The Rise of Open-Street CCTV Surveillance in Canada

By

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ABSTRACT

In this thesis I argue that the theoretical underpinnings of surveillance studies are inadequate for explaining the politics and the dynamics involved in the rise and diffusion of open-street closed-circuit television (CCTV) surveillance programs. While contributions to surveillance studies generally explain social monitoring in terms of top-down or hierarchal forms of power (i.e. police, state, Big Brother), which is reflected in studies of open-street CCTV, in this thesis I present data on open-street CCTV surveillance in Canada to empirically demonstrate how CCTV monitoring programs are generated from numerous social positions (i.e. citizens initiatives, local businesses). Regardless of where CCTV schemas originate, however, any careful investigation of the ascension of open-street CCTV must be supplemented by an examination of the role of the media in justifying and consolidating monitoring programs. Drawing from developments in the sociologies of governance and of risk, I examine media coverage, government document, and questionnaire data regarding open-street CCTV operatives in Canadian cities from a contextual constructivist approach. I conclude by exploring the possibilities for regulating and resisting open-street CCTV. The purpose of this thesis is to challenge the reigning theoretical explanations pertaining to the rise of CCTV surveillance, demonstrating empirically how regulation through camera surveillance can be generated from any number of social positions.
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CHAPTER I
AN INTRODUCTION

Because of the opportunity it offers, particularly to the exceptional and abnormal types of man [sic], a great city tends to spread out and lay bare to the public in a massive manner all the human characters and traits which are ordinarily obscured and suppressed in smaller communities. The city, in short, shows the good and the evil in human nature in excess (Park, 1925:46)

The goal of my work...has been to create a history of the different modes by which, in our culture, human beings are made subjects (Foucault, 1982:208)

Introduction: Explaining the Rise of Open-Street CCTV in Canada

This thesis offers one explanation for why local police and government in Canada are increasingly turning to open-street closed-circuit television (CCTV) surveillance as a 'crime control’ tool. Criminologists have demonstrated that the ‘crime rate’ in Canada has decreased over the last three decades (Cesaroni and Doob, 2003:436), and serious questions about the efficacy of open-street CCTV in reducing ‘crime’ have been raised (Armitage, 2002; Welsh & Farrington, 2003). It has been argued that other measures (i.e. proper street lighting) can be more effective as a deterrent of ‘crime’ (Welsh & Farrington, 2004). The discrepancy between declining ‘crime rates’ and rising numbers of surveillance cameras makes the popularity of open-street CCTV in Canada a subject matter rich for sociological analysis. Given the disparity between falling levels of ‘crime’ and growing levels of open-street CCTV use, what are the cameras being used to police?

To explain the ascension of open-street CCTV in light of this disparity, I argue that it must be demonstrated how urban deviance is socially constructed and transmitted through news media, and how this is, in turn, related to the technological and regulatory measures taken to reproach activities defined as deviant – what could be called the

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1 The terms ‘crime’, ‘criminal activity’, etc., will appear in single quotation marks throughout this thesis to draw attention to the fact that ‘crime’ is socially constructed through process that involve police services.
discursive construction, examination, and exclusion of the deviant (Cohen, 1972; Hall et al., 1978). Essentially concerned with the overlap between perceptions of deviance in urban space, processes of visualization, and their connection to expanding measures of urban governance, the ascension of urban camera surveillance in Canada is explained in a way that differs from the top-down approaches typifying the surveillance literature. The ascension of open-street CCTV should be understood as social disordering: some form of social anxiety, ranging from localized moralization to fear of ‘crime’ to risk discourses, is usually antecedent to the implementation of open-street CCTV operatives. *Pace* theoretical treatments of surveillance which rely on top-down approaches for explaining social monitoring, open-street CCTV can be generated from numerous social positions which overlap and co-articulate a desire for regulation through camera surveillance *vis a vis* these anxiety discourses.

The rise of open-street CCTV in Canada has been virtually ignored in the burgeoning international literature on camera surveillance. Open-street CCTV is an important point of inquiry for socio-legal studies because, as more and more police divisions utilize camera surveillance, policing itself is qualitatively changing and being exposed to new crossing points with symbolic politics. This work is also applicable for activists who wish to formulate resistance strategies, and for municipal politicians and police executives who ultimately make the decisions as to what ‘crime control’ policies to implement. I first trace the diffusion of open-street CCTV across Canada from its beginnings in England, where urban CCTV is more prevalent. I then demonstrate how the theoretical literature is unable to fully explain this diffusion. Specifically, I argue that representations of ‘the urban’ in media communications work to legitimate the
deployment of regulatory measures like intensified surveillance. I want to understand the processes involved in the establishment of open-street CCTV monitoring schemes rather than the effects of those schemes. Returning to the empirical data on open-street CCTV in Canada, I show how CCTV can be generated from many social positions. Finally, I assess the viability of privacy legislation and protest as means of regulating and resisting urban camera surveillance operatives.

What follows in this Chapter are some preparatory comments which orient the reader towards the main problematics and terminology which will be dealt with in the thesis. In this Chapter I also explain the methodological procedures used in data sampling, collection, codification, and treatment. The rationale for this format lies in the fact that in Chapter II I present data pertaining to the current extent of open-street CCTV in Canada. The methodology section is followed by an outline of the ensuing Chapters.

**Problematizing Open Street CCTV**

In the conclusion to his book *Private Lives and Public Surveillance*, James B. Rule (1973:358) argued that “we can probably expect to live with the consequences of more and more effective mass surveillance and control – both for better and for worse”. Over the past decade, the proliferation of open-street CCTV surveillance internationally exposes Rule’s comment as an understatement. In the United Kingdom, for instance, the average citizen is filmed up to 300 times a day by 30 different CCTV networks, as over 40,000 open-street cameras monitor Britain’s every move (*The Record*, November 19, 2002. C11). The UK experienced a wholesale expansion of open-street CCTV surveillance in the 1990s (Norris and Armstrong, 1999b:18). Some authors estimate that during the decade 1994-2004 between £4-5 Billion was spent on the installation and
maintenance of CCTV systems in the UK, excluding the associated monitoring costs (Norris, et al., 2004:112). Whereas the widespread and rapid proliferation of open-street CCTV surveillance in the UK during the 1990s was hindered little by fair information practices, the ascension of urban CCTV in Canada is only just beginning – albeit within the parameters set out by both provincial and federal privacy offices. The quantitative shift towards numerous camera systems in urban space is reason to query the rise of open-street CCTV surveillance in Canada.

**Camera Surveillance, ‘Crime Control’ Culture, and the Media**

David Garland has written some of the most representative statements on trends in international ‘crime control’ (see, for example, Garland 1990, 1996). For Garland (2001), the concomitant emergence of neoliberal and neoconservative ideology in the 1970s greatly effected ‘crime’ and societal responses to it. A new terrain of ‘crime control’ emerged in which social control mechanisms were institutionalized in “the organizations and association of civil society” (ibid.:205). Whereas neoliberalism had the effect of economizing penal and policing strategies, neoconservatism worked to increase the volatile moralization of behaviors signified as deviant. ‘Crime’ has been re-dramatized, and, at the same time that responses to ‘crime’ have become more affective, “…a new rigid consensus has formed around penal measures that are perceived as tough, smart and popular with the public” (ibid.:14).

What exists today in terms of contemporary ‘crime control’ is a schism where technical solutions based on risk calculation coexist with emotionally-driven, severe responses to crime (Doyle, 2003:146). What ‘counts as crime’ is communicated through didactic and pious rhetoric. Responses to deviance unfold out of these processes in ways
which must be perceived as ‘tough’ and fiscally efficient. Complicating the issue of contemporary ‘crime control’ is the advent of responsibilization policies. Instead of addressing ‘crime’ through courts and prisons, Garland (2001:124) argues that state agencies are being extended, where “state agencies activate action by non-state organizations and actors”. Essentially rendering other organizations responsible for policing, “the state’s new strategy is not to command and control but rather to persuade and align, to organize, to ensure that other actors play their part” (ibid.:126). Meshing neatly with neoliberal policies of public expenditure reduction, these responsibilization schemes can be both ‘tough on crime’ and spread costs, maintaining state legitimacy in the eyes of a public eager to see ‘criminals’ pay their dues. In such depictions, however, civil society is parasitic on the state. Despite their insight and sway in the literature, Garland and his followers continue to ontologize the level of state politics whilst claiming to endorse a pluralistic vision.

Characteristic of standpoints like Garland’s which try to account for the new ‘crime control’ culture, recent analyses of open-street CCTV argue that camera surveillance is imposed from above as a social ordering strategy to control deviants in the city (Coleman, 2003, 2004). From this perspective, open-street CCTV serves the interests of elite partnerships, bolstering a new penology as a technology of control which is extended out of the enclosed prison and into open space. The ascension of open-street CCTV is explained as an unforgiving and responsibilized (but state-driven) reaction to the perception of ‘crime’. This approach is lacking because, despite claims to ‘partnerships’/‘alliances’, it in the end sees the implementation of CCTV as state-driven and thus reproduces old paradigms of power and politics.
I want to avoid the closure of human agency that continues to characterize the surveillance literature, and in this thesis I offer an alternative explanation for understanding the establishment of CCTV monitoring schemes. The diffusion of open-street CCTV into urban space should be understood as social disordering. As a regulatory tool, open-street CCTV gains its legitimacy from purported levels of ‘crime’ and fear of ‘crime’, and in the process vulnerable populations are moralized and constructed as imagined communities of risk – images to be policed which do not correspond to a homogenous empirical reality. Certain populations are symbolically constructed as risks; this risk paradigm intersects with moral governance and media communication so that citizen-driven surveillance begets surveillance, imagined risk begets risk, and disorder is perpetuated in specific geospatial urban locales. Surveillance is a cause as well as an effect of intensified forms of visual monitoring, generating the problems it purports to address. ‘Crime control’ policies which utilize urban camera surveillance can be seen as marking a return to a more localized, symbolic politics (Haggerty, 2004:21). The question of how these symbolic politics hook up with, and are made sense of, by the average citizen is best answered by moving beyond traditional theoretical criminology. Here, of course, I am speaking of Michel Foucault’s canonized Panopticon analytic.

Made fashionable by Foucault’s (1979) *Discipline and Punish: The Birth of the Prison*, the Panopticon was originally an architectural design proposed by Jeremy Bentham as a means to reform the 18th century English prison system. From a centralized observation deck surrounded by a circular housing of prison cells, inmates could be watched constantly (or not) by prison guards standing behind semi-closed blinds. That prisoners would not know if they were being gazed upon induced in them a state of
conscious and permanent visibility that assured the automatic functioning of power (ibid.:201). Analytically, the fact that the panoptic subject internalizes the gaze is secondary to the authority of the institution. The idea of panoptical supervision would seem appropriate as an analytic for describing the omnipresence of CCTV cameras in downtown cores, and the idea has been conveniently taken up in the surveillance literature generally (Gandy, 1993; Poster, 1996; Whitaker, 1999; Bigo, 2002) and CCTV literature specifically (Fyfe and Bannister, 1996; McCahill, 2002; Norris, 2003).

A correlated and equally important analytic serving the inverse function of the Panopticon, however, is the Synopticon. Inverse the Panopticon, where a single agent observes a total social body, synoptic processes refer to media communication situations where ‘the many watch the few’. In the Synopticon, ‘the many’ are a viewing/reading public who consume various media pertaining to ‘crime’, injustice, etc. ‘The few’ are those problematized as deviant, miscreant, folk devils, perhaps caught on a CCTV camera, written about in a daily broadsheet, or psycho-socially imagined as the ideological embodiment of urban disorder. Arguing against the undifferentiated usage of the panoptic metaphor, Thomas Mathiesen (1997) alerts us that the intensification of surveillance measures has always been intimately linked with the proliferation of mass forms of communication. These theoretical issues will be dealt with more fully in Chapter III, but I want to suggest that the synoptic analytic allows researchers to understand better the role of media communication in producing forms of subjectivity which ultimately work to legitimate the implementation of regulatory projects like open-street CCTV. An analysis of open-street CCTV must account for the processes involved in subject
formation beyond the determinism of the Panopticon metaphor, particularly the social construction of what is risky/immoral behavior.

Drawing on the sociologies of governance and of risk, I conceptualize open-street CCTV as a regulatory project which is generated as an emotive response to socially constructed ‘deviant populations’ in the city. Following James Tully (2001:51), governance is defined as any co-ordinated form of human interaction which involves reciprocal, multiple, and overlapping relations of power and authority in which the actions of some agents guide the actions of others. Such courses of action entail long-term processes of normalization, where formations of the self are realized through interaction with, and/or regulation of, Others. Power is the ability to produce an effect, or, conversely, the ability to be acted upon. Governance, then, is power acting through populations, spread out to a multitude of sites, including local, regional, national, international, and global authorities, but also corporations, charities, families, citizens, and the self. This definition is informed by Foucault’s (1980) latter conception of productive power and work on subject formation, which encourages analyses detached from theories which see the state, state ideology, or state legitimacy as the ultimate referents (Doxiadis, 1997). Governance entails a dialectic between self and Other, where formation of the self is achieved through the constitution and regulation of an Other (Hunt, 1999). In this sense, governance is socially constituted, containing “an inherent linkage between the identity of the regulator and the identity of the regulated” (Hier, 2002a:328). Each new formation of self and Other is a consequence of the preceding form whilst fundamentally altered.
Rather than viewing surveillance as a simple top-down measure (i.e. the hierarchal state), regulation can be generated from any number of social positions, some of which interact in order to justify and implement open-street CCTV operatives. The ascension of open-street CCTV can be generated from above, the middle, and below (also see Hunt, 1999:1-20). By above, what is meant is a powerful and hierarchal political body (i.e. the state, police). By the middle, what is meant are agents such as businesses and business associations. By below, what is meant is that citizens themselves seek out regulatory measures for their own communities based on the problematization of some behavior(s) considered risky, immoral, or harmful.

Despite a new focus on neoliberalism and responsibilization (see Coleman and Sim, 2000, 1998), the surveillance literature generally, and CCTV literature specifically, has reproduced an unprobleméized version of Foucault’s Panopticon. While these approaches to conceptualizing open-street CCTV are not without merit, this thesis argues that the state apparatus is not always the position from which regulatory surveillance projects are generated. The state does not deserve the ontological status it has been accredited. As a regulatory project within the constant unfolding of governance, open-street CCTV can be generated from the middle or below. The surveillance literature is only just beginning to see the value of the approaches which pay attention to social subjectivity (Hier, 2004) and the role of communication (Innes, 2004). In this thesis I build on these theoretical arguments and demonstrate them empirically through a contextual constructivist (Best, 1989, 1999) treatment of media, government document, and questionnaire data pertaining to open-street CCTV in Canada.
Claims made by those from varying social positions (government, police, business, community organizations, and citizenry), often communicated in the media, are such that support for open-street CCTV is consolidated. Business and moral entrepreneurs are terminologies I use throughout this thesis to describe certain key actors involved in risk, grievance, harm, and morality-based problematizations as they relate to the diffusion of open-street CCTV. Business entrepreneurs are any interest group or person associated with the capitalist economy who entreat the implementation of CCTV for its potential to decrease property crimes and the perception of disorder in downtown shopping areas. Moral entrepreneurs are any collectivity or person(s) who mobilize around a moralized grievance or series of grievances in order to legitimize open-street CCTV for its potential to increase safety in urban areas. As Howard Becker (1963:155) pointed out in his seminal *Outsiders: Studies in the Sociology of Deviance*, moral entrepreneurs crusade to create and enforce rules in their own communities as a response to grievances and/or the perception of disorder.

Modern societies tend to turn public issues (like ‘crime’, disorder, drug and sex trade) into social or governmental problems as a prelude to introducing forms of regulation (Best, 1995:92). Certain populations are constructed as evildoers and in need of regulation. The perception of moralized disorder is the justification for the implementation of CCTV systems. While such problematizations of urban populations have strong moral undertones, the role of everyday lay risk calculation cannot be underdetermined in discussions of open-street CCTV. Perception of risk is contingent on exposure to or knowledge of a risk, and can also be conceptualized in conjunction with emotions, fear of ‘crime’, and moral governance. Through examining the discursive
problematization of such public issues in the media and various texts, this thesis
deconstructs the problematizations of so-called ‘deviant populations’ as they relate to the
ascension of open-street CCTV in Canada. In Chapter IV, this position will be elaborated
on and demonstrated empirically with reference to London and Hamilton, Ontario, and
Vancouver, British Columbia.

Urban camera surveillance is not a new phenomenon. Olean, N.Y. operated five
open-street CCTV cameras in its business district between the years 1968-1969, and Mt.
Vernon, N.Y. implemented two open-street CCTV cameras on the city’s major business
street in April of 1971 (Belair and Bock, 1973:156-159). In 1985, Bournemouth was the
first UK city to implement open-street CCTV in public space (McCaill & Norris,
2002a:9). What differentiates the ascension of open-street CCTV today with the use of
camera surveillance prior to this time is (1) the massive scale on which urban CCTV is
being implemented; (2) its collusion with a symbolic politics based on moralized
aesthetics, risk management, and social hygiene, and; (3) the social position from which
it is generated.

Methodology and Methodological Issues

Not all sociologists talk about social problems in the same way. On the one hand,
traditional sociologists divorce discourse from the social conditions they study. They treat
social problems as objective conditions. They purport to measure those conditions and act
as though discourse is irrelevant. On the other hand, extreme social constructionists study
discourse alone and so study social problems through sign systems.

Following Joel Best (1989:243-249, 1999; but also Brock 1998), I will take a
contextual constructivism approach to social problems as an analytical guide to probing
the claims-making processes associated with problematization. This approach evaluates the claims made by knowledge producers, recognizing the inherent social construction of all forms of knowledge production whilst prepared to make certain assumptions about objective social conditions. Thus, this approach to examining knowledge production takes a middle road between what I called above traditional sociology and extreme social constructivism. Drawing from multiple sources, contextual constructionists ask whether it is likely that claims-makers have inaccurately described social conditions, or, conversely, how the conditions themselves may account for claims or public reaction. Contextual constructionists also ask how it is that claims-makers perceive social conditions (Best, 1989:251). In examining the ascension of CCTV in Canada, some objective levels of ‘crime’ and contentious behavior exist in city streets, but at the same time the social construction of knowledge pertaining to those behaviors takes place within the cycle of risk communication and perception, which can exaggerate and exacerbate the scope of reported social problems.

The contextual constructivist asks how claims are presented to persuade an audience, but also how contrary claims are received, thus focusing on the production of rhetoric in media as well as other secondary data sources (Best, 1989:250). The justification for this method of inquiry rests in that fact that “[n]ew crimes, new victims, and new policies all emerge through our talk about social problems” (Best, 1999:185). Claims regarding social problems and ‘crime’ often suggest that random, violent victimization in downtown areas is inevitable, despite the fact that the people most likely to fear ‘crime’ – women and the elderly – are the least likely to be victimized (Johnson, 1988:27). In the Chapters to follow, the analysis is concerned with claims pertaining to
‘crime’, fear of ‘crime’, downtown risks, morally deplorable behavior, ‘deviant populations’, and any other cluster of activities which could be constructed as ‘social problems’ in need of remediation through regulatory projects like open-street CCTV.

Through a contextual constructivist treatment of media, government document, interview, and questionnaire data, I answer the following questions using governance as an analytic framework: What is the current empirical scope of open-street CCTV in Canada? What role do local and mass media play in generating the conditions necessary for the implementation and legitimization of open-street CCTV operatives, and from what social position are regulatory measures generated? What can politicians, activists, and lay citizens do to regulate or resistance urban camera surveillance systems?

Data presented in the subsequent Chapters consist of news articles, government documents, interviews, and responses from the pan-national CCTV questionnaire which was distributed to police services across the country. Because of its multiple-method and interdisciplinary approach, in this research I have employed the principle of triangulation (Cicourel, 1964). The pragmatic use of several sources by necessity triangulates data, which builds a coherent justification for the analytic framework (Creswell, 2003:196). It has also allowed for the most comprehensive sociological treatment of open-street CCTV in Canada to date. Overall, the data are richer for some research sites than others. As an example, the data pertaining to London, Hamilton, and Sudbury, Ontario, are very rich because the local media in those sites are larger and have published more articles pertaining to urban camera surveillance.

Data pertaining to some of the other CCTV operatives in question is lacking because of sheer lack of data to be located. Ethnographic research would fill these gaps,
but such ethnographic research was beyond the scope of this author’s financial resources. Ethnographic access is also a major methodological issue, as police and security agencies in Canada are not always apt to disclose information about their surveillance practices. Though desirable, interviews with police (gatekeepers) and other community members (stakeholders) could not be conducted in every municipality with open-street CCTV or plans to implement open-street CCTV. Drawing from the available data, and inductively coordinating my theoretical framework with that data, in this thesis I formulate a realistic and empirically-driven analytical framework which can serve to inform future research on this issue in Canada and internationally that serves to challenge the reigning surveillance metaphors of the discipline.

**Media and Other Secondary Data**

Research in the area of socio-legal studies has affirmed a connection between media and the perception of ‘crime’ (Doyle, 2003, forthcoming; Garland, 2001). Mainstream newspaper media are major discursive arenas, where citizens garner information about the local and global worlds in which we live, and where political agendas are set (Carroll and Ratner, 1999). Discursive formations which tap into already existing basins of social anxiety can also be created and bolstered through textual news reporting (Hier and Greenberg, 2002; Parnaby, 2003). In contemporary society, “the strategic mobilization of a sense of threat or other such affective processes cannot effectively take place outside of the mass media, particularly the news media” (Vukov, 2003:338). The newspaper medium is a discursive arena in which there is a constant struggle between official and alternative sources.
Media analyses are nonreactive and unobtrusive forms of social research. The most significant benefits relate to cost and time. The media data presented in Chapters II, IV, and V of this thesis were collected from LEXIS NEXIS, a full-text database, which also encompasses the databases Canadian Newsstand and Canadian Newsdisc. In terms of data collection procedures, I initially began using keywords such as ‘CCTV’ and ‘CCTV & surveillance’. These initial ‘crude searches’ located many superfluous articles which were not banked as data, including articles pertaining to household CCTV, commercial CCTV, and a government-operated television channel in Communist China. More refined searches, using keywords such as ‘Vancouver, downtown, crime’ and ‘London, crime, CCTV’, began to generate code-able data which pertained to open-street CCTV in Canada. A more refined keyword search using commands such as ‘London w<3 CCTV w<2 crime’ was also used, which garnered even more specific articles. In LEXIS NEXIS, this latter technique allows the researcher to search for keywords within a proximate distance (2-3 words) of each other. Such a method locates media texts which have a high density of relevant information.

