number of CCTV cameras in the world, with estimates suggesting that an average citizen appears on camera 300 times per day.

Moreover, on top of the vast apparatus of anti-terrorist legislation erected after 9/11, the government is preparing to implement measures that will facilitate a massive expansion of state surveillance. Under draft proposals in the Communications Data Bill, the home secretary will be granted the power to retain any data on any citizen without a specific purpose. The measures will not be open to judicial review and will cover all methods of communication, including text messages,

online social media and telephones.

As the *Independent* wrote, “If the Bill passes, companies will have to collect data they don’t currently collect and the Home Secretary will be able to ask manufacturers of communications equipment to install hardware such as ‘black boxes’ on their products to make spying easier. This proposed scale of state surveillance will add the UK to the ranks of countries such as Kazakhstan, China and Iran.”

The talk of a breach of privacy is an attempt to conceal the fact that what is really being defended is the institution of the monarchy itself and the immense wealth and privilege upon which it is based.

As Britain continues to slide ever deeper into economic crisis, with levels of social inequality not seen since the 1930s, the monarchy’s existence is sharply at odds with the broad majority of British working people.

While William and Catherine relaxed at their chateau in the south of France, figures confirmed that Britain’s economy had contracted sharply in the second quarter of the year. Unemployment remains at over 2.5 million, with 1 million young people jobless.

The *Guardian* published an editorial on September 5 pointing to the return of mass poverty and hunger to Britain. One in eight children miss out on at least one meal a day, leading the newspaper to draw parallels with the “hungry 1930s.”

Under such conditions, the ruling elite are well aware that any further undermining of the authority of the monarchy could have explosive consequences. It is this fear that accounts for the draconian response from the royal household and the ruling establishment as a whole to this latest episode.



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