In terms of data analysis, I limited the time-frame encompassed by this process to all dates between the present and January 1st, 1995. Any data outside of the period between January 1st, 1999, and December 31st, 2003, are considered outliers, as this time period is when the majority of media coverage occurred. Outliers, however, were included in the sample based on their relevancy to the study. ‘Hard’ news sources chronicle significant events in a non-entertainment format (Bell, 1991; Greenberg, 2000). Contrary to the standpoint which suggests that media analyses should focus only on ‘hard’ newspaper stories, editorials and opinion pieces have been included in the analysis,
but only where they demonstrate the idiographic nature of public support for localized regulation through open-street CCTV. Using these procedures, the searches generated 157 articles at saturation, 102 of which are used in the following Chapters. The London Free Press, Sudbury Star, Hamilton Spectator, and The Toronto Star and the most oft cited sources.

This sampling procedure is called purposive sampling (Silverman, 2001:250), which differs from a quantitative-probability method of sampling. Purposive sampling is flexible, allowing researchers to choose cases based on some features or processes which are relevant to the ensuing analyses. For this thesis, purposive sampling was the only sampling method which was appropriate, as the analysis is less concerned with the frequency of word clusters and more with the ideological dimensions in language usage (also see Wodak, 2004; Fairclough and Wodak, 1997; Fairclough, 1995, 2001). Cases were not limited to front page articles.

The articles were coded first by city, and then intercoded based on four themes: 1. diffusion (what other open-street CCTV operatives is the operative in question based on); 2. risk/fear/moralization (reference to social disorder or deviance); 3. historical/technical details (cost, capabilities, etc.); 4. regulation/resistance (privacy and/or protest). The same codes were utilized throughout the data collection and coding process, so to not modify the definition of the categories and effect the intra-coder reliability. These intercodes roughly overlap with four short suppositions which are meant to offer some pragmatic framework for understanding the proliferation of urban camera monitoring in Canada: 1. open-street CCTV initiatives in Canada are often based directly on initiatives in the UK, or based on other ‘successful’ Canadian initiatives which are based on UK camera
monitoring schemas; 2. open-street CCTV operatives in Canada can be generated from any number of overlapping social positions, and are legitimized through discursive formations which capitalize on images of urban disorder; 3. open-street CCTV is diffusing from the metropolis to smaller, rural centers; 4. there are channels for regulating streetscape monitoring through privacy legislation, and spaces for resisting open-street CCTV through civic protest.

Articles were then selected based on the prevalence of thematic information, and based on their relevancy to any of the four intercodes. This is called latent coding (Neuman, 1991:270), because the codes are founded on the scholar’s own interpretation of the text and particular themes within the text rather than the systematic counting of the number of times a particular word appears. Because of language limitations on the part of this author, all media data were collected from English-language newspaper or newswire sources. One limitation of this research is that data for many open-street CCTV operatives in Canada does not exist or is sparse.

For information to become activated within the context of power/knowledge, concepts and images must be suggested through systems of representation (Hall, 1997). Although content analyses of news media treatment of ‘crime’ are today quite standard, little is known about the media’s specific relationship with increasing levels of surveillance. What the data presented here do show is a clear link between the social construction of deviance and risk in the media and the implementation and legitimation of camera monitoring systems. Textual news media data constitutes only one part of synoptic communication processes. Newspaper alone cannot be held exclusively responsible for shaping public perceptions of disorder (Roberts, 1988:25). In the future,
more studies of television communication and its connection to the normalization of surveillance initiatives need to be undertaken. Such a study, however, is beyond the scope of this thesis. Through presentation of the data I will contextualize the implementation of CCTV operatives in Canadians cities as essentially capitalizing on social anxieties triggered by violent grievances, and/or, a wider set of imaginary risks constituted by activities which disrupt the social hygiene of consumer spaces: homelessness, drug use, sex work, and other living conditions that authorities dubiously call ‘anti-social’. Such activities act as risk communication “signals” that are important in terms of how social space is symbolically constructed (Innes, 2004).

No single data source could provide the information necessary to support the argumentation is this thesis. Data were gathered from a number of other secondary sources. Government and industry briefings for all dates between the present and January 1st, 1995, were collected through the database LEXIS NEXIS. Data was gathered from police service websites pertaining to the various municipalities in question. In Chapter V, I utilized the Privacy Commissioner of Canada website for documents and briefings, as this website is an abundant data source for privacy-related issues in Canada. Through open-ended telephone interviews, I received information from the Ontario Information and Privacy Commissioners office, the Commission d’Acces a l’Information in Quebec, and the Federal Privacy Commissioner’s office. Through email and telephone correspondence, I contacted members of Peterborough’s ‘Stop the Cameras Coalition’. All interviews occurred between May 2004 and February 2005.
Data was also gathered utilizing the exploratory pan-national questionnaire device. Two separate questionnaires were constructed: one for municipalities with operational open-street CCTV schemas, and one for municipalities in the planning stages of CCTV implementation or without plans for CCTV implementation. Both questionnaires contained seventeen open-ended questions, ranging from issues pertaining to funding, camera placement, technical details, and operation procedures. Open-ended questions were deliberately chosen over Likert-style scale questions because the purpose was not to garner quantitative attitudinal data. The purpose of the questionnaire is to probe the history and operational specifics of the CCTV operatives in question.

Questionnaires were forwarded to police headquarters in as many municipalities as would participate. The intuition as to where to send the document was based on preliminary knowledge of which municipalities had operational streetscape CCTV, and which municipalities were planning to implement CCTV. Questionnaires were also sent to municipalities based on the likelihood that police services in those centers were considering open-street CCTV as an option. Other municipal policing services were included in the sample to decrease the likelihood of sampling bias. The sampling frame included a pan-national police services registry which listed the contact information for various police stations across Canada. Questionnaire design occurred in March 2004, with a pre-test occurring shortly after with police services in Ottawa. Distribution of the finalized questionnaire occurred in June 2004, and treatment of the data was ongoing between July and December 2004.
I requested that the questionnaires be filled out by the police chiefs, RCMP officers, or the local inspectors in charge of CCTV monitoring. Police chiefs were contacted by email and telephone prior to release of the questionnaire to assure a high response rate and to develop an affable researcher-respondent relationship. Respondents were also sent a consent form, informing them that the research was conducted in accordance with the ethical review process of the University of Victoria. Every effort was made to design open-ended questions which were phrased in a familiar – rather than academic – language, because the literature on questionnaire design suggests that these techniques elicit higher reporting levels (Bradburn and Sudman, 1979: 15). Questions were broken into three sections: I. General Questions; II. Cost and Rationale; III. Privacy, Support, and Community. For copies of both questionnaires, see Appendices 1 and 2.

The questionnaire instruments act as exploratory devices, aiding in the discovery of hitherto unknown surveillance practices specific to certain locales. Sixteen (16) questionnaires were mailed to police through regular mail, six (6) were emailed (by police request), and sixteen (16) questionnaires were returned, for a sample of n=16 with a response rate of 73%. It is not thought that this response bias would have changed the overall results of the survey, but obviously would have provided more specific information about the operatives who did not respond. Police services who did respond to the questionnaire include Brockville, Toronto, and Thunder Bay, Ontario; Winnipeg, Manitoba; and Calgary, Alberta. At the time of research Brockville, Calgary, and Winnipeg, were all cities whose proposed urban CCTV operatives failed because of issues related to cost and/or civic resistance. It is hypothesized that letdown in their own failed operatives influenced their decisions not to participate.
Layout of the Thesis

In Chapter II I present data pertaining to the current extent of open-street CCTV in Canada, tracing its diffusion from England, to Sudbury, Ontario, and across the country. In Chapter III I examine the theoretical underpinnings of surveillance, arguing that theory in surveillance studies has reproduced a state-based top-down approach to conceiving of social monitoring. I argue that surveillance studies would be apt to adopt a theoretical approach which can accommodate both top-down and bottom-up approaches in unison, and I conclude with a discussion of the Synopticon as a way of opening up the surveillance literature to input from the sociologies of governance and risk. In Chapter IV, I use the analytic framework of governance and regulation to examine the data pertaining to London and Hamilton, Ontario, and Vancouver, British Columbia, demonstrating the main argument of the thesis empirically. I will contend that CCTV is generated from numerous social positions, and legitimized through claims to levels of risk, ‘crime’, fear of ‘crime’, and/or moral transgression. Chapters V and VI essentially examine the tension between ‘building privacy in’ versus ‘protesting surveillance out’. In Chapter V, the role of federal and provincial privacy legislation in regulating open-street CCTV surveillance in Canada will be demonstrated by investigating the open-street CCTV operatives in Sherbrooke, Quebec, Yellowknife, Northwest Territories, and Kelowna, British Columbia. In Chapter VI, I conclude with an exegesis into the idea of mediating a space for resistance between neo-Luddist collective action and active trust.
CHAPTER II
AN EMPIRICAL SKETCH OF OPEN-STREET CCTV SURVEILLANCE IN CANADA

You used to watch TV. Now it watches you (Patton, 1995:125)

Open-street CCTV is changing the face of policing in Canada. Many regulatory agencies and agents see camera surveillance as a quick technical fix for addressing ‘crime’ and related social problems (Graham, 1998). The workings of these projects are localized and fold out of urban histories unique to each city or town whilst undeniably shaped by global political, economic, and technological transformations. Therefore, I am concerned with the dispersal of power rather than its concentration.

In this Chapter I descriptively examine the current extent of open-street CCTV use in Canada by investigating existing operatives but also the plans which many municipal police services have for utilizing camera surveillance in the future. I aim to map out the wide variety of agencies and agents that are shaping CCTV implementation in Canada, and explore the differential monitoring techniques that various municipalities employ. Locating the beginnings of mass open-street CCTV use in England, I probe the development of open-street CCTV surveillance in Sudbury, Ontario, and then discuss municipalities across Canada. The operatives in Hamilton, Ontario, and Vancouver, British Columbia, will be examined in Chapter IV using the governance literature as an analytic framework. In Chapter V I investigate the open-street CCTV operatives in Sherbrooke, Quebec, Yellowknife, Northwest Territories, and Kelowna, British Columbia, as the dynamics involved pertain to issues privacy legislation.

Meant to offer a pragmatic framework for understanding the proliferation of open-street camera monitoring in Canada, the open-street CCTV operatives examined in
this Chapter are framed in light of four interrelated suppositions. First, open-street CCTV initiatives in Canada are often based directly on initiatives in the UK or other ‘successful’ Canadian initiatives which are themselves based on UK camera monitoring schemas. This will be called the general diffusion thesis. The diffusion of open-street CCTV is not rooted deterministically in its technical efficacy, but rather in the claims made to ‘crime control successes’. Second, open-street CCTV operatives in Canada are legitimized through media-driven discourses which capitalize on images of urban disorder. A variety of social anxieties, ranging from localized moralization to the perception of risk to fear of ‘crime’, are usually antecedent to the implementation of CCTV operatives. Third, open-street CCTV is not simply a ‘big city magic bullet’ in police efforts to contain certain behaviors to specific geospatial locales. Rural centers are also adopting CCTV to combat the perception of disorder. Fourth, there are channels for regulating monitoring through privacy legislation, and spaces for resisting open-street CCTV through civic protest.

**James Bulger and Open-Street CCTV in England**

Authorities and government, businesses and citizens, can rally behind anxiety-inducing public tragedies in order to raise the necessary funds to install and maintain CCTV systems. The first and most eminent incident in the history of open-street CCTV occurred in England, where the killing of James Bulger was used to legitimate the Home Office City Challenge Competitions. Two ten year old boys violently killed Bulger in February 1993, and fuzzy video images of Bulger being led by the boys from a shopping center to his death on a railway track were played on the news day and night for weeks (Norris and Armstrong, 1999a:37). Open-street CCTV had helped identify the offenders, and public resistance against CCTV buckled under the sway of the media iconography.
The most isolated of incidences “was transformed into a symbol of everything that was wrong with Britain” (Bradley, 1994:12). Colin Hay (1995:197) writes that the Bulger incident comprised the first ‘reflexive moral panic’, as the British media used the language of Stanley Cohen’s (1972) classic study in moral panic to describe the broader resonances of the murder. Relentless media discourses created a terrible fear in the populous, which worked to legitimate the massive expenditures on open-street CCTV to come. Fear of IRA bombings, and the role of CCTV in policing IRA activity, also lent credence to open-street CCTV.

Congruent with the ‘New Right Project’ focus on law and order, funding CCTV became a high priority of the government’s ‘crime’ prevention program, accounting for over three-quarters of its budget (Welsh and Farrington, 2004:500). The Home Office City Challenge Competitions collected half the monies needed from various governmental and non-governmental agencies for municipal CCTV schemas, and the rest was allocated through local business partnerships. Under both the Conservative and New Labour governments, four competitions were held, raising £85 million for the implementation of 580 CCTV operatives (Norris, 2003:255). Despite a lack of evidence correlating increasing numbers of cameras with decreases in violent crime, Britain’s Home Office alone spent over £250 million of public money on CCTV between 1992 and 2002 (McCahill & Norris, 2002a:2). ‘The ring of steel’ – a security cordon covering downtown London – contained over 1,500 CCTV cameras in 2002, many of which were linked to a 24-hour automated license plate recognition system (Coaffee, 2004). Between £4-5 billion has been spent on the installation and maintenance of CCTV systems across the UK since 1994 (Norris et al., 2004:112). Arguing that open-street CCTV could
become the UK’s fifth utility, Stephen Graham (1999) argues the rapid growth and normalization of open-street CCTV in the UK is parallel with the early developments of energy, water, and telephone utilities in the 19th century.

As Colin Hay (1995) pointed out at the time, citizens actively participate in the mobilization of governance. Hay argues that subjects are recruited to governmental projects via the manner in which subjects themselves find symbolic and ideological resonance with the conveyance of shared experiences or anxieties (also see Althusser, 1971). We creatively insert our subjectivities into the empty frames constructed by news media, and through this decoding constitute and re-constitute our political subjectivities. It is through problematization – claims to harm or danger associated with certain behaviors – that both those defined as deviant outsiders and regulators come to be constituted as subjects. The example of James Bulger explicates how government and media magnified a single grievance, projected the amplified anxiety onto a wider set of risks which came to symbolize social disorder in urban space, consolidating citizen support for the regulatory project. While government was a major financial contributor to the ascension of urban camera surveillance in the UK, local business was equally involved. The camera initiatives also enjoyed strong public support. The UK example shows how government, business, media, and the citizenry are simultaneously drawn in to working for regulatory interventions as a response to the perception of violent ‘crime’.

**Diffusion and Disordering**

**Sudbury’s ‘Lion’s Eye in the Sky’**

Open-street CCTV gained popularity in the Canadian ‘crime control’ culture circa the mid-1990s. In December 1996, Sudbury became the first Ontario city to implement
an open-street CCTV camera. Former Sudbury Chief of Police Alex McCauley initiated the operative in response to concerns from business owners and seniors concerning safety in the downtown area (Sudbury Star, September 24, 2002. B10). Plans for a video monitoring program in Sudbury began in 1994 when Chief McCauley learned of the CityWatch Program in Glasgow, Scotland: a monitoring system consisting of 32 cameras modeled on apparent success rates realized in Airdrie and Birmingham, Scotland (see Fyfe and Bannister, 1996:40-41). McCauley then visited Scotland in 1995, and worked out the plans for CCTV in Sudbury (see KPMG, 2000:9). The project is aptly named ‘Lion’s Eye in the Sky’, as the Lion’s Club was a major funding partner, although Northern Voice and Video (who donated the first camera), Sudbury Hydro, CP Rail, Sudbury Metro Center, and Ontario Works have also been contributors. Whilst these economic enterprises committed capital to the ‘Eye in the Sky’, Sudbury’s urban CCTV system was primarily generated from above, as police showed the initial interest in organizing the implementation. Citizen support did, however, follow the implementation, so a bottom-up approach is behind the continued justification of the monitoring program.\(^2\)

After three years in operation, the Greater Sudbury Police Service (GSPS) increased the number of cameras from one to five. All of the cameras are located in the downtown core area, with one camera near the police headquarters and another adjacent to a railway yard. In 2000, it was reported that there was a sixth camera (Sudbury Star, December 16, 2000. A5). Revealed through the pan-national questionnaire is that the

\(^2\) Few public consultation went into the planning or implementation of Sudbury’s ‘Lion’s Eye in the Sky’. KPMG surveyed a total of 58 respondents, claiming that 79% of the individuals surveyed supported the downtown camera monitoring system. A few critiques, however, can be made of this data. First, the likelihood that the respondents had fixed addresses and an unfixed income posits that the majority respondents were property owners and therefore not actually residents of the downtown core. Second, Jason Ditton (1999) argues that 20-30% can be knocked off of such figures, as the questions asked are often leading, and the samples garnered are not representative. Full-scale support of CCTV claimed by police services and their studies is fabricated.
GSPS actually monitors eleven cameras in the downtown core of Sudbury\(^3\), and that tapes are held for six months unless seized by the Technical Support officer. Cameras are monitored at the police headquarters by trained civilians who are provided through the province’s workfare program, Ontario Works\(^4\).

According to the KPMG report, the objectives of the Sudbury system are framed in terms of risk and harm reduction. In terms of risk reduction, the discourse of ‘antisocial’ behavior is invoked to justify the operation. In their introduction to the KPMG report, the GSPS write that the project has improved the GSPS’s ability to deal with ‘crime’ and ‘antisocial’ behaviors such as prostitution, public intoxication, and panhandling. Clearance rates for prostitution and drug offences increased an average of 18% per year after the camera implementation\(^5\), indicative of the role CCTV plays in the criminalization of public space and contentious behavior occurring in the core. An article in the local paper accused the GSPS of using CCTV as part of its annual ‘anti-prostitution sweep’, criminalizing and stigmatizing sex-trade work, and further limiting the life chances of those people in the sex-trade industry (Sudbury Star, July 8, 2001. A7). When in late 2001 it became apparent that the lack of permanent funding for the ‘Lion’s Eye in the Sky’ could eventually lead to its demise (Sudbury Star, September 21, 2001. A3), many of the city’s residents wrote in to the Sudbury Star to support the ‘Lion’s Eye in the

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\(^3\) To quote at length officer Susan Evens of the GSPS, “There are eleven (11) cameras within the downtown core. A camera is located at either end of an underground pedestrian tunnel, owned by the City. A camera is located at the Provincial Building and another at the Police Service Headquarters at the West Tower, paid for and installed by the Police Service. A camera is located at the Teletech Call Centre at a high traffic intersection purchased from Teletech by the City. Six (6) cameras are installed at other intersections throughout the City in high pedestrian traffic areas, for example one is situated near the Farmer’s Market. These were paid for and installed by the Sudbury Lion’s Club with some funding by Northern Voice and Video. All eleven (11) cameras are linked to the camera monitoring station located at Police HQ\(^6\).

\(^4\) Ontario Works and students on co-op placement are not paid. They volunteer the hours as part of their program. From the Questionnaire data, question #9.

\(^5\) See http://www.police.sudbury.on.ca/~inside/lionseye.php for the GSPS’s CCTV website.
Sky’ and ‘the role it plays in helping keep bad elements off our streets and out of our stores’ (Sudbury Star, October 5, 2002. B11). Such evidence suggests that citizens associate a ‘feel good factor’ with the presence of open-street CCTV, that regulation through surveillance is in fact eagerly welcomed by members of the Sudbury community.

With reports on the activities monitored, the Sudbury Star ran regular articles claiming how busy the cameras were (Sudbury Star, June 10, 2000. A3; Sudbury Star, October 7, 2000. A3; Sudbury Star, October 20, 2000. A3; Sudbury Star, March 7, 2001. A3). In terms of harm reduction, the GSPS humanizes their CCTV system by suggesting it has the capability “to locate missing children, find patients from the hospital and prevent potential suicides”6. The Sudbury Star reported that the ‘Eye in the Sky’ helped find a missing person, who was ‘missing in front of City Center and escorted to safety by police’ (Sudbury Star, December 7, 1999. A2). Cameras were used to monitor political demonstrators (ibid.), and also to prevent a woman from harming herself (Sudbury Star, January 8, 2000. A3). In September of 1999, the ‘Eye in the Sky’ observed ‘a distraught women on the Paris Street bridge who was threatening suicide’ (Sudbury Star, September 8, 1999. A3). In October of 2002, the cameras were used to locate a Sudbury Algoma hospital patient who had left the facility without permission (Sudbury Star, October 20, 2002. A3). In August of 2000 the cameras were used to break up an impromptu golf game in one of the city’s underpasses (Sudbury Star, August 25, 2000. A3). “The cameras also kept an eye on a downtown parlour after two intoxicated men began giving the staff a hard time. Police sent the men home” (Sudbury Star, January 12, 2001. A2).

The activities which the ‘Eye in the Sky’ detects are not unlawful per se, but rather simple vagrancies, nuisances, and particularized safety issues. Open-street CCTV gives

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6 [http://www.police.sudbury.on.ca/inside/lionseye.php](http://www.police.sudbury.on.ca/inside/lionseye.php)
the GSPS the ability to detect and criminalize a range of events which are perceived as risky, therefore supporting the hypothesis that the relationship between visualization and regulation is a central feature of organizing public spaces (Hermer, 1997).

Unsubstantiated claims to the project’s efficacy in reducing ‘crime’ popularized the ‘Eye in the Sky’⁷. The Greater Sudbury Police Service hired KPMG to audit the CCTV system in May 2000, and the KPMG report suggested “at least 300, and as many as 500 robberies, assaults, thefts and other criminal offenses have been deterred by the Lion’s Eye in the Sky project, saving as much as $800,000 in direct monetary losses” (KPMG, 2000:1). ‘Crimes of all kinds were down 10.9 per cent in the Sudbury region in 1999’. Police chief McCauley took this as evidence that the ‘Eye in the Sky’ should be expanded into other areas of the city (Sudbury Star, January 18, 2000. A1). ‘Crime rates continued to drop’ (Sudbury Star, November 20, 2001. A3), and CCTV cameras were credited with reducing ‘crime’ in the downtown (Sudbury Star, October 27, 2001. A5).

Other municipal police services in Canada began to justify their own CCTV plans by pointing to the rumored efficacy of Sudbury’s cameras in reducing ‘crime’ and ‘anti-social’ behavior. For instance, Barrie, Ontario, is a municipality which has used the example of the Sudbury operative to justify their own open-street CCTV plans. Jim Perri, the mayor of Barrie, cited Sudbury as a success story and then budgeted a plan for 16 cameras, hoping to combat the perception that downtown Barrie was no longer safe (Examiner, August 29, 2001. A3). Based on the perceived successes achieved by the Lion’s ‘Eye in the Sky’, other Canadian municipal police services – London, Hamilton, Toronto, Guelph, and Barrie, Ontario, plus Kelowna and Vancouver, British Columbia –

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⁷ It should also be mentioned that after the KPMG study (which used data from 1996-1999), little attention has been paid to issues of displacement.
have promoted open-street CCTV surveillance to reduce ‘crime’, fear of crime, and ‘anti-social’ behavior. This evidence supports the general diffusion thesis, and locates Sudbury as the major node of entry pertaining to the ascension of open-street CCTV in Canada.

In late 2001, it became apparent that the lack of permanent funding for the ‘Lion’s Eye in the Sky’ could lead to its demise (Sudbury Star, September 21, 2001. A3). Sudbury’s camera system also faced shutdown after a review by Ontario’s Information and Privacy Commission, as the ‘Eye in the Sky’ became operational before the Municipal Freedom of Information and Protection of Privacy Act was legislated (Sudbury Star, September 24, 2002. B10). It had been previously reported that the project operated independent from government or tax dollar funding, but discovered in the pan-national questionnaire is that the ‘Eye in the Sky’ is now funded solely by GSPS out of their operating budget⁸. Sudbury’s ‘Eye in the Sky’ was generated from the level of municipal police in conjunction with local business (Lion’s Club, Northern Voice and Video, Sudbury Hydro, CP Rail), which suggests the ‘Eye in the Sky’ was engendered from above and the middle. The data imply that agents and agencies from numerous social positions interact in order to justify and implement open-street CCTV projects.

**The Downtown London CCTV Surveillance Program**

On April 29, 1999, the Coordinating Committee for Community Safety (CCCS) made safety recommendations for the downtown area to the London Police Services (LPS) Board. One of the recommendations was "[t]he installation of monitored cameras within the downtown area." After nearly two and a half years of preparation, CCTV went

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⁸ From the Questionnaire data, Question #9
live in London, Ontario, on November 9, 2001. According to Staff Sergeant Jack Churney of LPS, the digital cameras are strategically placed at sixteen corners in downtown London, with the ability to pan and zoom. Until recently, cameras recorded 24/7, and were monitored at all times by two civilian commissionaires who are governed by the Code of Practice for the Operation of a CCTV System in London. Churney describes the official objectives of the CCTV system as the following: 1. to provide and maintain a safe environment downtown; 2. to deter crime and ‘anti-social’ behavior; 3. to increase economic activity downtown; 4. to improve the ability of police to react and respond to crime and ‘anti-social’ behavior.

Supporting the general diffusion thesis, LPS consulted the already operational systems in Sudbury, Ontario, and Glasgow, Scotland. The initiative in London gained credence through reference to Sudbury’s initiative in their efforts to deter random violence in the downtown core. Sgt. Steve Goodine, author of a police study conducted by London police services, reviewed several British and American CCTV operatives, as well as Sudbury’s, in drawing his conclusion. He credited the Sudbury program with a 20-per-cent drop in crime, boosting area business (London Free Press, December 17, 1999. A3). When confronted with the possibility of legal issues pertaining to privacy, London Mayor Anne Marie DeCicco cited CCTV in Sudbury and celebrated its unabated

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10 From the Questionnaire data, question #7. See the discussion of Peterborough below for a description of the operating budget slashes which reduced the number of operators and recorded hours.
11 From the Questionnaire data, question #11. The cameras focus primarily on Dundas and Richmond streets and the intersecting avenues. Monitored areas are marked with signs, and the televizual information on the tapes is kept for seventy-hours unless requisitioned and then re-used. Neighbourhood Watch, which had performed quarterly audits (viewing tapes and logbooks) on the London operation since it began in November 2001, pulled out of the program late 2003 in a dispute over labour. In a 2002 report to council, London police said the cameras were a benefit in 45 per cent of cases, including assisting in identifying a bank robbery suspect, a purse snatcher and assault suspects, and helping in a break-in investigation. At that time, there were also 168 instances of technical failures. A report two months later claimed the cameras were a factor in 25 investigations that led to charges (London Free Press, December 30, 2003. B1).
12 From the Questionnaire data, question #13

**Toronto, Ontario**

Open-street CCTV is diffusing across Canada, with Sudbury as its entry point. According to the Ontario Office of the Information and Privacy Commissioner, the City of Toronto operates an open-street CCTV program at the corner of Yonge and Dundas square in downtown Toronto. A total of six cameras were installed in December, 2002, for the purpose of monitoring drug trade, assaults, shootings, and ‘crime’. Torontonians are no strangers to camera surveillance, as the Toronto subway system was already monitored by over 250 cameras in the late 1980s (Toronto Star, April 14, 1988. A2). Police Chief Julian Fantino announced the plans for an open-street camera system in 2000 after business owners demanded greater police presence in the core, particularly after a shooting at an HMV store (The Record, April 20, 2000. A03). Both the Canadian Civil Liberties Association and Toronto Mayor Mel Lastman were opposed to the implementation of the cameras (Canadian Press Newswire, April 19, 2000). Sustaining the diffusion argument, Toronto police services cited rumored declines in ‘crime’ rates in Gloucester, England, Baltimore, Maryland, and Sudbury, Ontario, to rally support.

The current camera monitoring system at Yonge and Dundas originated from a proposal Chief Fantino delivered at a public meeting of the Toronto Police Services Board. Chief Fantino projected the cost of the system would be upwards of $1.3 million dollars, and added that the Downtown Yonge Street Business Improvement Area

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14 See http://www.torontopoliceboard.on.ca/minutes/2001/011018pmm.pdf
expressed strong support. The Toronto operative, like Sudbury, is generated from the
middle and above. Toronto police services failed to respond to the pan-national
questionnaire, and thus the intricacies of camera system (such as cost, staffing, and
watching procedures, etc.) are not known.

The ‘Old Strathcona CCTV Project in Edmonton, Alberta

Many other municipalities are opting to implement open-street CCTV in
problematic areas of their cities. The workings of these projects are localized and fold
out of their own urban histories. Edmonton police services currently operate four open-
street cameras, which are located in the Whyte avenue corridor of the city15. The system
was borne out of a 2003 pilot program which ran for a trial period over the Canada Day
weekend and the summer Fringe festival (Work, 2003:1). A disproportional number of
‘calls for service’, in addition to public fear stemming from the ‘notorious Whyte avenue
Canada Day riots of 2001’ (The Record, June 14, 2004. C15), are the circumstances
which lend legitimacy to the camera system16. A crowd of 85,000 people gathered for a
music concert on Canada Day 2001, and between 800 and 2,000 these celebrators were
involved in the melee which ensued. Seventeen people were charged in connection with
the actions (Globe and Mail, July 3, 2001). Accorded substantial media attention, the
‘riots’ act as an enduring signal of the potential for disorder to erupt at any moment.

The Office of the Information and Privacy Commissioner of Alberta conducted a
privacy impact assessment of the 2003 trial run under the Freedom of Information and

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15 The cameras are always recording when the project is operational, which is between 2200hrs and 400hrs
on Friday and Saturday, and 1200hrs and 400hrs during festivals. Tapes are retained for twenty-one days
unless seized, and then erased. CCTV camera operators, who are contracted out through Corps
Commissionaires, communicate with police as events unfold, commit events to a logbook, and work 6-8
hour shifts. From the Questionnaire data, Questions #4, 5, 7, and 9.
16 From the Questionnaire data, Question #10
Protection of Privacy Act (Alberta's public sector privacy act which was revised as of January 1, 2002). According to the act, personal information is defined as 'recorded information about an identifiable individual', and the provincial Privacy Commissioner ruled that televisual data was therefore personal information according to this definition (Work, 2003:3; Edmonton Sun, June 20, 2003. A15). The privacy impact assessment, however, found that the Edmonton police service's CCTV operative did in fact operate according to the fair information principles laid out in Alberta's provincial privacy legislation, and the schema was allowed to continue.

During the trial run, Edmonton police services administered three surveys in the 'Old Strathcona' area. One survey was administered to business owners, garnering 271 total respondents. The Old Strathcona business survey reported that 81% of businesses in the monitored area believed that CCTV would improve public safety for Canada Day weekend and the Fringe festival, and 75% of businesses supported permanent CCTV monitoring in the area. Another survey was administered to the general public, collecting 563 respondents. The general public survey reported that while 60% of respondents supported CCTV monitoring for Canada Day weekend and the Fringe festival, only 34% supported a permanent CCTV system in Old Strathcona. A final survey was administered to respondents who partook in the Fringe festival. Of 183 respondents, 56% felt safer during the event because of the CCTV system, and 61% supported a permanent CCTV system. These figures were taken by the Edmonton police services to substitute as public consultations, and were then redistributed to the public via local media.

Copies of these surveys were included in the Questionnaire data I received from Edmonton Police Services, and are available upon request.
From the Questionnaire data, Question #12
Implemented for the purposes of deterring and detecting 'crime', the four cameras which are now operational on Edmonton’s Whyte avenue are fully funded through the Edmonton police service’s yearly operational budget\textsuperscript{20}. Plans for overseeing the displacement of ‘crime’ involve purchasing equipment which is moveable within the spatial landscape of the city\textsuperscript{21}. A statistical review of the program will be completed in 2005. Regulation through open-street CCTV in Edmonton was legitimated through public fear stemming from riot-like situations and the potential for similar situations to occur in the future. Police played a fundamental role in mobilizing the camera surveillance initiative, but if the results of the survey are to be generalized it could be argued that the Edmonton initiative also enjoys the support of business and citizens. Support from the business community is evident in the Edmonton Police Service questionnaire data, and also in the fact that the Old Strathcona Business Association pursued community safety initiatives for the Whyte avenue area after Canada Day 2001. For nearly the entire 20\textsuperscript{th} century, Edmonton’s “commercial community has discreetly directed civic affairs” (Lightbody, 1983:255). While open-street CCTV in Edmonton is not generated directly from below, and primarily from above, business and citizen support is not lacking.

**Calgary, Alberta, and ‘Operation Street Sweeper’**

Calgary police services would not participate in the questionnaire study, stating they had no intention to go operational with an open-street CCTV system. Frequently, there is more to the story than what official discourses would have us know. In June of 2001, it was reported that Calgary police services had plans to implement a two-camera

\textsuperscript{20} From the Questionnaire data, Question #9
\textsuperscript{21} From the Questionnaire data, Question #15
pilot project in the downtown’s bar strip (Calgary Herald, June 27, 2001. B5). The pilot project would be called ‘Operation Street Sweeper’.

Objectives of the camera project were aimed at reducing public drunkenness, ‘knife attacks’, and other violent incidents associated with the downtown nightlife. The cameras would be implemented along 1st St. – an urban area sometimes referred to as ‘Electric Avenue’ – which “in its heyday saw gang rapes and murders along a one-block strip of neon-lit bars” (Calgary Herald, June 21, 2001. A1). In the several months preceding the announcement of the initiative, ‘a spate of knife fights’ (including a near fatal one) occurred in the downtown core. In response, and in an attempt to legitimate the proposed system, police chief Jack Beaton contended "if you don't get stabbed as much in the downtown core because we are using technology that's available, I'm not so sure people will be upset by it" (ibid.). The potential risks of random, downtown violence in were played on by the media and police in order to justify the proposed project.

In early August 2002, police chief Beaton sent two police officers to Scotland to study open-street CCTV (Calgary Sun, August 11, 2002. A28). Beaton’s interest peaked after he himself participated in an FBI-sponsored terrorism seminar in Scotland, where he toured two of Scotland’s eight police districts to ‘witness the CCTV cameras up and running down crooks’ (Edmonton Sun, August 5, 2002, A22). The cameras in Scotland were also outfitted with facial and vehicle recognition software, and Beaton lamented the vehicle recognition software could be run off Calgary’s twelve red light cameras (ibid.). This again draws attention to the argument that open-street CCTV is diffusing to Canada from the UK, based on claims made to ‘crime control’ successes. Calgary police services were adamant that open-street CCTV cameras would not be implemented unless they
were community supported (Calgary Sun, February 1, 2004. A28).

A homicide in early 2004, Calgary’s fifth of that year, rekindled the drive to implement open-street CCTV in the downtown core, this time from a different social position. Shane Johnson, age 23, was stabbed in the back by an unknown assailant outside a nightclub on 1st St. S.W. Immediately, city alderman Madeline King and Mayor Dave Bronconnier called for the installation of a 24-hour monitoring system in the downtown core (Calgary Sun, January 27, 2004. A3). King had also advocated CCTV in the downtown core after Aaron Shoulders, age 18, was killed in August 2003 (ibid.). Police chief Beaton drew attention to the density of licensed establishments in the area. The sister of Johnson went public a few days after the murder, advocating the implementation of open-street CCTV in downtown Calgary in order to reduce violent events (Calgary Sun, February 1, 2004. A7).

While the realness of such events cannot be justly downplayed, open-street CCTV has little effect in deterring violent ‘crime’ (Law Reform Commission, 1997:34). Moreover, Calgary historically has the lowest violent crime rate of any of the larger Canadian cities (Johnson, 1988:28). In Calgary, a single grievance is elevated to a moralized status to potentially legitimize the implementation of a proposed camera surveillance system (similar to the case of Bulger in the UK, and, as we will see, the case of Michael-Goldie Ryder in London, Ontario). This augments the potential for a citizen-driven CCTV project to emerge in Calgary’s future.

**Into Every Village, Parish, and Hamlet**

Contemporary society is typified by assemblages of social relations where the participants are not necessarily known to one another (Smith, 1987:155). In particular,
cities are anonymous places where the number of people in addition to the structural limitations of urban geography and labour determine the level of ambiguity (Lofland, 1973:10). In the recent CCTV literature, there is a tendency to conceptualize open-street CCTV surveillance as a ‘big city’ phenomenon, as a product of the metropolis which attenuates social problems specific to the population densities and rates of people flow characteristic of large cities. As argued in Chapter I, the new surveillance literature continues to ontologize the level of state politics whilst claiming to endorse a pluralistic vision. Although some research has demonstrated that open-street CCTV is diffusing into rural towns in the UK (Williams and Johnstone, 2000), a growing body of theory which comments on CCTV sees the ascension of urban camera monitoring as related specifically to responsibilization in the neoliberal city (Coleman, 2004, 2003). The perception of cities as breeding grounds for deviance often deters investment, and these writers argue that CCTV implementation occurs as a result of ‘partnership’ and ‘multi-agency’ approaches to revitalization and securitization (Coleman and Sim, 1998). The theoretical implications of this latter approach which focuses on neoliberalism will be taken up in the next Chapter. However, the following data on open-street CCTV surveillance in Canada begins to problematize the idea that CCTV is a ‘big city surveillance tool’ for ‘big city problems’, and suggests that CCTV is now diffusing into rural centers where issues of urban regeneration and city safety are not as predominant.

**Antigonish, Nova Scotia**

Located in the northeastern corner of Nova Scotia, the town of Antigonish is a special case when it comes to open-street CCTV in Canada. St. Francis Xavier University is located in Antigonish, and the winter session of scholarly inquisition roughly doubles
the town's population. Its population of approximately 5,000 makes Antigonish the smallest center in Canada to operate an open-street CCTV system. On October 20, 2003, city council voted in favour of installing two video surveillance cameras in the downtown area, with an expected cost of $10,000 (Halifax Herald, October 22, 2003). The cost will be covered by the police budget. The Antigonish regulatory project comes out of the middle, as it is the pressure put upon municipal government by local business which generates the implementation of open-street CCTV.

According to Constable Shaun Smith, the motivation behind implementing the open-street CCTV schema is to deter vandalism occurring in the downtown core, and apprehend offenders culpable of mischievous actions. Constable Smith also indicated that three private businesses have already implemented five CCTV cameras on Main St. to monitor their shop-fronts. These five cameras record live feeds continuously, and are often viewed by local police in order to apprehend or charge offenders. Antigonish police services have no comprehensive plan for dealing with displacement, and no public consultations were held before the issue went to city council to be ratified. The example of Antigonish is important as it suggests that it is not simply metropolitan areas with large, visible, underclass populations who are turning to CCTV as a 'silver bullet' to police perceptions of disorder, but that camera surveillance as a form of governance is diffusing into smaller, rural communities.

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22 This was not a unanimous decision, as both the mayor and one councilor were firmly against the move to implement CCTV in Antigonish. From the Questionnaire data, Question #14
23 From the Questionnaire data, Question #8
24 From the Questionnaire data, Question #11
**Other Open-street CCTV Operatives in Ontario**

The extent of open-street CCTV surveillance in Canada is growing rapidly. In 2002, the Ontario Office of the Information and Privacy Commissioner conducted privacy assessments of several other open-street CCTV operatives in Ontario. The assessments were conducted to evaluate whether the camera schemas contravened the *Freedom of Information and Protection of Privacy Act*[^25] (amended in 2003). The West Nipissing police service operates a camera monitoring program in Sturgeon Falls, Ontario. The program commenced in September 2001, and involves three cameras in the downtown core. The Town of Thessalon, Ontario, operates a CCTV program that consists of three cameras in the downtown area. The OOIPC has not yet made this information public[^26], and little other data exists on these initiatives. In Midland, Ontario, open-street CCTV was rejected when a cost/benefit analysis, as determined by city council, did not justify the use of such technology[^27]. The data indicates that the prevalence of open-street CCTV camera surveillance systems, aimed at controlling perceptions of disorder in downtown areas, is more widespread than previously conceived in Canadian academia.

**Open-street CCTV Operatives in Manitoba**

Winnipeg has twice considered implementing open-street CCTV in its downtown core to deal with panhandling, sex and drug trade. The most recent operative, proposed by the Chief of Winnipeg police in June of 2002, was rejected by city council primarily

[^27]: Toronto Police Board meeting minutes http://www.torontopoliceboard.on.ca/minutes/2001/011018pmm.pdf
because of its $1.2 million dollar price tag\textsuperscript{28}. There has been at least one other case where street cameras were used in Winnipeg, which was in the early 1990s. Supported by the Downtown Winnipeg Business Improvement Zone (BIZ), which was established in 1989, the purpose of the cameras was to promote Winnipeg and "make downtown the place to work, do business, live, shop and enjoy". This organization was able to have a small number of street cameras mounted with the support of some grants. The grants ran out in the mid-1990s and were not renewed, which led to the cameras being taken down.

More recently, the Winnipeg Police Service has undertaken a project called ‘Operation Snapshot’. Pictures and videos of sex trade workers and their customers are captured and posted on the WPS website. Although the faces and license plates are blurred out, such public displays of sex trade activity are thought to deter customers of sex trade workers from entering into the areas where the cameras are positioned. Again, the initiative is funded in part by the Downtown Winnipeg Business Improvement Zone.

Two other communities (Selkirk and Dauphin) have indicated publicly their wish to have open-street CCTV cameras installed in certain parts of their communities to deter vandalism. The Access and Privacy Division of Ombudsman Manitoba recently contacted the municipality of Dauphin and outlined certain privacy issues that should be addressed before the city proceeds with its initiative.

**Other Open-street CCTV Operatives in Quebec**

Police services in Hull, Quebec, used open-street CCTV in a few main roadways in their downtown core during the mid-1990s. Hull police services in now part of the new Gatineau police service after the two forces amalgamated in 2002. Camera surveillance

was used in a ‘problem solving approach’ on an artery with multiple difficulties, including drug and gang related ‘crime’. After three years of use, the cameras were removed when the problems were assessed as resolved\textsuperscript{29}.

In 2002, the Commission d’accès à l’information (CAI – Quebec’s provincial privacy office) investigated the Town of Bay-Comeau and their use of open-street CCTV cameras\textsuperscript{30}. The investigation showed that the Town of Bay-Comeau generally observed the fair information practices for camera monitoring. However, the Town of Bay-Comeau was asked to conform to two requests by the CAI. First, the town had to re-assess their streetscape CCTV schema within six months, in dialogue with CAI Conseillères, deciding on whether to maintain the CCTV system or to limit its use to selected periods throughout the year. The Town of Bay-Comeau was requested to provide a report to the CAI justifying the decision selected. The CAI also stated that the Town of Bay-Comeau could not install new cameras until the results of the aforesaid report where made available. The CAI is currently investigating an open-street CCTV operative in Montreal city\textsuperscript{31}. Implemented for the purpose of policing drug and gang activity in the downtown, the permanent Montreal installation, which began as a trial, is located on rue de St. Denis.

\textbf{Other Open-street CCTV Operatives in Canada}

The scope of open-street CCTV in Canada is growing, and there is little indication that this trend will reverse. Many other municipal police services in Canada have plans to implement open-street CCTV operatives. Victoria, BC, has been examining the

\textsuperscript{29} Personal interview with officer Yves Martel of Gatineau police services. May 3\textsuperscript{rd}, 2004.
\textsuperscript{30} See the Commission d’accès à l’information website at http://www.cai.gouv.qc.ca/05_communiques_et_discours/commun_13_12_02.html
\textsuperscript{31} Personal Interview with Marie-Eve Bélanger of the CAI. July 20, 2004.
possibility of a twenty seven camera operative in the city’s notorious ‘red zone’.\textsuperscript{32} The ‘red zone’ is a discursive mechanism used to describe several square blocks in Victoria’s downtown core which are imagined as risky and dangerous to the transient tourist population. Lyon (2001:59) argues that “Victoria is a tourist town with ‘Olde English’ charm, a Scottish castle and a replica of Anne Hathaway’s cottage. The hyperreal city is remade for consumption by tourists. Its poverty can be swept off the streets, its violence contained by cameras”. The operative would be the largest in Canada. Medicine Hat, Alberta, had preliminary plans to implement an open-street CCTV operative but abandoned the idea after City council raised questions concerning the affordability and necessity of camera surveillance\textsuperscript{33}. Conversely, Laval, Quebec, and Lethbridge, Alberta, stated that they do not intend to utilize open-street CCTV surveillance.

More recently, city councilor Owen Fortosky in Saskatoon, Saskatchewan, has proposed a controversial plan to install open-street CCTV cameras in the city’s sex trade stroll. The purpose of the cameras would not be to police sex trade workers (like in Kelowna and Vancouver, British Columbia), but to humiliate those who solicit the services of sex trade workers and protect street involved youth in the sex trade. Images of people and/or vehicles captured by the CCTV cameras would be posted on the Saskatoon Police Service website. The cameras would be stationary but temporary, able to be moved to different locations between the area bounded by Avenue I to Avenue W and from 22nd Street to 20th Street (The StarPhoenix. February 25, 2005). The idea is based on a similar pilot program in Winnipeg called ‘Operation Snapshot’ (see above), which allows the public to download and view short video clips from the police service website.

\textsuperscript{32} Personal interview with Darren Laur of the Victoria Police Department, July 8\textsuperscript{th}, 2004.
\textsuperscript{33} From the Questionnaire Data, Question #3
When Regulatory Projects Fail

Brockville, Ontario, and Civic Resistance

Based on the data presented to this point, it may appear that the implementation of open-street CCTV will approach ubiquity and is inevitable. Stemming from political struggle and shifts in urban governance, however, there are spaces for resisting the rise of open-street CCTV. The community of Brockville is an important location to examine when studying open-street CCTV in Canada because it is the only community to have ever dissolved an urban camera monitoring schema through civic resistance, which demonstrates that regulatory projects sometimes fail.

The history of open-street CCTV in Brockville dates back to early 1999, when police chief Barry King presented a proposal to the city’s Community Services Committee. The proposal called for eight cameras, contingent on the police receiving a $158,000 grant from the province (Recorder and Times, January 15, 1999. A6). The objective of the program was to deter ‘crime’, vandalism, and ‘rowdyism’ on King street in downtown Brockville. The initiative had the unanimous support of local companies (ibid.), which indicates that CCTV in Brockville was generated from both the level of police and the level of business.

Days before the meeting between police chief King and the city, city councilors and the mayor were inundated with phone calls from citizens who were deeply concerned with the implications of implementing camera monitoring in downtown Brockville. The night before the meeting, city councilor Jason Baker fielded phone calls for two straight hours (Recorder and Times, January 28, 1999. A3). Mayor BenTekamp took 32 calls at his home (ibid.). It was reported that citizens felt threatened by increasing levels of what
they called ‘state surveillance’. Their efforts were enough to secure a unanimous ‘no vote’ against implementing the open-street CCTV initiative. Brockville sets a precedent for resisting open-street camera surveillance outside of the parameters of privacy regulation. The levels of civic protest indicate that many citizens see open-street CCTV as a fallible technology which infringes unnecessarily on civil liberties.

In September 2003, the city of Brockville again considered implementing open-street CCTV in ‘their ongoing fight against vandalism and loitering’ (Recorder and Times, September 19, 2003. A1). As part of their new ‘zero tolerance’ policy against ‘crime’, Brockville police services hoped to use CCTV to respond to “an escalation in vandalism” at the waterfront parks. The issue of vandalism dovetailed with fear about youths loitering downtown, who ‘uttered obscenities’ and ‘swarmed passers-by’ (ibid.). Peter Dunn, Brockville’s Arts Center administrator, said to reporters that ‘rowdies’ full of ‘reckless abandon’ make King street appear ‘out of control’ and ‘unsafe’ for women and children (ibid.). The youth insurrection described by Dunn in the local newspaper was exaggerated. Such embellishment draws attention again to the social disordering argument. CCTV gains its legitimacy from purported levels of ‘crime’ and fear of ‘crime’, and in the process vulnerable populations are moralized and constructed as imagined communities of risk – images to be policed which do not correspond to an empirical reality. Business and moral entrepreneurs employ discursive strategies through the media that create a particular view of youth ‘crime’ which is deliberately biased against all youth and particularly youth of lower socio-economic positions (Schissel, 1997:33). At the time of writing, the Ontario Officer of the Information and Privacy Commissioner (OOIPC) was unaware if the 2003 CCTV initiative had become reality.
Perceptions of deviance pertaining to city cores are transmitted through risk communication in the media. The Brockville data indicates that when regulation through open-street CCTV is presented as a response to socially constructed deviance, and this claim to deviance does not correspond with the perception of deviance held by the citizenry, then the citizenry can mobilize in resistance against open-street CCTV. This data would suggest that regulatory projects fail when top-down approaches to regulation are perceived by the public as disproportionate and unwarranted in relation to the scale of the so-called social problem in question. In Brockville, the claims to ‘crime’, vandalism, and ‘rowdyism’ made by police and local business did not correspond with how Brockville citizens felt about safety and risk in their downtown core.

**Guelph, Ontario**

Guelph is another city which has considered implementing open-street CCTV, for the purposes of “battling hooliganism in the core” (Guelph Mercury, September 20, 2003). The operative sought its legitimacy through citing the purported success of the Sudbury initiative (ibid.), which supports the general diffusion thesis. In 1999 and again in 2003, the Guelph Police Services Board, backed by members of City Council, recommended that Guelph police services introduce urban camera surveillance. But based on the results of a 1999 research study conducted by officer Susan Healey pertaining to open-street CCTV in Britain and the United States, the Chief of police rejected the recommendations both times! Healey’s (1999) report had four major findings: that initiatives perceived as police-driven are likely to be subjected to considerable public scrutiny and opposition; that the use of CCTV opens the door to a

34 From the Questionnaire data, Question #2
number of legal issues around the potential abuse of tapes and monitoring equipment, particularly with the more advanced pan/tilt/zoom systems; that system start-up and maintenance often proves too costly; and that safety issues in the downtown core of Guelph were already addressed through other means.

In a 1998 survey, Guelph police found that 83% of citizens agreed that downtown Guelph was a safe and secure place (Healey, 1999:8). Opposed to the implementation of open-street CCTV, Guelph police services continue to promote joint police-community problem solving in the downtown core. The example of Guelph is important because it is demonstrative of the fact that municipal police services can form policing policies autonomous from the pressures of business and moral entrepreneurs, resisting the urge to hop on the urban camera surveillance bandwagon. Contemporary ‘crime control’ culture is in fact disjointed, and policy is negotiated municipality by municipality. Guelph police service prefers community-based policing practices over the implementation of technologies which lead unnecessarily to the infringement of autonomy. Such data suggests that open-street CCTV as a regulatory project can also fail when concerns for better policy initiatives are held by those in hierarchal social organizations like policing and government agencies.

**Peterborough, Ontario, and the Stop the Cameras Coalition**

The City of Peterborough already operates a CCTV program that started in the summer of 2001. Positioned in problematized areas of the city, three cameras are in Millennium Park, two cameras monitor the outside of the local museum, and one camera watches at the local marina. Expressing concerns about vandalism, a proposal to install

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fifteen more cameras has come from the Peterborough Downtown Business Improvement Area (DBIA). Such business entrepreneurs, aiming to sanitize public space in order to increase consumption in the core, are most often pivotal players behind the implementation of urban CCTV schemes. The Peterborough initiative is primarily generated from the middle, as the estimated cost of the cameras – $85,000 – will be footed by the DBIA. The DBIA, however, is requesting that local taxpayers pay the bill for monitoring and maintenance of the system, which is estimated at being between approximately $100,000 and $400,000 in public money.

Opposing the installation of cameras on downtown streets, a coalition of local groups, including the Council of Canadians, the Social Justice Coalition, and the Peterborough NDP has come together behind the Peterborough Coalition Against Poverty under the guise of the Stop the Cameras Coalition (STCC). Stop the Cameras Coalition supporters have been attempting to subvert the proposed initiative through a diversity of tactics, including the circulation of petitions, distribution of posters in downtown Peterborough, and hosting of public debates about camera surveillance. The coalition lists several reasons as to why they resist the implementation of urban CCTV: cameras will not deter crime; cameras are an infringement of basic civil liberties and rights as Canadians; cameras are not supported through democratic consent; maintenance, repair, and monitoring costs are too high for taxpayers; finally, there are better possible alternatives for ‘crime control’.

At an October 12th, 2004, Peterborough city council meeting, the Stop the Camera Coalition presented a document to City Council regarding the Peterborough Downtown

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36 See the Peterborough NDP website for more information: http://www.peterboroughndp.ca/cameras.htm
37 See http://stopthecameras.tripod.com/ for the Stop the Cameras Coalition website.
38 http://stopthecameras.tripod.com/id3.html
Business Improvement Area Proposal for additional cameras\textsuperscript{39}. The STCC report was actually a counter-report in response to a document entitled ‘Peterborough Downtown Business Improvement Area Proposal for Security Cameras in the Downtown Area’. In their counter-report, the STCC argued that surveillance cameras are too costly, citing the recent $100,000 cutback to the CCTV program in London, Ontario, where rising costs made the project less than feasible\textsuperscript{40}. The STCC also cites camera ineffectiveness, camera abuses, and civil liberty concerns as reasons why Peterborough city council should not support the DBIA. STCC collected 1000 signatures on a petition against the cameras. Suggesting that the public consultations which occurred were biased towards the cameras, the group concludes “cameras will not address the root causes of crime and antisocial behavior, nor will they ensure that crime does not spread to other areas of the city”.

As Warren Magnusson (1996:290) points out, “urban zones are generally of much greater significance in people’s lives than the boundaries between states”. Although the Stop the Camera Coalition shares similar concerns with most other citizen-based CCTV resistance groups in the world, the time and space of their resistance is unique to their city’s struggle. Truly democratic politics most often comes out of urban experience. The examples of Brockville and Peterborough, Ontario, are demonstrative of how local groups organize and resist, however successfully or unsuccessfully, urban camera monitoring schemes. The Peterborough example suggests that regulatory responses which

\textsuperscript{39} From the counter-report made by the Stop the Camera Coalition. Available upon request.

\textsuperscript{40} The London case evidences both the technological fallibility of open-street CCTV schemas and the fallibility of open-street CCTV as a ‘crime’ fighting tool. The optical system suffered from 451 camera failures in 2002 and 506 in 2003 (\textit{London Free Press}, February 24, 2004. A1). An equally damaging statistic to the camera system’s reputation is that, in 2003, police reviewed 187 incidents and requested 106 recordings, but admitted the cameras were only beneficial in resolving forty of the cases (ibid.). A city committee voted to decrease the CCTV operative’s budget by $100,000, reducing the number of CCTV operators from two per shift to one per shift, meaning the city’s sixteen downtown surveillance cameras are no longer being monitored 24/7. This raises serious questions about the viability of open-street CCTV operatives in other Canadian communities.
are perceived as being commercially driven or not congruent with public interest will fail in certain temporal circumstances, which does not rule out the actuality that citizens sometimes seek out CCTV as a regulatory strategy for their own communities.

**Analyzing the Data**

Several critical points can be concluded about the scope of open-street CCTV in Canada. Spurred in response to the emotive content of deviance perception, open-street CCTV operatives are regulatory projects which can be generated by state and police, by business, by citizens themselves, or some combination thereof. Open-street CCTV initiatives in Canada are often based directly on initiatives in the UK, or based on other ‘successful’ Canadian initiatives which are themselves based on UK camera monitoring schemas. Sudbury and London, Ontario, are the two most oft cited Canadian initiatives. London, Hamilton, Barrie, and Toronto, Ontario, as well as Vancouver and Kelowna, British Columbia, all cite Sudbury’s purported ‘success’ in legitimating their own camera schemas. The data therefore indicates a general diffusion pattern. The importance of my research is that I reveal upwards of twelve open-street camera systems operating across the country, with many other agencies harbouring plans to implement such schemes. Sudbury, Hamilton, London, Toronto, Peterborough, Sturgeon Falls, and Thessalon, Ontario, Edmonton, Alberta, Antigonish, Nova Scotia, Kelowna, British Columbia, Montreal and Bay-Comeau, Quebec, operate open-street CCTV programs. Hull and Sherbrooke, Quebec, Winnipeg, Manitoba, as well as Yellowknife, Northwest Territories have had open-street CCTV operatives in the past. Vancouver and Victoria, British Columbia, Calgary, Lethbridge, St. Albert, and Medicine Hat, Alberta, Saskatoon, Saskatchewan, Dauphin and Selkirk, Manitoba, Charlottetown, Prince Edward Island, as
well as Midland, Brockville, and Guelph, Ontario, are considering camera surveillance or have considered it in the past.

Consistent with the CCTV as social disordered thesis argued throughout this work, open-street CCTV operatives in Canada are legitimized through media-transmitted discursive formations which capitalize on images of urban disorder. A variety of social anxieties, ranging from localized moral panics to fear of ‘crime’ to risk-based problematization, are usually antecedent to the implementation of CCTV operatives. This position will be demonstrated more fully in Chapter IV when examining the operatives in London and Hamilton as well as the proposed operative in Vancouver. Such discursive activity is also evident in the legitimation of operatives in Edmonton and Calgary, Alberta, Brockville and Guelph, Ontario, and Antigonish, Nova Scotia. Every operative cited hooliganism, rowdyism, sex and drug trade, ‘crime’ and/or fear of ‘crime’ in the downtown core as the reason for implementing open-street CCTV.

Open-street CCTV is not simply a ‘big city magic bullet’ in police service struggles to contain certain behaviors to a specific geospatial locale. Rather, the examples of Antigonish, Nova Scotia, Dauphin and Selkirk, Manitoba, Bay-Comeau, Quebec, and Thessalon, Sturgeon Falls, and Midland, Ontario, demonstrate that rural centers are also adopting streetscape CCTV to combat visions of disorder. Such empirical evidence suggests that theoretical models which see the rise of open-street CCTV as a top-down process or a phenomena inherent to the neoliberal city are analytically flawed.

Finally, there are spaces for resisting open-street CCTV through civic protest, and channels for regulating streetscape monitoring through privacy legislation. In Brockville, Ontario, citizens resisted CCTV through civic participation. The case of Guelph, Ontario,
demonstrates how sometimes police services themselves resist the temptation to implement open-street CCTV and opt for more community-based policing practices. In Peterborough, the Stop the Cameras Coalition is engaged in a grassroots campaign to remove open-street CCTV from their community. Regulatory projects are more likely to fail if they are perceived as being generated overly from state/police or business interest. I further explore the idea of mediating a political space for resistance in Chapter VI.

The push to implement additional open-street CCTV operatives in Canada will play out in the tension between local politics, ‘middle class’ habitus, and situational ‘crime control’. In this chapter I have shown the current extent of open-street CCTV usage in Canada, but have not attempted to explain the dynamics behind CCTV implementation. In the next chapter I will look at the major theoretical approaches in surveillance studies generally and CCTV studies specifically, arguing against top-down approaches in favor of an approach which can account for media processes and bottom-up forms of power and politics.
CHAPTER III
KEEPING WATCH, TOP TO BOTTOM:
SURVEILLANCE THEORY AND OPEN-STREET CCTV

*It is one of the ironies of intellectual history that it is precisely those thinkers who advocate social change who often view people as passive receptacles of ideological manipulation* (Castells, 1996:335)

Theoretical arguments need to be continually probed and tested in order to confirm that they correspond with empirical social conditions. Further, praxical social transformation is brought about through action informed by theory (Lefebvre, 1968:163). For the purposes of contextualizing the ascension of open-street CCTV, in this Chapter I will engage with the foundational literature of surveillance studies. An overarching theoretical or analytical perspective is not apparent in the area of surveillance studies. Political scientists tend to study policy issues concerning privacy; urban geographers examine the connection between social space and justice; communications theorists consider media processes; and sociologists focus on inequality, social order, and the individual/society relationship. Synthesizing these differing but interconnected literatures allows for a better understanding of the ascension of open-street CCTV surveillance in Canada. In fact, any rigorous work in the area of surveillance that did not attend to issues of privacy, urban geography, information technology, inequality, and social order would be partially inadequate in one way or another. It is only through integration that surveillance studies can create appropriate theoretical models for discussing social monitoring and sorting practices (Lyon, 2002:5).

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41 The purpose of this Chapter is to engage with the foundational literature of surveillance studies, to decipher the relevancy of these writings for studies of urban camera surveillance. Many bodies of work will be ignored in this Chapter because of reasons pertaining to length and continuity. The prolific works of Max Weber and Karl Marx are overlooked purposefully. Weber's discussions of the 'iron cage' of rationality embodied in the form of bureaucracy, and Marx's discussions of the surveilled factory worker, do form the foundation of many sociological analyses.
In this Chapter I will argue that the theoretical underpinnings of surveillance studies are in a position to expose, but not fully expound, the dynamics and politics of open-street CCTV surveillance. First, I will evaluate the generally top-down approaches which have constituted surveillance studies in the past. Of importance here is George Orwell’s cultural icon of Big Brother, Anthony Giddens’ work on the state, and Michel Foucault’s ubiquitous Panopticon. I argue that these works are problematic because of their epistemological assumptions regarding power, politics, and communication. Second, I examine a growing body of literature which explains open-street CCTV as bound up in the politics of neoliberalism. I argue that the ‘neoliberalism as catchall’ approach, which contends to move beyond deterministic top-down models of surveillance, does not go far enough in terms of analyzing the communicative processes which legitimate urban camera surveillance with the populous. To conclude, I offer an alternative bottom-up approach using the concept of the Synopticon. Inverse the Panopticon where a single agent observes a total social body, synoptic processes refer to communication situations where large numbers of people focus on something in common which is condensed (Mathiesen, 1997:219). This discussion leads into the governance analytic used to examine the empirical data on open-street CCTV operatives in London and Hamilton, Ontario, as well as Vancouver, British Columbia (see Chapter IV). Overall, the theoretical positions examined here are not entirely adequate for discussing urban camera monitoring, however relevant they may be for describing the overall scope of surveillance in societies around the world today.
Top-down Theoretical Approaches: Big Brother, Totalitarianism, and Panopticon

Orwell and Nineteen-Eighty-Four

Much of the traditional work done in surveillance studies rests upon George Orwell’s depictions of social monitoring. Orwell is one of the best known and potent political authors of the early 20th century. In his satirist novel Nineteen-Eighty-Four, Orwell depicts a totalitarian, dystopic future, where the Oceania bloc is in constant war with imagined enemies. Big Brother, the ideological and symbolic embodiment of the centralized state apparatus, keeps tabs on the population through telescreens and concealed microphones: “There was of course no way of knowing whether you were being watched at any given moment” (Orwell, 1984:158). Orwell’s metaphor, overused and perhaps outdated, does capture some of the dynamics of contemporary surveillance. For instance, open-street CCTV cameras in numerable urban locations, coupled with private-commercial cameras, create a geospatial landscape which is perpetually visualized, always being watched. In the invention of the telescreen, Orwell somewhat captures the relationship between panopticism and synopticism – which I will return to later in the Chapter– where citizens are conterminously watched while inundated with state and commercial propaganda. This Orwellian approach firmly asserts that regulation is antithetical to emancipation, and that surveillance is opposite human freedom.

Orwell was primarily commenting on the creeping tendencies of totalitarianism in the Russian federation. Today, power has been dispersed from the container of the nation-state. The sinister framework with which surveillance is described by Orwell cannot rightly be applied to the rather discrete and mundane monitoring practices, for instance, involved in renting a car (Monmonier, 2002:170). In the architecture of
totalitarianism described by Orwell, power is centralized in the one-party state and communication is one-way, hierarchal, controlling (Whitaker, 1999:28). Not all surveillance exercises are necessarily used for state-centralized administrative practices. Orwell’s metaphor fails where the power to govern has been extended to non-state agencies, and where media processes have become multifarious and fragmented. Big Brother, however, has been retained as a cultural icon in popular references to increasing surveillance across the UK and elsewhere. Many analyses of surveillance inadvertently reproduce Orwell’s overtly top-down model.

**Giddens and the State**

Anthony Giddens considers sociology the study of modern conditions and the connection between modern institutions and the self (Giddens, 1971:243; Calhoun et al., 2002:221-222). Viewing surveillance as one of the four institutional dimensions of modernity, Giddens sees new abstract systems and technologies as having transformed pre-modern dynamics of intimacy and trust. Ontological security in “late modernity” is made routine through interaction via abstract and distanciating systems (Giddens, 1990:113). It is, in some cases, exactly this focus on the modern condition which warrants Giddens critique. Writing about George Orwell’s vivid metaphors of Big Brother, David Lyon (2001:110) asserts that “Giddens’ sociological cautions about modern nation states and totalitarianism are bred in the same theoretical stable”. However, Giddens’ contributions to surveillance studies cannot be easily dismissed, and I argue that his work contributes to a partial understanding of open-street CCTV.

For Giddens (1981:5, 1991:15), surveillance involves two dialectically related practices: the collation and storage of information concerning a subject population, and
the direct supervision of that population’s conduct (also see Dandeker, 1990:37). This focus on rational administrative apparatuses is drawn from Max Weber’s work on bureaucracy. In terms of the accumulation and storage of ‘coded information’, electronic mediums in contemporary society give information an ‘externalized’ quality where ‘immediate’ communication is separated from co-presence (Giddens, 1985:14). Surveillance expands the realm of the state, both internally and externally, as state agencies track the actions of mobile citizens. State surveillance is bound up in the “dialectic of control”, associated with both administrative power and citizenship rights (ibid.:309). The state’s traditional monopoly over the means of violence and movement (Torpey, 2000) as a method of controlling populations is complemented and enhanced by advanced technological forms of information gathering/analyzing (Giddens, 1985:201).

For Giddens, surveillance is top-down. As the surveillance capacities of the state expand, society moves closer to totalitarianism, because “[t]otalitarianism is, first of all, an extreme focusing of surveillance (Giddens, 1985:303). The relationship of surveillance with policing “makes for other possibilities of political oppression, going back again to totalitarianism, but separable from it in their less immoderate forms” (ibid.:309).

Surveillance entails the maximization of police powers. Because open-street CCTV cameras are very often operated by the police services arm of the state, Giddens’ analytic is partially appropriate for studying cameras in open, urban spaces. The increased distribution of open-street surveillance cameras across geospatial landscapes is indicative of a move towards further state regulation of personal life.

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42 Control over the means of violence, private property, and the transformation of nature, compliment surveillance and together constitute the four institutional clusters of modernity (Giddens, 1985:311).
New funding interlocks, however, involve members of the capitalist economy and other non-governmental agencies. The fact that local businesses and media are equal, or greater, supporters of open-street CCTV schemes denotes that other dynamics are at play. Namely, that it is not the state function of information accumulation or direct supervision that is the primary force behind the diffusion of CCTV systems in Canada. Rather, claims to rising levels of ‘crime’ and fear of ‘crime’ in downtown areas, and purported successes in reducing ‘crime’ and fear of ‘crime’ claimed by representatives from cities that have introduced public CCTV surveillance, seem to be the main justification for implementing urban monitoring schemes (Hier, 2004:6). Sometimes citizens seek out regulation through camera surveillance for their own communities, independent from state input. Giddens’ notion of an ever-surveilling state is limited by the existence of discrete forms of electronic monitoring that are pursued by non-governmental agencies, and also by the increasing role of business and moral entrepreneurs in funding and legitimating urban CCTV systems.

To recapitulate, Giddens’ analysis of surveillance is lacking an appropriate theorization of civil society in relation to the level from which social monitoring practices are sometimes generated. This does not mean that we should overlook Giddens’ other contributions to understanding time/space relations, such as distanciation, as they convey important insights into the practices of ‘watching’ and ‘being watched’ (see Chapter VI).

**Foucault: Panopticon, Panopticism, and Inclusion/Exclusion**

Giddens conceptualized surveillance practices as primarily a state exercise. Michel Foucault’s (1979) analysis of the Panopticon and panopticism is also very modern, as it sees the power to watch, categorize, sort, and administer populations
primarily in the hands of centralized institutions (prisons, factories, schools, army barracks, etc.). In his genealogical work, Foucault is concerned with the relationship between visualization and disciplinary power in the Classical and Modern eras. The latter replaces violence and force with the gentler constraint of “uninterrupted visibility” (Fraser, 1989:23). Foucault is concerned with the gaze which is directed at individuals to normalize behavior along the normative contour of an institution. The visualization of subject populations via ocular apparatuses is bound up in the Nietzschean association of knowledge with power. A Foucauldian perspective asserts that “power is increasingly exercised in the form of surveillance by a large array of apparatuses; through the classification and documentation of individuals; and the turning of subjects into the objects of knowledge” (Calhoun et al., 2002:188). His appropriation of the Panopticon metaphor deals specifically with techniques of watching, which has made Foucault incredibly popular in the CCTV surveillance literature. More significantly, the thread of classification that runs throughout his works is a rich analytic for discussing the dialectic of inclusion/exclusion involved in social monitoring.

43 This is true for Discipline and Punish (1979), but also The Birth of the Clinic (1985) and Madness and Civilization (1965). In Madness and Civilization he demonstrates how the modern category of insanity was predicated on the unity of word and image, which liberated a multitude of images of madness (Jay, 1993:390). In The Birth of the Clinic Foucault demonstrates how medicalization came to be typified by the medical gaze, with the creation “in every large town of a ‘government health centre’ and in Paris of a ‘health court’, sitting beside the National assembly, centralizing information, conveying it from one part of the country to another” (1985:29). The medical model is not simply a map of the internal and external features of the body, but becomes a visualizing tool that assists in categorizing, by illness, people as normal or pathological. On the emergence of medicalization, Foucault writes “Medicine must no longer be confined to a body of techniques for curing ills and of the knowledge that they require; it will also embrace knowledge of healthy man, that is, a study of non-sick man and a definition of the model man” (ibid.:34).

44 Foucault sought neither to reduce knowledge to a hypothetical base in power nor to conceptualize power as an always coherent strategy. Rather, he attempted to show the specificity and materiality of their interconnections. Knowledge and power have a correlation, not a causal relationship, which must be determined in historical context (Best, 1995). Open-street CCTV can likewise be problematized as being bound up in the power/knowledge spiral.
Bentham’s Prison Plan Gone Wrong?

Jeremy Bentham, the utilitarian philosopher and social reformer, borrowed the idea for the Panopticon from his brother, Samuel, and began to write about it in 1786. In the inspection house, as Bentham called it, jail cells on six stories would be positioned around a central observation deck, within which guards would be watching (or not) from behind blinded windows. The purpose was to render power ‘visible and unverifiable’ so that inmates would know not if they were being monitored and would constantly modify their behavior in accord with institutional standards. From Bentham’s utilitarian perspective, the panoptic prison maximized pleasure and minimized pain by reforming the mode of discipline. Whereas violent forms of social control were bloody and had uncertain normalization effects on those being punished, the Panopticon made discipline certain without blood (Lyon, 1991:600). From Bentham’s utilitarian perspective, contrary to Foucault’s appropriation of the panoptic idea, “the exercise of power was itself secondary to the substantive individual and social aims on behalf of which power was exercised” (Goodlad, 2003:543). For all of Bentham’s reformist efforts, however, the moral architecture was never built.

Foucault takes up the metaphor of the Panopticon in Surveiller et Punir (1979)45. The panoptic for Foucault (1979:201) has the effect of inducing “...in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power”, so to make the actual exercise of power unnecessary. The process of watching takes place within enclosed spaces, where subject populations are forced under the gaze. Foucault is apt to remind us that, underneath the panoptic machine, power “has its maximum

45 The French title of Foucault’s book, To Watch and Punish, draws much more attention to aspects of visualization than the English translation Discipline and Punish.
intensity not in the person of the king, but in the bodies that can be individualized” (ibid.:208). Like Orwell and Giddens, Foucault sees that the key to individual classification is the compiling a dossier of personal information about each member of the subject population.

Throughout modernity, this form of surveillance spreads out into the social body through the process of panopticism, forming what Foucault called the disciplinary society. A great invention of the bourgeoisie, disciplinary power has come to displace sovereign power (Foucault, 1994:42). Inmates, students, and workers internalize the gaze, monitoring their own behavior in relation to institutional norms, as the historical transformation towards panopticism creates a society of generalized surveillance (Foucault, 1979:209). Foucault writes:

...one can speak of the formation of a disciplinary society in this movement that stretches from the enclosed disciplines, a sort of social ‘quarantine’, to an indefinitely generalizable mechanism of ‘panopticism’. Not because the disciplinary modality of power has replaced all the others; but because it has infiltrated all others.... (ibid.:216)

Social totality becomes an ‘enclosed space’ subject to constant visualization and the internalization of power by those watched.

Foucault’s work, however, has not gone uncontested. David Lyon (1991:608) critiques Foucault’s usage of the Panopticon in several ways. First, Discipline and Punish focuses on rational means and says little about resistance. Although Foucault’s later works focus on the ‘micro-physics of power’ and governmentality, Foucault’s more structuralist works dismiss the subject and give “the impression that resistance is generally contained by power...” (Fairclough, 1992:57; Best, 1995). Second, Foucault is guilty of ‘totalizing the partial’, applying the panoptic metaphor to situations where it
does not empirically correspond. Third, Foucault’s position is philosophically fatalistic. John Torpey (2000:16) suggests that “Foucault only drew the logical consequences from Weber’s persistent fears about the juggernaut of bureaucratic rationalization”. What can Foucault’s redrafting of Bentham’s Panopticon tell us about open-street CCTV?

The Panopticon metaphor is problematic for studies of open-street CCTV: the prevalence of televisual surveillance techniques does not create the automatic functioning of power that Foucault described in the Panopticon. For instance, public CCTV cameras are sometimes not noticed by those on the street, and so do not directly govern their behavior (Yar, 2003). As Norris and Armstrong (1999a:199) indicate, the extent to which CCTV will induce automatic conformity will depend on whether social collectivities view themselves as targets of surveillance. People regularly commit litigious acts, despite knowing they are likely to be caught.

We have not seen the closure of agency implied in the disciplinary society. Nor is the social field an enclosed space. Some have suggested we should reject the Foucauldian model and its explanation of power because it "refers to the past and is not concerned with the emergence of the postindustrial subject" (Lianos, 2003:413). There are key differences between prisons and city centers: namely, the enclosure of a penitentiary versus the agency and mobility enjoyed by some lay persons in the open streetscape. None of this means that we should reject Foucault outright. Key aspects of panopticism—

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46 On the contrary, as open-street CCTV systems are increasingly linked to computerized dossiers containing personal information about members of the subject population, they increasingly resemble the metaphor of the Panopticon (Norris and Armstrong, 1999a:200; Norris, 2003:278). The Panopticon metaphor has also been applied to dataveillance. For instance, Mark Poster (1990:103) writes, as a consequence of computerization, “…Panopticon monitoring extends not simply to massed groups but to the isolated individual. The normalized individual is not only the one at work, in an asylum, in jail, in school, in the military…but also the individual in his or her home, at play, in all the mundane activities of everyday life”. However, at present time, individualized electronic records are absent from all but the most technologically advanced open-street CCTV systems.
the desire to know and to watch – are central to public camera monitoring. Foucault’s concept of panopticism insistently reminds us of the presumptuous ambition of both state and non-state organizations to see and to know everything, and of the ways in which data collection and knowledge are entwined (Webster, 1995:69). With Foucault, there is an important epistemological break because his notion of power and surveillance is not simply top-down. The ultimate referent is not totalitarianism. Rather, surveillance for Foucault always entails processes of subjectification. Foucault’s work is important to understanding the dialectic of inclusion/exclusion which is central to my argument that open-street CCTV surveillance should be understood as a regulatory device within the milieu of governance.

The Dialectic of Inclusion/Exclusion

Foucault remains central to studies of surveillance not only because his major works deal with the visual scrutiny and categorization of populations, but also because of the inclusion/exclusion dialectic which underpins much of his writing (Elden, 2003). It is also in Surveiller et Punir that Foucault contrasts the ‘rituals of exclusion’ used to separate the leper from society with the ‘disciplinary projects’ used to ‘lock up’ the plague-stricken town. This discussion takes place paragraphs before Foucault brings up the Panopticon, which suggests the entire subsequent reading of panopticisim should be performed through the lens of inclusion/exclusion. Foucault asserts:

The leper was caught up in a practice of rejection, of exile-enclosure; he was left to his doom in a mass among which it was useless to differentiate; those sick of the plague were caught up in a meticulous tactical partitioning in which individuals differentiations were the constricting effects of power that multiplied, articulated and subdivided itself; the great confinement on the one hand; the correct training on the other. (1979:198)
In managing the plague, information about each individual is collected, stored, and shared between the magistrates and the physicians: the mass public becomes subject to classification. The leper, in contrast, is marked through procedures of individualization and separated from the social realm. Hence, the dialectic of inclusion/exclusion: “Two ways of exercising power over men [sic], of controlling their relations, of separating out their dangerous mixtures” (ibid.) The image of the leper, cut off from all forms of human contact, underlies projects of exclusion (ibid.:199). Foucault suggests the leper is the symbolic inhabitant of spaces of exclusion, spaces also occupied by beggars, vagabonds, the insane, and other ‘disorderly’ persons. Additional social groups come to be excluded for being in discord with institutional norms. Fear of Others classified as abnormal has always been central to informing the dialectic of inclusion/exclusion.

Inclusion/exclusion is also involved in open-street CCTV monitoring practices. CCTV has increasingly been used as a means to identify and to exclude a growing urban underclass. Zygmunt Bauman (1997) writes of the ‘flawed consumer’ who is unable to respond to the enticements of the consumer model and is subsequently subjected to intense surveillance and exclusion from quasi-public spaces. As public spaces are increasingly subject to temporal/spatial organization via consumerism—as consumer spaces invade and privatize public spaces—CCTV will increasingly be used to create security and visions of social hygiene in open, urban landscapes. The issue of exclusion goes deeper into the social imaginary. In policing a decontextualized image of disorder (Other), authorities (self) must have an opposite vision of order to base their work on.

Foucault (1979:199) writes: “The constant division between the normal and the abnormal, to which every individual is subjected, brings us back to our own time, by applying the binary branding and exile of the leper to quite different objects; the existence of a whole set of techniques and institutions for measuring, supervising and correcting the abnormal brings into play the disciplinary mechanisms to which the fear of the plague gave rise”.
Even more so than the Panopticon metaphor, Foucault's inclusion/exclusion dialectic is a rich analytic for investigating open-street CCTV because it corresponds more universally with the politics of surveillance. Open-street CCTV is a potent means of excluding those persons deemed deviant from public spaces. However much the Panopticon has become popularized and appropriated within studies of surveillance, Foucault’s work constitutes a break from simple top-down models because the inclusion/exclusion dialectic entails a dialectic between self and Other. The inclusion/exclusion dialectic is a core feature in long term processes of normalization through governance, and will remain an implicit analytic throughout this thesis.

**Alternative Theoretical Approaches**

**Neoliberalism as Catchall**

The foregoing discussion has sketched some of the major trends in surveillance theories of the 20th century, showing their benefits and weaknesses for theorizing the ascension of open-street CCTV. Another theoretical body of literature has emerged, primarily out of the UK, which suggests that the rise of open-street camera surveillance can be explained through referencing the emergence of neoliberal social control. During the period of Keynesian economics (roughly 1945-1973), levels of health and income were raised in many nation-states due to the Bretton Woods system. In this international economic system, the citizen’s right to life was more or less concurrent with national governments’ explicit rights to control capital movement across their borders. With the downfall of the Bretton Woods system in 1973, achievements made by the post-WWII economic community towards alleviating international inequality were reversed (McQuaig, 1998:238). Facilitated by international economic institutions and neoliberal
trade law, corporations were more or less handed global reach and power. This ‘New Right Project’, as it is called, is an 

...economic philosophy that calls for cuts to government spending; elimination or restriction of the regulatory role of government in areas such as investment, the environment, labour-management relations, and employment conditions; privatization of state enterprises and assets; and the restructuring of core areas of the welfare state, such as health and education, to make them more cost sensitive and accountable to the logic of the marketplace (Knight, 1998:106).

Authority is increasingly detached from representative forms of politics and relocated in dispersed locations through responsibilization. As Chiapello and Fairclough (2002) argue, this policy shift has also been accompanied by a new ‘spirit of capitalism’: an ideology which restores and justifies people’s commitment to capitalist production. Forms of neoliberal social control that have risen to prominence during this political-economy era are insurance practices (Ericson and Doyle, 2004), welfare surveillance (Hier, 2003b), new management practices (Chiapello and Fairclough, 2002; Ruppert, 2000), and currency speculation, to name only a few.

In attempting to overcome, or simply avoid, the popular top-down approaches already mentioned, a growing body of theoretical literature explains the rise of open-street CCTV as bound up in the politics of neoliberalism. Theories which suggest that the rise of open-street CCTV can be explained through referencing neoliberal social control argue that the “agents and agencies of the neoliberal state are constructing the boundaries and possibilities of the new urban frontier while simultaneously engaging in a project of social control that will have far-reaching consequences for how we understand the meanings of public space, social justice, and the parameters of state power” (Coleman, 2003:21). This approach attempts to avoid the metanarratives of ‘the disciplinary society’
or ‘the risk society’, and instead tends to insert ‘the economy’, or the neoliberal state, into
the slot traditionally occupied by the state in top-down approaches.

The achievement of neoliberal politics has been to stir up many anxieties in the
city pertaining to urban space. As a response to the perception of disorder in city centers,
urban governance is now increasingly structured around “public-private partnerships
which prioritize economic development over and above social redistribution...”
(Coleman and Sim, 1998:30). Open-street CCTV is an attempt to re-image particular
urban areas which are construed as disorderly. Business entrepreneurs market distinctive
city images and invest in CCTV operatives so to reconstruct deviant images48 and
increase consumer confidence (Coleman and Sim, 2000:626). In studying Liverpool’s
(UK) camera operative, Coleman and Sim (1998:32) found it was the city’s image and its
perceived impact on downtown business which consolidated support for CCTV.

Revitalization strategies become key, taking the form of responsibilization. According to
Mike McCahill (2002:21), responsibilization policies

are designed to offload the responsibility for risk management from central
government on to local state and non-state agencies and organizations, hence the
increasing emphasis on public/private partnerships, inter-agency cooperation,
inter-governmental forums and the rapid growth of non-elected government
agencies.

Stakeholders are described as investors or shareholders. The implementation of urban
camera surveillance is contingent primarily on the expert knowledges and efficient

48 The ascension of open-street CCTV also has the potential to radically alter on conceptions of ‘crime’. As
police services move toward ‘zero tolerance’ policies in their attempts to create an image of order, new
‘anti-social’ activities (previously saw as legitimate) are deemed deviant and illegal as city’s enact ‘social
hygiene’ or ‘civility’ bylaws. As Belair and and Bock (1973:211) argued over thirty years ago, jaywalking,
spitting or failing to license your dog might, for the first time, become objects of systematic police attention
under the open-street CCTV gaze. These are the effects of implementing open-street CCTV, whereas in this
work I am concerned with the claims-making conditions which give rise to the implementation of open-
street CCTV.
technical solutions of entrepreneurial social control (Coleman and Sim, 2000:625; Coleman, 2004).

Welfarist objectives are marginalized in favour of competitiveness and growth, so that the “architects of the neoliberal city” (Coleman, 2003:26) can re-image particular geospatial locales. This has serious consequences for citizens caught at the crossroads between regulatory projects and neoliberal consumption, for those citizens “who are unable to respond to the enticements of the consumer market because they lack the required resources” (McCahill, 2002:11). The underclass are those who constitute the growing army of unemployed and homeless increasingly seen not as a social group to be integrated, but as dangerous “anti-social groups” and “risks to be policed” (ibid.:16; Rose, 2000a:195). Urban camera surveillance, in the UK and elsewhere, is seen as an extension of neoliberal governance, one of many regulatory arms of a neoliberal monster.

This approach should be given some credit. First, these authors are concerned with the socio-political consequences that camera surveillance implementation has for public space, core communities, and social justice issues pertaining to the move towards exclusionary forms of social control. Second, and more importantly, they place the ascension of open-street CCTV within the larger context of early 21st century political economy. The economy has coupled with the state such that both state and business agents are involved in the generation of neoliberal social control mechanisms.

Not without merit, the work can also be criticized in several respects. First, these authors seem to draw their theoretical models from phenomenal form rather than asking what other socio-cultural influences precipitate the rise of urban CCTV. Second, these approaches reproduce the top-down approach by imposing a determinism they sought to
avoid. These authors present neoliberalism as the unstoppable colonizer of all social processes. Sean P. Hier (2004:544) reiterates:

What remains is a conception of power through which hegemony operates as a deterministic articulation of social control based on the elite-driven material interests of consumerism and profitability. Not only does this serve to reproduce rather than move beyond the closure of human agency reminiscent of undifferentiated conceptions of the panopticon...it also lends credence to the argument that surveillance functions primarily as a mechanism of elite repression without allowing for alternative explanatory possibilities.

These approaches fail to move beyond the closure of human agency implied in Foucault’s (1979) Panopticon, and tend to equate power with the exercising of elite desires through bourgeois rule. To base all explanations of open-street CCTV on the pervasiveness of neoliberalism would be to reproduce the determinism so prevalent in popular depictions of surveillance. Strategies of governance cannot be understood in terms of the temporary hegemony of a particular ideology.

Because these authors draw on social control theory rather than governance studies, their approach implies a regulated subject who is unable to exercise agency outside of the top-down parameters set by the omnipresent bloc of neoliberalism. Power only flows one way in such depictions of surveillance. This duplicates the same sort of determinism found in undifferentiated conceptions of panoptical power, minimizes the significance of counter-discourses, and glosses over the possible failures of responsibilization. The ‘neoliberalism as catchall’ approach does not demonstrate how regulation through camera surveillance can be generated from any number of social positions, and how acts of governance actually constitute the zones on which they act and the entities upon which they act (Rose, 2000b:145). Such an approach cannot account for the communicative processes involved in the problematization of urban space or urban
residents. Nor can it account for agents of regulation acting upon themselves through the problematization of another’s conduct.

**Outliers in the Study of Open-street CCTV Surveillance**

So far, I have argued that most treatments of surveillance rely on a top-down approach to conceptualizing social monitoring. As Warren Magnusson (2000:294) points out, “notions of hierarchy, centricity, and systematicity, lead inexorably to the idea of sovereignty; that is, to the idea that there is point from which the world can be (or is being) organized or ‘governed’”. Attempts to move beyond this approach have either reproduced analytical problems related to the search for an empirically watertight conception of power in surveillance processes, or they have not been adequate for discussing the politics or dynamics of open-street CCTV. Critical urban studies are an alternative theoretical approach which is potentially fruitful. Pertaining to the destruction of public space and creation of a surveillance infrastructure, Mike Davis (1992) looks at how fear of ‘crime’ in the city leads to the increase of security measures which simultaneously increases fear of ‘crime’. The push for ‘crime control’ and urban regeneration via CCTV should be viewed, in the larger scope of the *malling* of public spaces in cities, as a de-democratizing impetus (Fyfe and Bannister, 1998). Such interdisciplinary work is important for discussions of open-street CCTV, not only because it benefits from both social and spatial analyses, but also because such work afford us the ability to move away from top-down conceptions of surveillance, towards understanding how the perception of disorder in downtown areas can justify regulatory projects initiated by police, government, media, but also citizens themselves.
Completely unsatisfied with the hierarchal approach which has permeated discourses pertaining to politics and surveillance, the work of Gilles Deleuze and Felix Guattari can be read as a serious rejoinder to that of Foucault. Deleuze (1990:5) suggests that Foucault’s disciplinary societies of enclosure have been replaced by societies of control. In societies of control “what is important is no longer either a signature or a number, but a code: the code is a password... disciplinary societies are regulated by watchwords”. The language of control is numerical, and access or rejection depends on possessing the correct code. Deleuze is arguing is that electronic symbols come to stand for embodied subjects, decentering the subject/object division and making surveillance an automated, cybernetic process (see also Lianos and Douglas, 2000; Lyon, 2003a).

Deleuze and Guattari’s toolbox of terms has also given us the rhizome, which diverges from societal metaphors which speak of civilization as organism or machine. The rhizome is used to comment on the extensive, as opposed to centralized, practices of governance which exist in contemporary society. The operation of centralized governance resembles aborescent systems, like trees with a central trunk (Deleuze & Guattari, 1987:16). To topple this system, it would only take the felling of the trunk: the state apparatus. The importance of the rhizome metaphor is its reminder that forms of power have become dispersed and spilt out of the centralized nation-state container.

This theoretical imagery is an important analytic, and has been taken up in the form of the surveillant assemblage (Haggerty and Ericson, 2000). Camera surveillance is, in a sense, an assemblage of people, places, and technological things, and this assemblage disperses the authority to govern. There is a problem, however, with the way the above authors conceive of the assemblage. Playing down levels of differential social
monitoring, Haggerty and Ericson argue that “surveillance has become rhizomatic, it has transformed hierarchies of observation, and allows for the scrutiny of the powerful by both institutions and the general population” (ibid.:617). That surveillance has become horizontal instead of hierarchal cannot be assumed *a priori* (Hier, 2003a). Flows of power are not universal but are particular in relation to the type of surveillance under scrutiny. Therefore, the rhizome has only limited utility for studies of open-street CCTV. Urban camera surveillance is still contingent in some cases on the involvement of state and police – centralized and centralizing systems. Regarding open-street CCTV, however, there remains the need to develop a critical theory which can account for the role of media, the role of emotional responses to deviance, and both top-down and bottom-up approaches in unison

**A Bottom-Up Approach? Synopticism and the Viewer Society**

A recent innovation in surveillance and socio-legal theory has inverted these top-down approaches, to the benefit of analytic clarity and validity. Thomas Mathiesen’s (1997) article *The Viewer Society* has had a profound impact on surveillance studies in general, and more specifically on studies of open-street CCTV. Roy Boyne (2000) argues any adequate investigation of society’s tendencies towards generalized panopticism must be supplemented by a discussion of the synoptic processes involved in the social construction of knowledge regarding ‘crime’. Synoptic processes refer to situations where “a large number [of people] focuses on something in common which is condensed” (Mathiesen, 1997:219). The mass media influences enculturation, actively filtering and shaping the information which citizens consume. Television is the most
readily acknowledged example, though print media are also pertinent. Mathiesen argues that the panoptic and the synoptic are reciprocal means of power in society.

An important locus of Mathiesen’s work is his critique of Foucault. In the Synopticon, the alliance of television with governmentality succeeds in ascribing meaning to marginalized communities and the urban spaces they work/live in. The viewer society differs from the disciplinary society in that ‘crime’, not punishment, drives the diffusion of surveillant systems. Crime entertainment, which renders ‘crime’ visible and often dramatic, creates a preoccupation with criminality and pursuit (Biresi and Nunn, 2003:278). This dissemination of film footage produces additional privacy dilemmas and new forms of the citizen’s imaginary relationship with law and authority (ibid.:279). Such an analysis again draws attention to the power of visualization, except that the flow of power is diverted from sovereign state regulation to citizens regulating themselves based on the perception of deviance, risk, harm, etc. The discursive effect of synoptic communication is to decontextualize the lived experiences of individuals who become subject to the synoptic gaze, raising levels of insecurity through a promotion of fear. Certain populations are imagined or visualized as risks; this risk paradigm intersects with moral governance via synoptic communication so to instigate the perceived need for behavioral regulatory projects like open-street CCTV.

Public displays of punishment have a long history, from the theatre to the Coliseum to mass media today. The relationship between synoptic and panoptic processes dates back to the 18th century, circa the era when forms of mass media were developed – a crucial point of observation that Foucault overlooks in his discussion of panopticism. In the synoptic process of news watching/reading, displays of socially constructed deviance
...are purged of everything but the purely criminal – what was originally a small segment of the human being becomes the whole human being – whereupon the material is hurled back into the open society as stereotypes and panic-like, terrifying stories about individual cases.... (Mathiesen, 1997:231).

This should come as no surprise, given that “the entertainment industry has invaded the news arena and obliterated the distinction between objectivity and subjectivity” (Schissel, 1997:23). News must be titillating and presented as a commodity if it is to sell. Folk devils, a convenient term for referring to those reconstituted through multitudinous media representations and regulatory endeavors, are depicted as an underclass in moralizing discourses and conceptualized as imagined communities of risk. This in turn establishes the bases “for more resources to be given not only to the expansion of prisons, but also to concealed panoptical surveillance” (Mathiesen, 1997:231), bolstering the move towards increased securitization and tipping the scales towards prohibition and social hygiene in the inclusion/exclusion dialectic.

Already stated in this thesis, albeit worth reiterating at this point, is the fact that we live in a televisual culture where images affect politics. Images, in the form of video or pictures, are one of many discursive formations49 which convey meaning in our society, bound up in the social construction of senses and knowledge. In our culture, a successful hegemony must be capable of producing a series of images with interconnecting meanings, which can be dispersed to the majority of the populous in order to mystify or trivialize social relations. Social reality is televisualized. The video camera and the television are the technological instruments which make possible

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49 For Michel Foucault (1969; 1979), a discursive formation is a way of ‘speaking’ through various mediums that shapes our consciousness. It should become apparent to the reader that the author is conflating video with cursive text, conceptualizing them both as discursive formations which convey meaning to social actors despite being characterized by subtle differences in communicative form. While I am not asserting that discourse is a direct route to cognition, it cannot be contested that discourse, via news/entertainment media, are principal modes of socialization in the 21st century.
panoptic surveillance—where the few watch the many—but also synoptic media
communication—where the many watch the few. Vision is generative in terms of power, a
catalyst of social change.

Media are a site where political agendas and interests are consolidated (Knight,
1998; Carroll and Ratner, 1999) but also contested (Hier, 2002b; McRobbie, 1994).
Textual news data constitute the major source of data for this thesis. Visualized behaviors
can be transcribed into textual news media through the reporting processes of
encoding/amplification/decoding (Hall, 1980). When an event is selected and reported on
it is constructed as ‘news’ and thus encoded. It is only through such encoding practices
that citizens come to know about the majority of events that occur in the social field. A
second part of the reporting process, events are discursively amplified and
decontextualized (Fairclough, 1992) in such a way that they are “seen as emblematic and
symptomatic of broader processes—moral decay, social malaise and the destruction of
the social fabric…” (Hay, 1995:204). In the reception of the text, and thirdly, the
viewer/reader actively decodes messages through points of resonance that they find using
their own perception (ibid.:205; Tetzlaff, 1991:23). Viewer/readers are not simply
passive receptacles of ideological manipulation. Through the processes of
encoding/amplification/decoding, textual news media can resonate ideologically with the
public. It is in this sense that the media are implicated in the valuation of geospatial areas
in the city and the generation of regulatory projects like open-street CCTV.

As panoptic surveillance devices like CCTV proliferate in the streetscape, more
and more representations of the streetscape appear in media communication iconography,
creating “neither wholly an authentic crime in real social space nor wholly a fictional
crime in media space” (Biressi and Nunn, 2003:280). The reciprocal but fused processes of panopticism and synopticism work in synchrony to accelerate each other through a sequence of risk detection, risk communication, intensification of state and non-state surveillance through police militarization and responsibilization, increased risk detection, speedier and ‘semiotic-enhanced’ risk communication, \textit{ad infinitum}.

Misinterpretations of Mathiesen’s Synopticon have been problematic. For instance, Zygmunt Bauman (1997, 2001) speaks of the ‘flawed consumer’ who is unable to respond to the enticements of the consumer model and is subsequently subjected to intense and wanton surveillance. The Mall is the epitome of this consumer space, and it extends out into the street in both physical and symbolic ways. Analytically privileging the inclusionary aspects of social monitoring over the exclusionary, public space becomes a consumer sphere where the only legitimate use of that space is consumption. Typical of Bauman’s consumer model, and contrasting the dynamics of panoptic and synoptic processes, he (1998:52) writes: “Panopticon forced people into the position where they could be watched...Synopticon needs no coercion – it seduces people into watching”.

Bauman, however, conflates the idea of ‘the many who watch the few’ with ‘the many who watch celebrities’, which reproduces the determinism in top-down approaches only in the opposite direction. News/entertainment industries do focus their attention quite regularly on the rich and famous in ‘paparazzi-style photo-ops’, but Bauman’s analysis neglects the role of institutional power in shaping life chances. Bauman sees the Synopticon as a democratizing impetus simply in that it turns the gaze upon elites. Conversely, Mathiesen (1997:225) asserts correctly that, in most modern interactive media, “the basic conditions are increasingly and in the near future being set from
above...from the level of capital rather than from the level of participants, though they may still contain an illusion of two parties on an equal footing”. Mathiesen’s Synopticon is more akin to reality television shows like *Cops, Crimewatch UK, Crime Monthly*, and *America’s Most Wanted* which depict the underclass as a risk to be defended against.

It is the perception of certain neighborhoods in the city, communicated synoptically, which determines if/when open-street CCTV operatives are implemented. While the technological functions of surveillance have changed since the 19th century, the motivations for its implementation have stayed roughly the same since Jeremy Bentham’s utilitarian passion for the Panopticon:

Danger from our enemies, danger from those who might grow into our enemies, danger for and even from those who could not look after themselves. Two categories in particular have an intimate and intricate link to danger and surveillance. They are the criminal and the vulnerable (Boyne, 2000:290).

Surveillance is, and always has been, a means of social defense from imagined communities of risk; this project of social defense invades synoptic-discursive practices. The rapid diffusion of CCTV surveillance is bound up in the dynamics of media communication, moral governance, and risk. The theoretical importance of the Synopticon is twofold. First, the justification of surveillance initiatives is bound up in the social construction of knowledge pertaining to ‘crime’, moralized communities, and urban areas. Second, the theoretical importance of the Synopticon concept lies in its proposition which asserts regulatory strategies do not always find motivation in elites and government. Citizens do not simply submit to the will of the powerful, and the valuation of city spaces is an active process. Gaining the knowledge they base their decisions on from media communications, citizens participate in the regulatory projects which govern them. The politics of open-street CCTV – the desire to collect, categorize, classify, sort,
exclude – cannot be investigated analytically without accompaniment by an examination of the dynamics behind open-street CCTV implementation – the discursive valuation of urban areas and problematized populations via communicative processes.

In response to the growing sense of insecurity in the city, in response to growing anxiety pertaining to ‘problem populations’, the dichotomy between regulation and emancipation is obliterated. As Roger Matthews (2002:222) puts it, “…emancipation collapses into regulation with the consequence that regulation is seen less as the opposite or negation of emancipation, but rather as one of the main routes through which emancipation might be achieved”. This point cannot be underscored enough. The Synopticon does not prove that surveillance initiatives start from grassroots. In fact, as a theory it does not prove anything in and of itself. Synopticism is not an uncomplicated process where governing agents and agencies use media communication to forward regulatory projects. The process is more interpretive, subjective, fluid, involving a cycle of risk production, communication, and detection. The Synopticon does suggest that media audience members are active participants in producing their own subjectivities. Locating the ascension of open-street CCTV against the larger socio-cultural processes of media communication, the Synopticon analytic thus suggests possible analytical avenues for examining where regulatory projects like open-street CCTV get their start. As already argued in Chapter II, and as I will fully demonstrate in Chapter IV, the motivation for urban camera surveillance can come from above, the middle, below, or some combination thereof.
CHAPTER IV
OUT OF THE REALM OF CRIMINOLOGY AND INTO THE REALM OF GOVERNANCE: OPEN-STREET CCTV IN LONDON, HAMILTON, AND VANCOUVER

Regimes of truth and knowledge “can be unmade, as long as we know how it is they were made” (Foucault, 1988:37).

In Chapter III, I argued that the surveillance literature tends to reproduce a top-down approach regarding the deployment of social monitoring practices. A more representative framework for analysis would propose that regulatory projects like open-street CCTV can be generated from numerous social positions. As John Agar (2001:102) points out, “in matters of surveillance, power never flows merely one-way”. The synoptic analytic is informative because it hints at the inverse relationship between surveillance and subject populations: that through communicative processes citizens actually participate in the processes which engender the rise of open-street CCTV.

Today, the commonality of anxiety creates solidarity (Beck, 1992:49) but also deep fissures (Robins, 1995) in the social fabric. The processes of change associated with modernity, intrinsically connected to globalizing influences, make life in our culture inherently unsettling (Giddens, 1991:181). Managing their own anxieties and insecurities in this time of ‘neuroliberalism’, subjects who are being governed and governing themselves enact a range of regulatory projects centered towards deterring real or imagined hazards (Isin, 2004). This Chapter examines the role played by risk discourses and moralization as it pertains to the generation and legitimation of regulatory projects like urban camera surveillance. Usually conceived as calculative/statistical approaches to dealing with the probability of future harm, risk assessment and risk management are merging with moral politics and self/Other dialectics to create hybridized forms of social
anxiety which often intervene in processes of everyday life (Hier, 2003a). Some form of social anxiety, ranging from localized moralization to fear of ‘crime’ to discourses of risk, is usually antecedent to the implementation of open-street CCTV operatives. These anxieties are partially rooted in negative perceptions of urban space and urban dwellers.

Building on my critique of surveillance theory in Chapter III, in this Chapter I will develop an analytic framework which acknowledges that, in terms of social positioning, projects which seek to regulate socially constructed perceptions of deviance and disorder can emerge from above, from the middle, and from the bottom. Such a position has been implicit in my analysis thus far. Delineating the term governance as I am using it from the more common criminological expressions moral panic and social control, I first explicate an innovative approach to analytically accounting for the ascension of open-street CCTV. I view moralization and risk perception as converging sites of social anxiety which underpin the ascension of regulatory projects. Arguing for a more pluralistic notion of power in relation to surveillance, and second, I demonstrate the above standpoint empirically through an analysis of urban CCTV operatives in London and Hamilton, Ontario, and the proposed operative in Vancouver, British Columbia.

**Governance as an Analytic for Examining Urban Camera Surveillance**

Working from the theoretical perspective of moral governance, Alan Hunt (1999) argues that regulation, or practices of governing, can come from above, from the middle, and from below. State or police-driven surveillance is the most pertinent example of regulation from above. Business associations or other non-state organizations comprise the position of the middle. Regulation arising from local hostility or grievances characterizes projects from below. Regulatory initiatives can arise spontaneously, in
response to social subjectivities and public sentiment (Park, 1925:24). Local press, too, are key players that regulatory agents and agencies use to communicate their beliefs. Local press are not, however, an elite instrument. Local media outlets have autonomy, make their own political decisions, and are sometimes as directly involved with funding open-street CCTV. The television and newsprint press are businesses, and can therefore be conceptualized as a regulatory agency which fits in the middle of our analytic framework whilst serving to communicate behavioral transgressions which intercede in top-down and bottom-up processes.

I acknowledge that this analytical framework is ideal-typical. I am not asserting that any homogenous collectivities of this sort exist, and acknowledge that the framework is only useful for heuristic purposes. In the messiness and fluidity of everyday life, it is possible that an agent or agency could concomitantly occupy more than one position in the framework or change positions over time. For instance, a member of a downtown business association could at one time exert pressure for CCTV from the middle but at the same time be involved in a community-based drive for regulatory intervention. TV and newspaper media are implicated in each position.

The ‘above, the middle, and below’ ménage et trois seemingly imports hierarchy into the mix, where ‘above’ is still in a position of control and sanction, ‘below’ is still in a position of subordination, and ‘the middle’ is wedged awkwardly in-between. But this is the sovereigntist’s approach to power, and not one I am apt to reproduce. I am apt to analyze the complex of overlapping human relationships where through their actions some try to guide or shape the actions of others. Thus, the ideal-type configuration is not meant to insinuate a verdict about the vigor with which any social position can pursue
regulatory projects. The regulatory triad framework should not be interpreted hierarchally, which would imply that those in 'the highest' social position exert the most influence. Rather, as I will argue in this Chapter, community initiatives and goals sometimes precede and inspire state and policing strategies.

Governance refers to the overlapping complex of power relations, where through their actions some try to shape or guide the actions of others. Government is only one practice of governance. Since Hobbes, state sovereignty has been the dominant form of government in which philosophers and social scientists have invested their explanatory energies. This does not mean that the complex of activities engaged in by the multitude of other agents and agencies has ceased to exist. Rather, as historians of governance point out, practices of governance predate state sovereignty and will outlast state sovereignty. Regulation is one of the actions agents and agencies can take in trying to guide or shape the actions of others, and surveillance is a type or technique of regulation. Moral panic too is a type of regulation, but much more fleeting and volatile than governance itself, which aims at long term normalization of behavior or ritualized civility.

From this perspective, state and local government are considered as one of the multiplicity of authorities, agencies, and agents who seek to shape conduct within their urban landscape. For Hunt (1999:5), the focus on hierarchal state formations or elite social groups cannot adequately encompass the dynamics of regulatory projects. Governance issues are at all times negotiated by this multiplicity of agents and agencies. The governance analytic lets us displace the panoptic paradigm and accord human beings agency. The implications of this are that regulatory initiatives can be generated from any number of social positions: government, police, businesses, business associations, media,
citizen’s groups, or some combination thereof. Sociologists of deviance have known this for a long time. I borrow the term moral entrepreneur from Becker’s (1963) classic work *Outsiders: Studies in the Sociology of Deviance*. Becker was apt to recognize that states are not the only regulatory agencies with the capacity to make rules and enforce them. The surveillance literature, however, has been slow to pick up on this, and thus – with a few exceptions – continues to see social monitoring as a top-down phenomena.

*Moral Politics, Governance, and Social Positioning*

Research which examines the social constructions of (and the regulatory responses to) deviance are usually phrased in the language of moral panic (Cohen, 1972; Goode and Ben-Yehuda, 1994). Although the two share certain fundamental elements, in terms of operationalizing power the concept of governance diverges from the more common criminological expression moral panic in important ways. Moral panics are traditionally characterized by ephemeral and intense feelings, held by a majority of the citizenry, that a group of socially constructed deviants pose a threat to social order and so should be restricted or controlled (Goode and Ben-Yehuda, 1994:31). Moral panics involve several actors: the press, who treat offences in a stereotypical fashion; the public, who are consumers of media and alerted by the media’s exaggerated attention to an issue; law enforcement, who must respond to public unease; politicians and legislators, who enact policy and law in response to the escalating panic; action groups, who serve as moral entrepreneurs in a campaign against those deemed deviant; and the folk devils, who are the demonic symbols of panic and whose behavior is seen as in need of regulation (ibid.:24-29; Cohen, 1972; Schissel, 1997:19-30). Moral panics must contain
the criteria of disproportionality, and moral panics have the effect of *criminalizing* the behavior in question (Goode and Ben-Yehuda, 1994:77).

It is tempting to proceed with moral panic as an analytic framework. There are, however, several problems with contributions to moral panic research hitherto now. The moral panic literature has a tendency to present folk devils as helplessly immobile within the confines of a homogeneous regulatory response, and cannot deal effectively with empowered folk-devils living in a multi-mediated world (Hier, 2002b; McRobbie and Thornton, 1995). Hunt (1999:19) rejects the term moral panic because it imports a negative normative judgment which implies responses to social problems are always an over-reaction, placing the moral panic literature adjacent to ‘media conspiracy theory’. There are real victims of street crime, no doubt. In terms of conceptualization, moral panics are actually an element of moral regulation within the overall context of governance:

Whereas moral regulation involves long-term process of normalization, moral panics as volatile local manifestations of wider anxieties at once articulate a moment of problematization (i.e. the attribution of causality/blame) and a moment of solution (i.e. how to resolve the problem) (Hier, 2002a:330).

While some elements of moral panics, namely disproportionality, characterize the discursive formations which legitimize open-street CCTV, the terms governance and moral regulation are preferred because claims-making over street activity and the effects of ‘crime’ are sometimes not overstated. These expressions draw attention to the long-term and normalizing nature of regulatory projects.

In addition, some authors prefer the term regulation over the term social control because social control implies a static process concerning a self-conscious agent, whereas the term regulation can cover the more complex and more nuanced aspects of governance
(see Hunt, 1997; Chunn & Gavigan, 2004). Like moral panic, the rubric of social control 
a priori assumes a hierarchal social structure and deterministic notion of power. Pace 
moral panic, agents and agencies involved in regulatory projects are not necessarily 
reacting disproportionately to the target of their regulation. In this sense it is naïve to call 
them irrational actors. Moreover, regulation is not necessarily concerned with 
criminalizing, but may also be concerned with caring for or saving (Hunt, 2002).

Conceptually, I use the term governance because it offers a more nuanced 
approach to understanding regulatory interventions. To reiterate what was said about 
governance earlier, it is neither a concept nor a theory but a political process of everyday 
life. The sociology of governance “brings into view a heterogeneous field of more or less 
calculated attempts to shape the conduct of persons, populations, and things towards 
desired ends” (Rose, 2000b:143). Jim Tully, the Canadian political philosopher, 
comments on extensive modes of governance as opposed to the representative forms of 
government which dominated so much of the modern era. For Tully (2001:40), 
globalization is implicit in new political forms which induce the “dispersion of standard 
practices of representative government so that they are no longer centralized in nation-
states and a Westphalian system of sovereign-nation states”.

This dispersion of politics reduces the scope of direct management of human 
affairs by state agencies and increases the extent to which diverse non-state agents and 
agencies advance their own strategies of governance in a particular geospatial area (Rose, 
2000c:97). Moral judgments in this regulatory configuration are never irrational. Persons 
who engage in the problematization of Others and/or the urban spaces they inhabit 
believe they are acting rationally. To suggest that that those who seek out regulatory
projects are acting irrationally is the conceptual mistake that the moral panic literature makes. To assert that regulators are acting rationally, however, is not to assert that there is some ontological condition behind the im/morality of the behavior being problematized. The moral domain is not absolute, but is a historical construction related to material struggles and ideological practices.

The analytic of dispersed governance works well for a discussion of the diffusion of camera surveillance, which can be generated by state, police, business, business associations, media, citizens’ groups, citizens themselves, and/or some combination of agencies and agents. Open-street camera surveillance is tied to this dispersion of governance; therefore, the diffusion of open-street CCTV is appropriately viewed as contiguous with the economic and ideological processes of globalization (Lyon, 2004). Surveillance by electronic and televisual means is an increasingly significant technique of shaping the conduct of problematized persons and populations associated with representations of urban disorder.

In the case of open-street CCTV, sometimes the state and the police industry are the primary agents which agitate for the implementation of camera surveillance. At other times, urban camera surveillance is proscribed by business and/or moral entrepreneurs. Business and moral entrepreneurs are key regulatory agents involved in the diffusion of open-street CCTV. Business entrepreneurs are any group or person associated with the capitalist economy who entreat the implementation of CCTV for its potential to decrease property crimes and the perception of disorder in downtown shopping areas. Noting again the ideal-type analytic paradigms employed in this Chapter, the regulatory projects pursued by business entrepreneurs can be conceptualized as coming from the middle. As
an example, Coleman (2003:23) writes that business improvement districts “are publicly unaccountable bodies set up to police and monitor the debris of neoliberal urban visions – litter, graffiti, the homeless, and prohibited street trading”. Business entrepreneurs are most often downtown business associations, and are regularly involved in funding and promoting CCTV initiatives.

Moral entrepreneurs are any collectivity or person(s) who rally around a moralized grievance or series of grievances in order to legitimize CCTV for its potential to increase safety in urban cores. ‘Friends Against Senseless Endings’ in London, Ontario, is one such group. ‘Mother’s Against Drunk Driving’ is another identifiable group. Regulatory projects pursued by moral entrepreneurs can be conceptualized as coming from below, because it is primarily the efforts of citizens mobilizing around a grievance which initiates the implementation of surveillance devices. As mentioned above, these ideal-type social positions are not static, and various regulatory agents can simultaneously work in concert from different positions to effect regulatory programs.

The escalation of moral politics at the beginning of the 21st century is an expression of the intensification of social anxieties (Hunt, 1999:213). Anxiety itself does not account for the emergence of moral entrepreneurship, but social anxiety can mobilize an array of issues and disparate social forces inciting forms of moral regulation (ibid.:215; Hier and Greenberg, 2002). Hunt (1999:9) contends that “moral regulation movements form an interconnected web of discourses, symbols and practices…the deep anxieties that are roused and stirred in moral politics involve the condensation of a number of different discourses, different fears, within a single image…” The normative ecology within which social interaction and political contestation occurs is constructed
through discursive formations communicated to the public via the mass media. In a society less and less informed by co-presence interactions, the social construction of ‘right’ and ‘wrong’ is dynamically facilitated by forms of socialization like television and newsprint. Open-street CCTV operates within a moral economy that substitutes striated space and targeted expulsion based on fear in place of social ambiguity and heterogeneity.

Risk, Converging Anxieties, and Problematization

As manifestations of anxiety and insecurity, moralized topographies of the city are merging with the spatialization and distribution of risk. For Ulrich Beck (1999, 1992), it is the ‘big risks’ – nuclear catastrophe, pollution and environmental degradation, etc. – which concern cosmopolitan subjects. Risk – the probability of future hazard – is also being individualized, where persons develop lay perceptions about levels of risk for certain activities in specific areas of the city. The possibility of incurring an ‘everyday risk’ organizes our perceptions towards navigating social reality. Drawing attention to the role of media in generating the conditions necessary for the emergence of regulatory projects, the individualization of risk is “intensified by the multiplication of perceptions of risk through media reporting” (Rose, 1999:247). For Kevin Haggerty (2003:207), “elements of our social identities are formed through the risks we attend to and how we attenuate those risks”. Forming social identities through risk management insinuates the existence of a real or imagined risky Other. Under neoliberalism, risk reduction in the everyday sense is an individual rather than state responsibility.

Risk classifications are also the means by which authorities, professionals, managers, and entrepreneurs think, act, and justify their actions (Rose, 2000a:198). All
governing agencies and agents depend upon professional and expert knowledge to monitor, enact, evaluate and reform the objects and subjects of governance. Risks are measured by means of surveillance, and surveillance in turn meticulously detects risks of all sorts, creating new categories of suspicion. Risk assessment is usually thought of as a rational, objective stratagem, a conscious weighing of probability and consequences, but moral governance is merging with risk perception and communication. Technically-based risk calculation as a governmental technique cannot therefore account for the role of contingency, psychological temperament, exposure to heterogeneous media reporting, etc., in everyday risk perception and management.

We should view risk and moralization as converging, rather than diverging, sites of social anxiety in contemporary society. As Sean P. Hier (2003b:19) argues, anxieties endemic to the risk society converge with moralized anxieties contained at the level of community. For Hunt (2003:167), the hybridization of morality and risks is the creation of an “apparently benign form of moralization in which the boundary between objective hazards and normative judgments becomes blurred”, but nonetheless leads to a proliferation of regulation projects. This implies that everyday moralization colludes with individual risk management strategies and risk communication in a dialectic which involves the constitution of self/Other (i.e. risks associated with being downtown at night are considered against the perception of harmful vagrants). Agents believe they are acting rationally, so that moralization as a form of governance is always rationally-oriented towards the constitution of the self (Hier, forthcoming). As Rose (2000c:103) puts it, risk management forms part of the moral responsibility of urban citizens. It is not an either
risk management or moralization terrain. Governance processes entail moralization via the perception of risk and the formation of risk discourses through moral regulation.

Deviance is construed as risky in media, problematized as such (i.e. the health risks of drug and sex trade, the danger of random violence) and becomes moralized as a prelude to regulation. Homeless, youth, and minorities who are visible in urban areas are portrayed as the ‘enemies of decency’, the ‘enemies of community values’, who need to be policed off the streets through civic sanitation bylaws, demonstrating the connection between visualization and regulation (see Herrner, 1997). In other words, the social imaginary of ‘public risk’ is “interjected into the embodied form of the dangerous other/enemy as a discursive object necessitating immediate regulatory intervention” (Hier, 2004:551). Open-street CCTV is one of these interventions.

Alan Hunt (2003:183) writes that regulatory projects “remain much the same as they were in the classical period of moral regulation at the end of the nineteenth century. Then and today moralization operates both to individualize the wrongdoer and to constitute deviant types so as to provide legitimations for interventions”. The difference is that “risk has moved from periphery to center in the analysis of contemporary social conditions. Perceptions of danger have sharpened, and in particular it is social dangers which captivate and alarm the public” (Lianos and Douglas, 2000:103). Open-street CCTV is bound up in a contemporary sociality based on the moralization of vulnerable communities and risk aversion. Antecedent to the implementation of regulatory measures, an agent or agency from any social position can tap into this spectrum of social anxieties in an attempt to problematize certain populations.
Problematization is the categorization of particular cases as instances of broader issues for the purposes of interrogation and/or regulatory intervention by authorities or individuals. It is the ‘how’ and ‘in what way’ social problems are generated (Best, 1999). Problematization is fundamental to governance at a distance, as such valuations legitimate regulatory intervention.

In the case of open-street CCTV, deviant populations may be constructed through risk-based problematization, but also on the bases of grievance, harm, and/or morality. Risk-based problematization tends to induce corrective behaviors in the self, involving individual risk management decisions (i.e. to walk or not to walk downtown at night). This is akin to Pat O’Malley’s (1996:200) notion of prudentialism, where the prevention and management of ‘crime risks’ becomes the responsibility of the victim. Grievance-based problematization, contrarily, mobilizes collective regulatory response (business or moral entrepreneurialship) against an Other in light of past events (i.e. random violence). Harm and morality-based problematization are interrelated in that they rely on the moralization of some group’s behavior as a basis for interceding to prevent harm to self and/or Other (i.e. drug and sex trade). The ‘moral’ element in regulation involves any normative judgment that claims some conduct is intrinsically bad/wrong (Hunt, 1999:7).

Surveillance is, and always has been, a means of social defense from imagined communities of risk (Boyne, 2000:290). Projects which seek to regulate socially constructed perceptions of deviance and disorder can emerge from above, the middle, and below. The social character of physical space in the city is symbolically constructed through discursive formations which are conveyed in part via media communication. This project of social defense invades heterogeneous media practices, and it is through the
media that problematizations are relayed to and decoded by the public. Thinking in this manner provides a way of “understanding how media reporting of high profile offences encode and thereby signal wider concerns about levels of risk, security, and social order in society” (Innes, 2004:351).

In what remains of this Chapter, I aim to empirically demonstrate the analytic perspective delineated above through an examination of open-street CCTV operatives in London and Hamilton, Ontario, and the proposed CCTV operative in Vancouver, British Columbia. I will also locate these three Canadian open-street CCTV operatives within a spectrum of social anxiety which is exploited in the implementation and maintenance of urban camera surveillance, the spectrum between violent-isolated grievances, imagined-moralized risks, and harm to self/Other.

Random Violence and the Downtown London CCTV Surveillance Program

London police services (LPS) operate sixteen cameras in downtown London, Ontario. The citizen-based group ‘Friends Against Senseless Endings’ was fundamentally behind the push to implement urban camera surveillance in downtown London, mobilizing against random violence. This problematizes analyses which reproduce top-down approaches regarding surveillance practices. The example of London also demonstrates the role of risk communication and perception: two random-violent events were continually referenced by media, as well as moral entrepreneurs and local politicians in the media, to justify the existence of downtown core camera surveillance. The London Free Press has run more stories on their city’s open-street CCTV operative than any other Canadian media source, which provides an abundance of data.
At question is the interplay of claims-making, social conditions, and public involvement which has led to the ascension of this open-street CCTV system. The implementation of London’s Downtown Camera Project was primarily legitimated through a focus on two violent events: the murders of Michael Goldie-Ryder and Jamie Williamson. Jamie Williamson, a young father engaged to be married, was stabbed to death in 1995 on a downtown street corner while waiting for his own father to drive him home. Williamson’s death was dramatically recounted in the *London Free Press* on the day LPS activated its downtown CCTV system:

> We will never forget how at the corner of Dundas and Richmond streets, Tom Williamson found his son Jamie in a pool of blood. In the darkness of a March night, 22-year-old Jamie Williamson gasped his last breath. In the days that followed, Londoners bemoaned downtown decay, deterioration of societal values and the loss of a city’s innocence. Those frustrations had been expressed before, but it was not until that night of March 18, 1995, that they came together as sharply as the tip of a knife. (*London Free Press*, November 9, 2001. A10).

After Williamson’s death, politicians and police promised changes to improve safety in downtown London, beginning with a meeting that included a wide range of groups representing people who live or work in the core (*London Free Press*, January 18, 1999. A3). Williamson, however, was largely forgotten until Goldie-Ryder’s death four years later. Goldie-Ryder, twenty years of age, was stabbed to death on January 16 1999, in downtown London at the corner of York and Richmond, attempting to protect two women. He died after a three day hospital struggle. The injustice brought on a mass of media coverage which spoke of ‘a rash of killings’ (ibid.). Police Chief Al Gramolini promised he would ‘clamp down on violence in the downtown core’ (*London Free Press*, January 25, 1999. A1). Then chairperson of London’s police services board, Orlando Zamprogna, commented on the ‘escalating situation’, saying “violence is especially
frightening to women and the elderly – consumers whose spending could make the
downtown a success”, although city councilor Joe Swan immediately pointed out that the
fear of downtown violence was more media hype than reality (ibid.). Utilization of the
discursive mechanism associating downtown with random violence – ‘the recent rash of
downtown violence’, ‘the series of killings’ -- lasted throughout the entire year of 1999
A3)\(^{50}\).

In terms of CCTV as social disordering and images affecting politics, the isolated
event of the murder was quickly transformed into an imaginary set of risks afflicting the
downtown core. The imaginary set of risks onto which the killings were projected
included purse snatchings, bank heists, break-ins, and assaults (Hier, 2004). It was
thought that fear of random violence could make downtown London a ghost town
(London Free Press, January 1, 2002. SP3). Risk perception pertaining to certain
neighborhoods in the city determines if/when open-street CCTV operatives are
implemented. By December, 1999, the effect of media coverage was to legitimate a

From the time of his murder, to the anticipation leading up to the activation of the
cameras – a period of three years – Goldie-Ryder was repeatedly alluded to in the media
discourse (London Free Press, January 1, 2002. SP3; London Free Press, December 8,

\(^{50}\) To the contrary, a letter to the editor soon after Goldie-Ryder’s death suggested that it was the media’s
demonization of the downtown core which threatened downtown revitalization (London Free Press,
The operative was approved also because of the strong role played by Deborah Goldie-Ryder, the victim’s mother. When city council was in debate over whether the cost of the cameras could be justified, she wrote in the *London Free Press’s* letter of the day “this seems a small price to pay to help make our streets safer” (*London Free Press*, April 3, 2000. A10). Mobilizing around the grievance perpetrated against the Goldie-Ryders’ elicited sympathy from the public and city councilors. The CCTV system was not activated until late 2001, however, because of privacy concerns, with then federal Privacy Commissioner George Radwanski playing a major role in the delay (*London Free Press*, November 7, 2001. B2; *London Free Press*, June 23, 2001. A3; *London Free Press*, October 5, 2001. A3). From the very beginning, the purpose of the CCTV cameras was to ease public concerns regarding downtown (*London Free Press*, August 28, 1999. A3). In the end, “[Goldie-Ryder] did not die for nothing” (*London Free Press*, June 17, 2000).

What makes the London initiative from below in terms of the analytic framework developed earlier is that public support was essentially behind the camera system the entire time. The surveillance system was fundamentally a citizen’s initiative51. The death of Goldie-Ryder resulted in the formation of ‘Friends Against Senseless Endings’, a moral entrepreneurial citizens’ group against community violence that was instrumental in raising the necessary funds. The group was headed by Goldie-Ryder’s mother and others, who organized in response to the grievance against Goldie-Ryder to voice their concern about safety in the local media. Nearly 800 Londoners staged a walkathon,

51 From the Questionnaire data, question #12
‘walking against violence’ in memory of Goldie-Ryder, raising $10,000 for the cause (London Free Press, May 17, 2001. A2). With the camera project focusing on the grief suffered, grievance- and risk-based problematization, and the potentiality for anyone to incur such criminal hazard in the downtown core, FASE raised $171,500 of the $235,000 needed by the summer of 2001, with an anonymous donation of $50,000 being the largest received. The London Downtown Business Association contributed $43,000 and the Bank of Nova Scotia, where Goldie-Ryder’s mother worked, added $24,000. Six donors pledged $12,500 (the cost of one camera): the Hampton Group, The London Free Press, Ceeps & Barney’s, Aboutown Transportation Ltd., the London police services board and University of Western Ontario board of governors (London Free Press, April 4, 2001. A3). The original walkathon has turned into an annual event called the ‘Goldie Ribbon Campaign’. FASE lobbied the Federation of Canadian Municipalities to endorse a motion that increased criminal penalties for crimes committed with knives. Members of FASE have also made numerous of visits to local high schools to speak with youth about violence and their experience with the Goldie-Ryder event. In response to localized and isolated grievances, ‘Friends Against Senseless Endings’ played a larger role than the state or businesses in mobilizing the implementation of London’s sixteen camera operative, although both local business and police were and are active in funding and maintaining of the system.

Fear of random violence in the downtown core, stemming from the isolated grievances, was used discursively to justify the implementation of the sixteen cameras, even up to the point of camera activation. The media continued to question whether the police presence in downtown London was enough to handle ‘the problem’. In one article,
without citing any empirical evidence indicative of abnormal 'crime rates', an author claimed:

Vandalism is rife. Twice, cinder blocks were thrown off bridges onto passing cars. Museum London's sculpture of a rhino has had its horn cut off twice...how many more times [will] Victoria Park's nativity scene be vandalized...As violence against women grows more rampant, London women don't feel safe walking downtown or through the park. (London Free Press, December 8, 2001. B4).

The potentialities of random violence, and the volatile risks supposedly constituted by downtown London, were largely constructed by the media and their framing of the murders. A contextual constructionist perspective asserts that these claims to the riskiness of downtown London are inaccurate, which is not to deny the unjustness of Goldie-Ryder's death. Even at the height of the constructed disorder, shortly after Goldie-Ryder's death, an article appeared in the local media which suggested that "of the 79 assaults in London this year [1999], only 11 have occurred downtown. Of the 79, nine involved a knife or pointed object, five of which occurred downtown" (London Free Press, January 19, 1999. A1). This statistic is contradictory to the claims pertaining to the riskiness and dangerousness of downtown made by police, city councilors, and community groups at the time. The perceptions of disorder which are created and then policed do not correspond with empirical social conditions.

The London, Ontario, case draws attention to the manner in which the media fuelled the grief brought on by two isolated incidents, projecting risk and anxiety onto a geospatial location in the city, and intentionally or unintentionally aiding the implementation of CCTV operatives. Media reporting is often biased towards reporting certain types of 'crimes' associated with 'random violence' (Best, 1999; Doyle, forthcoming). The fact that the London Free Press contributed financially to the
moralized camera campaign raises questions of interest conflict, but demonstrates how local media are active constituents of regulatory projects rather than elite instruments. The contradictions and contentions over the safety of London’s downtown and objective levels of hazard demonstrates precisely how it is the image and perception of urban disorder which is quintessentially important in legitimating and maintaining open-street CCTV operatives. Because London’s operative was driven primarily by citizen cooperation, it supports the argument that regulatory projects sometimes are generated from below. Top-down social control theories are inadequate because they do not accord the populace any agency. The impetus to implement CCTV comes from many social positions, and cross articulates with police, business, and local moral politics.

**Hamilton CCTV and ‘Cleaning Out Beat 672’**

The open-street CCTV operative in London exemplifies governance from below. The urban camera operative in Hamilton is more akin to a top-down regulatory project, although local business support is not waning. Whereas the open-street CCTV operative in London was discursively focused on two volatile events, projecting the anxiety caused by those murders onto a set of imaginary risks afflicting the downtown core, Hamilton’s CCTV operative is more focused on reducing the perception and fear of ‘crime’ in the city center and fear of the core itself. In the London case, grievance-based problematization in the media worked to enlist the support of the citizenry, creating a self-group dialectically related to the regulation of the entire community, and specifically those imaginary-dangerized components. This means that, within the context of self/Other relationships, the supposedly risky/immoral attributes of the Other are socially
constructed. In the Hamilton case, the community of risk is again imagined, but also de-personified, such that an entire geospatial area in the city is problematized as disorderly.

Fear of ‘crime’ is an over-inflated reflection of the objective hazards associated with social problems. The rapid diffusion of open-street CCTV is as much a police tactic to contain the fear of ‘crime’ as a strategy to reduce actual levels of ‘crime’ (Silverman and Della-Giustina, 2001). Nan Ellin (2001:874) writes that “the rising tide of fear has transformed most public places into controlled and guarded places”. In the case of Hamilton, it is claims about general ‘crime’ and fear of ‘crime’ which legitimates open-street CCTV. Inspector Michael P. Shea, in the Hamilton Police Service’s (HPS) ‘CCTV Market Plan’, writes:

Crime in the downtown core area of Hamilton is disproportionately high compared to the rest of the city. Of the 44 “beats” within the city’s boundaries, the smallest geographic beat, 672 (core area), has the highest overall crime rate. Approximately 25% of patrol resources are dedicated to this area on any given day. Even with the addition of extra patrols, the Hamilton Police Service (HPS) has been unable to curb this crime trend.

An examination of the HPS’s 2001 ‘crime statistics’ shows that nearly three times as many assaults occurred in the beat adjacent to 672, beat 671. Beat 672 did have the highest incidences of theft under $5,000 and drug violations, but other ‘criminal offences’ in beat 672 such as breaking & entering, auto theft, and sex trade were negligible compared to the prevalence of those activities in other areas in the city. Put another way, it is petty theft and vagrancy which is being targeted by the CCTV schema. Why do the claims made by police single out beat 672 as a ‘trouble zone’ in need of remediation via the implementation of camera surveillance? What local business and police interests contributed to the ascension of urban camera surveillance in Hamilton?

52 http://www.hamiltonpolice.on.ca/CCTV/CCTV%20Report.pdf
Before any public consultation, the HPS joined forces with the Downtown Hamilton Business Improvement Area\(^{54}\) in 2001 to purchase five cameras, intending to monitor the Kings Street East core\(^{55}\). The official purposes of the camera operative are to:

1. act as a component of downtown revitalization;
2. improve the ability of the HPS to respond to, and deter, crime and ‘anti-social behavior’;
3. enhance the monitoring and detection of crimes and identity suspects;
4. increase the public perception of safety, and;
5. increase economic activity downtown (Robertson, 2002:1-2).

The Hamilton initiative is based largely on the purported success of the Sudbury ‘Lion’s Eye in the Sky’ CCTV system (Toronto Star, January 10, 2002. A4). Superintendent Terry Sullivan commended the Sudbury initiative, contending that the Hamilton operative shared the same goals as the initiative in Sudbury. The Toronto Star, citing the KPMG audit, suggested that the Sudbury initiative achieved a 44 per cent decrease in property crimes (ibid.).

Superintendent Michael P. Shea, the Hamilton officer in charge of CCTV, was also apt to quote Sudbury as a success in order to justify the implementation of open-street CCTV in downtown Hamilton. In an article he penned for the Hamilton Spectator, Shea wrote:

> Although relatively new to Canada, the CCTV program has proven very successful in Sudbury. Robberies and assaults decreased by 38 per cent in the three years following installation, and property crime decreased by 44 per cent. CCTV monitoring was also recently introduced in London, Ont. (Hamilton Spectator, September 5, 2002 A13)

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\(^{54}\) See http://www.downtownhamilton.org/ for their website.

\(^{55}\) Hamilton’s cameras are equipped with the ability to zoom, tilt, and pan 360 degrees. They now record and are monitored 24/7. In Hamilton, the open-street CCTV surveillance system operated by police is completely digitized and does not use analogue tapes. The cameras are set to record and store data for 72 hours. This allows for the amalgamation of larger of sums of data, and greater capacity to search the televisual data retroactively. Such a digital system is also easily merged with recognition software programs. At current time, however, open-street CCTV systems in Canada lack facial and movement recognition software programs, and are contingent on the subjective and socio-normative processes of watching. From the Questionnaire data, questions #3, #4, #5.
Superintendent Shea also referenced Sudbury during the community consultations which occurred after the cameras were purchased, arguing that the Sudbury initiative showed no signs of displacement, and that it decreased “crimes of opportunity” (Shea, 2003). The Hamilton Police Services CCTV website asserts “What brought this idea to the forefront was a similar project undertaken in the City of Sudbury”\(^{56}\). This supports the general diffusion argument made in Chapter II that contends open-street CCTV initiatives in Canada are often based directly on initiatives in the UK, or based on other ‘successful’ Canadian initiatives which are based on UK camera monitoring schemas.

Purchased in 2001, the Hamilton cameras were installed in 2002 but not activated until June 3, 2004. Activation delay was caused by concerns over privacy and the time it took to conduct public consultations. Public consultations were advertised in the Hamilton Spectator the day of, or the day prior to, the meetings (Hamilton Spectator, March 20, 2002. A7; Hamilton Spectator, April 26, 2002. A15; Hamilton Spectator, April 27, 2002. A14; Hamilton Spectator, May 22, 2002). The twelve consultations drew in only 259 total participants, with eight of the consultations drawing a sparse 4 or less people (Shea, 2003). The population of Hamilton City proper was 490,268 in 2001, meaning that the consultations were attended by about half of \(1/10^{th}\) of one percent of the population. The consultations were predominantly held on weeknights in remote city locations, necessitating car transportation, effectively limiting the class of participants who could attend.

The genuine aim of Hamilton’s CCTV operative is to reduce the perception and fear of ‘crime’ in the city center. A polluted and industrialized portion of the megalopolis which surrounds Lake Ontario, a supposed “breeding ground for Hell’s Angels violence”

\(^{56}\) http://www.hamiltonpolice.on.ca/CCTV/
(Hamilton Spectator, September 9, 1995. A1), and close to an America border crossing notorious for drug trafficking, the general perception of Hamilton is one of disorder. Downtown is phenomenally pinpointed as the heart of this anomie. In January 2001, an 18-year old figure skater named Alexandre Hamil was accosted in downtown Hamilton and robbed of $100, which spawned a series of news stories in the Hamilton Spectator regarding the supposed endemic risks of the downtown core (Hier, 2004:550). One such news print article, entitled ‘Crisis in the Core; A Special Investigation of Hamilton's Failing Downtown’, suggested:

Downtown Hamilton is on life support. The core is hobbled by sagging property values, millions of dollars in unpaid taxes and an office vacancy rate more than three times the national average. The streetscape is scarred by derelict buildings sitting all but abandoned, rotting as owners await a more favourable real estate market or permission to tear them down, which would leave yet another vacant lot scarring the core. (Hamilton Spectator, March 17, 2001. A01)

The article claims that downtown suffers from disproportionate levels of assault, which directly contradicts the HPS 2001 crime statistics quoted earlier. Another article, entitled ‘Mending the Heart’, describes the downtown core as sick and in need of revitalization (Hamilton Spectator, December 28, 2002. C1). Yet another article represented the core area around King street as beyond repair, not worth saving, nor worth retaining as the symbolic center of the city (Hamilton Spectator, September 27, 1999. A11).

Between the time the HPS purchased the cameras, installed them, and activated them, several important events worked to increase fear in relation to downtown Hamilton. Business entrepreneurs in the downtown area claimed that fear of the core area was hurting economic activity. The owner of a downtown lingerie shop suggested that ‘rising crime’ and ‘scary panhandlers’ were to blame for the demise of his store which

57 It should be added that the trend towards suburbanization which started in the 1970's is rarely held liable for the 'economic hollowing out' of city centers.
had been in business for thirty years (Hamilton Spectator, January 7, 2003. B1). The Hamilton Spectator ran several articles which voiced concern that the fear of downtown was financially hurting the city’s semi-pro hockey team, whose rink was located in the downtown core (Hamilton Spectator, January 21, 2003. E1; Hamilton Spectator, January 23, 2003. E1; Hamilton Spectator, January 25, 2003. E1). Ron Foxcroft, a prominent Hamilton business man and a part owner of the Bulldogs hockey team, claimed people were too fearful to venture into downtown Hamilton to take in the games, even too fearful to walk on the streets after 6:00pm (Hamilton Spectator, January 21, 2003. E1). Foxcroft went so far as to take the issue to HPS Deputy Police Chief Brian Mullan. Other articles by Hamilton Spectator columnist Andrew Dreschel argued that the downtown objectively was a dangerous place, adding that “[i]t’s the thug factor. It’s the mean and threatening-looking roughknecks that swarm around the core like summer flies who make people nervous and insecure” (Hamilton Spectator, March 4, 2002. A3; Hamilton Spectator, March 7, 2002. A3). The HPS initiative received a boost when, shortly after the implementation of the cameras but prior to activation, a downtown business owner was slashed in the face with a broken bottle and received 200 stitches (Hamilton Spectator, July 8, 2004. A14). The event worked to solidify the objective aspects of police and business claims to disproportionate levels of ‘crime’ in the core of Hamilton.

In autumn 2002, HPS Superintendent Michael P. Shea ran an article in the forum section of the Hamilton Spectator which clarified the HPS’s position on camera surveillance in the downtown core. He commented on the objectives of the operative, the importance of community consultations, and the increase in beat 672 drug and property offences over the prior three years. Shea went on to say “[i]nsurance rates for downtown
businesses are significantly higher than the rest of the city, as are down payment requirements for financing” (Hamilton Spectator, September 5, 2002. A13). This places the Hamilton CCTV initiative in a greater political and economic context.\footnote{It is not simply the fear of ‘crime’ and disorder which legitimated the Hamilton CCTV operative, but the effect this fear had on business and economic activity. HPS Staff Sergeant Ken Weatherill affirmed that the primary motivation for installing the cameras was corporate and public sector pressure for an improvement in the safety and perception of safety in the core. From the Questionnaire data, question #10. This fear/consumerism correlation is also evident in a 1998 dispute between Kim Finlay, then chair of the Downtown Hamilton Business Improvement Area, and the Hamilton Community Correctional Centre, over the placement of a halfway house in a downtown neighborhood. Finlay invoked images of murderous inmates, playing on the fear of locale residents, in order to prevent the relocation of the facility (Hamilton Spectator, October 30, 1998. A12). Discourse and representation of this kind can consolidate social anxieties pertaining to problematized populations and geospatial areas. Thus, regulatory agents from above and the middle are implicated in the Hamilton open-street CCTV operative.}

Activities deemed deviant and surveilled by CCTV operators are not defined by objective levels of ‘crime’, but through imagined conceptions of disorder (Williams and Johnstone, 2000:194). Persistent media reminders to Hamiltonians that their downtown core continues to be unsafe, in decay, iniquitous, coupled with conflicting and unverifiable reports that ‘tolerance for camera surveillance is growing’ (Toronto Star, January 10, 2002. A4), creates an atmosphere of anxiety and complacency which permits police authorities, in conjunction with business entrepreneurs, to push ahead with CCTV implementation without community input. The fact that Hamilton police, in conjunction with the Downtown Hamilton Business Improvement Area, bought the CCTV cameras prior to citizen-based democratic input speaks to the top-down nature of the Hamilton operative. Police are not only key gatekeepers concerning what surveillance information is released to the public, but are also expert knowledge producers who provide the official definitions of what is or is not ‘criminal’ (Doyle, 2003). Claims made pertaining to the levels of ‘crime’ in beat 672 do not correspond with empirically verifiable levels of ‘crime’ as reported by the police themselves. This again draws attention to the argument
that it is the perception of certain neighborhoods in the city, communicated synoptically, which influences if/when open-street CCTV operatives are implemented.

**Vancouver CCTV and the Downtown Lower East Side**

In London, Ontario, the ascension of open-street CCTV was a bottom-up process, with a citizens' group doing the brunt of organizing in conjunction with strong language of potential downtown risks coming from the local media. In Hamilton, communication focused more on fear of ‘crime’, and the operative was primarily police driven – that is, top-down, with willing support from the business community.

Vancouver, British Columbia, has its own set of situational circumstances. The downtown lower east side of Vancouver has the lowest socio-economic status of any urban area in Canada, and it is claimed that this disorder and decay in downtown Vancouver has a negative impact on business and investment in the city. Regulation through open-street CCTV in Vancouver comes from the middle, as business entrepreneurs are the group who hopes to ‘reclaim the streets’ from the marginalized persons who inhabit them.

Moral panic theories are inadequate because they cannot account for the strange multiplicity of agents and agencies involved in the generation of regulatory interventions. The impetus to implement open-street CCTV in Vancouver comes primarily from the business sector, but cross articulates with police and local forms of moralization. The need for regulation is constituted through harm reduction-based problematization of drug and sex trade. The entire downtown lower east side is socially constructed as deviant, as engaging in illicit and immoral activities, as social dirt. These discourses go some way to
explaining the forms of remediation which have been proposed to deal with so-called social problems in Vancouver.

With a population of 500,000, and surrounded by a megalopolis of over two million people, Vancouver is already a heavily surveilled urban space by Canadian standards. The Vancouver Police Department (VPD) has proposed a twenty-three fixed camera and two mobile camera system called the 'Neighbourhood Safety Watch' Program to monitor 59 square blocks of the downtown eastside of Vancouver, Strathcona, Chinatown, and Gastown. According to Inspector Axel Hovbrender, the official purposes of the operative are "to provide a sense of security in high crime areas" and to pursue "situational crime prevention strategies based on rational choice criminological theory". The master control room would be stationed at the VPD office, 312 Main Street, with tapes being stored on digital videotape for 31 days before being electronically erased (VPD Discussion Document, 2001:23). The proposed system is in line with a City Council Policy endorsed July 28, 1998, which stated that on the downtown eastside “criminal activity will not be tolerated” and “legitimate commercial activity will be encouraged” (ibid.:14, emphasis added). The ambiguous reference to legitimacy draws attention to the social construction of what behaviors will and will not be tolerated. The Vancouver operative moves towards a ‘zero tolerance’ policy in terms of policing the downtown lower east side, particularly East Hastings.

59 It is difficult to enter the City of Vancouver without coming into contact with a significant number of video cameras. The Cassiar Connector, for example, employs 24 surveillance cameras to record traffic movement entering the city via Hastings Street or Highway #1 from Burnaby as well as traffic from the Second Narrows Bridge from North Vancouver. The Lions Gate Bridge uses 12 cameras to monitor traffic into the West End. The Deas Island, (Massey) Tunnel has 48 cameras, which record all vehicle movements during the morning and afternoon rush hours into the city. The SkyTrain system offers the most dramatic example of prolific video surveillance. More than 400 cameras monitor all commuter activity on the relatively short 28-kilometre route. That number is expected to climb to 800 cameras as the Transit System expands into 2005. (Vancouver Sun, Oct 6, 2001. A20)

60 From the Questionnaire Data, Question #10
Various City and business agencies have made efforts to ‘reaestheticise’ the streets of Vancouver in the last four decades. The City of Vancouver made a revitalization attempt in 1973, with a focus on the north end of Granville street. (Lees, 1998:247). Teens, homeless, drug users, and sex-trade workers are viewed as pollutants afflicting the lower east side, moralized and problematized via news media as in dire need of social hygiene. Sex trade is a visible indicator of purported moralized disorder in Vancouver. Moral regulation of the sex trade historically pertains to the visibility of workers soliciting sex in open areas, but also to associated health problems (Hunt, 1999:134). Those who enter into the sex trade often do so for survival, but are exposed to a cycle of physical abuse, sexual abuse, and violence (Community Consultation on Prostitution in British Columbia, 1996). Although generally thought of as a social problem, a contextual constructivist perspective would examine how sex trade activity in Canada is produced as a social problem rather than a work relation (Brock, 1998). Harms incurred by sex trade workers are too often ignored by police authorities61, as sex trade is a highly stigmatized activity. Contrary to humanism and reason, the press often advocates tougher policing of the sex trade (London Free Press, October 28, 1999. A15). Debates over regulating the sex trade (Toronto Sun, June 28, 1995. A7; Toronto Star, June 28, 1995. A9; Canadian Press Newswire, July 18, 1995) have moved at a dawdling pace because of the normative stance many citizens take against it.

The downtown eastside of Vancouver is often referred to as being “drug-and-crime infested” (Maclean’s, Nov 19, 2001), with a tendency to blanket the entire geospatial area in moralizing comments. In reference to the lower east side of Vancouver,

61 Since 1978, 63 women sex-trade workers have gone missing from Vancouver’s lower east side. At least one-third of the women were slayed by serial killer Robert Pickton (London Free Press, October 3, 2002. A4).
former BC Premier Mike Harcourt told a tourism conference that "unless we come to grips with the problems caused by drug addicts we are going to have a very unhealthy city and you can't have a healthy tourism industry and an unhealthy underclass with no hope for the future." (Vancouver Sun, Apr 27, 1999. D1). Here the discursive mechanism of the underclass is invoked to represent homelessness, youth unemployment, sex-trade work, drug addiction and 'crime', as morally deplorable, innately bad, and counter to normative standard. Drug subcultures have historically been morally constructed as deviant (Ben-Yehuda, 1985; Goode and Ben-Yehuda, 1994), and drug scares in the media take a specific interest in hard drugs (Reinarman and Levine, 1989). Heroin in particular has been used as a symbolic indicator of Vancouver disorder. It also must be recognized that the heroin overdose rate for the lower east side is extremely high compared to other jurisdictions in other Canadian downtown cores. Heroin overdose death tolls in Vancouver are often cited in Canadian media (Toronto Star, May 28, 1993. A12), with reference to potency (Hamilton Spectator, February 26, 1996. A9), low cost, and accessibility (The Record, June 16, 1999. B13). Media also references the ambiguous 'Asian connection' and 'welfare connection' pertaining to cycles of overdose intensity. Drug use and trade on the lower east side of Vancouver is held up as the abnormative pinnacle of Canadian social problems, on the immoral cusp of disorder.

It is this perception of disorder and decay in downtown Vancouver, and the supposed negative impact on business and investment in the city, which is behind the calls for tougher 'crime control'. Official communication between Vancouver City departments and Vancouver police discursively refers to the corner of Hastings and Main as a 'drug market' (VPD Discussion Document, 2001:60). So much a concern is 'the drug
problem' on the lower east side that it has been the focus of intense revitalization strategies in the past several years (Canada NewsWire, June 25, 2003; Canada NewsWire, July 15, 1999), including measures from the Canadian Centre on Substance Abuse (Canada NewsWire, February 23, 2004). Claims makers link the ‘drug problem’ to higher incidences of other ‘crimes’. For instance, a study performed by the Vancouver Board of Trade proclaimed that Vancouver suffered from the second highest incidence of property crime in North America, with the average household in Vancouver paying an extra $150 a year to cover the cost of insurance (Canadian Press Newswire, October 26, 2003). The Vancouver Board of Trade argues a tougher justice system is needed to police such vagrancy. Local politics in Vancouver have almost always been dominated by business interests (Gutstein, 1983). The pressure to revitalize and reaestheticize downtown Vancouver is counterpart to the business community’s need to increase trade flows in that space, showing how CCTV in Vancouver is driven from agents in the middle of the tripartite regulatory framework delineated above. With open-street CCTV, Vancouver business and police hope to put a plug in the drug market and other activities associated with ‘deviant populations’ in the downtown core.

Civil society groups, such as the British Columbia Civil Liberties Association (BCCLA) and the Carnegie Community Action Project, protested the implementation of the Vancouver cameras. In 1999, the BCCLA published a position paper on the proposed Vancouver schema, arguing that the costs were unjustified, and that the trade off of privacy for security was not sustainable. These efforts were enough to postpone the implementation of open-street CCTV in Vancouver for the moment, but the 2010

62 See the BC Civil Liberties page http://www.bccla.org/positions/privacy/99videosurveillance.html and the article ‘Video Surveillance in Public Places’.
Olympics may be used to discursively justify the need to revisit regulation through camera surveillance in the city’s future. VPD is currently waiting for an evaluation of CCTV for the University of Leicester, UK, before moving forward with the camera surveillance schema. While the Vancouver police claim that the goal of the CCTV operative is to detect, deter, and prevent criminal damage and public nuisance, what an analysis of the discursive formation proximate to the implementation of the operative reveals is a discourse of moralization and claims about the dangers of the lower east side which serve as the justification for regulatory measures. In response to the moralization and stigmatization of sex and drug trade, a host of regulatory agencies accept CCTV as a suitable strategy of urban governance. The activities which are used to characterize the lower east side are problematized and made subject to forms of social hygiene.

**Conclusion: Open-street CCTV as Social Disordering**

As a regulatory tool, open-street CCTV gains its legitimacy from purported levels of ‘crime’ and fear of ‘crime’, and in the process vulnerable populations are moralized and constructed as imagined communities of risk – images to be policed which do not correspond to a homogenous empirical reality. Certain populations are symbolically constructed as risks; this risk paradigm intersects with moral governance and synoptic communication so that surveillance begets surveillance, risk begets risk, and disorder is perpetuated in specific geospatial urban locales. Drawing attention to role of contingency in self/Other formation processes, agents from any number of social positions can assume the role of regulator or regulated.

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63 To see the VPD CCTV discussion document, go to http://www.city.vancouver.bc.ca/police/What%27snew/2001CCTVReport.pdf
My argument is illuminated through reference to a significant criminological thesis called the ‘broken window’ thesis (Wilson and Kelling, 1982). A community is conceptualized as a broken window, in visible disarray. The metaphor symbolizes that the community does not care for itself and is in disorder. Visible disorder and a vulnerable population are easily exploited by serious criminals, who venture into the area to commit litigious acts. The presence of more serious crime makes it harder for the community to heal, which decreases levels of informal social control, and thereby perpetuates disorder and the social structure of poverty (Herbert, 2003). It is not my intention to use this work as a vehicle in which to debate the validity of the ‘broken window’ thesis. In fact, the simplicity of the hypothesis causes it to reify ‘community’ where no such homogenous subculture of degeneracy exists.

In the disordering argument, the CCTV camera takes the place of the serious criminal. Where the criminal misappropriates property or inflicts physical harm, perpetuating a cycle of disorder, CCTV misappropriates images and inflicts discursive harm via news media communication, perpetuating the disorder it purports to monitor. CCTV-garnered images are displayed or conveyed to the mass public via televisual or textual media, defining what an urban area is and what it can become. This analysis places the diffusion of open-street CCTV not only within a dialogue about the socio-cultural impact of proliferating surveillance techniques, but also within a discussion of the production of knowledge in relation to deviance.

Police services, and the lay public, conceptualize core communities as ‘broken windows’. Consider this statement written in the Vancouver Police Department CCTV discussion document, suggestive of the ‘broken window’ model of ‘crime’:
Vancouver's current problem appears to be more similar to 'reverse displacement'; criminals commute to the Downtown Eastside daily to commit offences because there is a crime infrastructure already in place and they have a reduced perception of risk of being caught (2001:75).

In this Chapter I have aimed to demonstrate that open-street CCTV, via its interlock with media processes, misappropriates information from this 'crime infrastructure' in a cycle of risk detection and risk communication, and is therefore as much of a social problem as the issues it purports to address. Capitalizing on a spectrum of social anxieties, including fear, risk, and moralization, business and moral entrepreneurs discursively convey a generalized perception of disorder to the public, which works to justify the ascension of camera surveillance in downtown areas. In Ontario, the London initiative focused on the risks of random violence and rallied around two isolated grievances. The Hamilton initiative focused on the fear of 'crime' and made contradictory claims as to the levels of 'crime'. The Vancouver initiative plays up levels of anxiety pertaining to the moralized activities of drug and sex trade.

Sean P. Hier (2002a:330) writes that “moral regulation involves one set of persons acting on the conduct of others over a wide range of discursive sites with the ultimate goal of reconstitution at some future point”. What all the aforementioned open-street CCTV initiatives have in common is that they exemplify the relationship between increasing levels of regulatory responses to deviance, televiusal surveillance, and media communication. No one form of anxiety is alone at work in any of the cases. For instance, harm reduction-based problematization referring to drug and sex trade in downtown cores overlaps with morality-based problematization of the activities themselves, fortifying each claim and appealing for swift regulatory measures. Risk-based problematization referring to hooliganism in downtown cores overlaps with
grievance-based problematization of random violence. As Martin Innes (2004:341) writes, “physical and social disorders only rarely pose an objective threat to security. Rather, their significance lies in how they encode messages about levels of unwanted risk and social control in an area”.

A spectrum of social anxieties, rooted in perceptions of urban space, underpins the generation of CCTV-aided urban fortification, which is fuelled synoptically but also through everyday risk communication. These perceptions of urban space overlap with regulatory agents and agencies so that regulatory interventions can be generated from above, the middle, or below. Moral regulation, riskiness, and fear of 'crime' are the articulations of deeper social anxieties, and any of these can be played up by moral entrepreneurs like citizens initiatives, by business entrepreneurs like downtown business improvement associations, by the state and police, by media themselves, and/or some combination thereof. Instead of conceptualizing power as a repressive force which the state exercises over a subject population, my analysis shows that the subject population itself possesses power and that they use it in a dynamic way to govern their own communities. Open-street CCTV is a regulatory response to the perception of behavioral transgressions, and through fantasies premised on visions of a disorderly social world the mediation and normalization of these behaviors yields the maximum securitization of the entire social field (Hier, 2004:551). As these CCTV schemas continue to report ‘successes’, the presence of streetscape cameras will become normalized across Canada, and open-street CCTV will be reified as an appropriate regulatory response to socially constructed deviance.
Though it is true that the concept of privacy has become fragmented and dispersed among many sectors and interest groups...the loss of traditional privacy activism at a macro political level has imperiled an important facet of civil rights (Davies, 2001:161-162)

Rather than relying on an undifferentiated version of the Panopticon metaphor or conceptualizing surveillance as a straightforward top-down measure, in this thesis I have demonstrated that open-street closed-circuit television (CCTV) surveillance is generated from numerous social positions which interact and cross articulate in order to justify and implement social monitoring systems. I have necessarily drawn on a post-sovereignist notion of power, where governance as an activity could include “the relation between self and other, private interpersonal relations involving some form of control or guidance, relations within institutions and communities and, finally, relations concerned with the exercise of political sovereignty” (Gordon, 1991:3). Governance can be both local and global. As pointed out by Gilles Deleuze (1994), however, such perspectives tend to see individuals running up against rule in even the smallest truths, such that the entire social field is conceptualized as an indomitable grid of power.

Many of those at risk of criminalization a propos the introduction of open-street CCTV in city centers lack the resources necessary to actively contest their own demonization. Whilst problematized populations sometimes do subvert demonization and regulatory projects via media and other conditions of possibility (Hier, 2002b; McRobbie, 1994), the left-realist need for mobilization against ever-increasing levels of surveillance demands that ‘the exercise of political sovereignty’ as it relates to open-street CCTV also be considered in the formulation of resistance strategies. Since post-sovereignist
theorists often aim their critique past hierarchal forms, they all too often forego a discussion of state functions. Governance entails new forms of political process and political association, but these new forms have not yet fully ruptured the political bedrock of modernity. Representative government remains at the same time that sovereignty begins to be questioned, anticipated, and preempted by extensive forms of politics (Tully, 2001). Acknowledging that the governance literature sees emancipation as having collapsed into regulation, which makes resistance a more decentralized process than programmatic politics can account for, these final two Chapters examine the tension between ‘building privacy in’ versus ‘protesting surveillance out’ (Bennett and Grant, 1999:7) as it pertains to open-street CCTV in Canada.

George Radwanski, former Privacy Commissioner of Canada, has stated that video surveillance is the defining matter within the broader Canadian issue of privacy\(^{64}\). Whereas the rapid proliferation of open-street CCTV in Britain went virtually unhindered by fair information principles (Maguire, 1999), the process in Canada will be dissimilar from the UK experience since the right to privacy has been enshrined in several key Canadian legal documents\(^{65}\). The establishment of federal and provincial Privacy Commissioners, whose task it is to regulate information practices according to their respective legislations and jurisdictions, provides an apparatus for protecting the right to privacy. Comprehensive privacy standards, similar to those found in the nation-states which comprise the European Union, are argued to be a progressive way to protect communities from ‘over-scrutiny’ (Bennett and Raab, 2003; Bennett, 2001). At the same

\(^{64}\) See http://www.privcom.gc.ca/speech/02_05_a_020213_e.asp for a copy of the February 13, 2002 speech entitled ‘Watching You: Privacy Rights and Video Surveillance’

\(^{65}\) For instance, Section 8 of the Canadian Charter of Rights and Freedoms protects citizens from unreasonable search and seizure.
time, privacy as a concept is unable to motivate mass citizenry response towards resisting camera monitoring in public places. Some question the ability of privacy policies to regulate the flow of data within digitized global communication networks.

I have two aims in this Chapter. First, I examine the postmodernist and communitarian critiques of the privacy concept. These critiques base their arguments on the classical liberal conception of privacy rather than viewing privacy as an overarching attribute of social relationships (Regan, 1996). I will argue that the privacy concept can be retained if conceptualized as a matter of social value. Second, I investigate the role of federal and provincial privacy legislation in regulating open-street CCTV surveillance in Canada, using the open-street CCTV operatives in Sherbrooke, Quebec, Yellowknife, Northwest Territories, and Kelowna, British Columbia, as illustrative examples. Practically speaking, protecting privacy is an arduous task, and it is difficult to hinder the ever-spiraling growth of surveillance with privacy legislation.

**Privacy as a Concept**

According to the claims of some sociologists (Whitaker, 1999:136; Lyon, 1994a:190, 2001:150), privacy has little theoretical or practical utility in the 21st century. New technologies of surveillance are stretching our old conceptions of privacy and the limits of socio-cultural theory. Moreover, there appears to be a discrepancy as to who exactly privacy is ‘protecting’ us from. Anthony Giddens (1991) argues that privacy is essentially a means of defense against state-penetration into everyday life, whereas Oscar Gandy (1993) argues that the non-state market demand for personal information grossly contravenes the right to privacy. Both of these theorists’ conceptions of privacy stem from their epistemological assumptions regarding the nature of surveillance. From the
perspective of examining the role of legislation in regulating open-street CCTV, it is clear that both state and non-state entities are involved in funding and operating camera monitoring schemas. Both public sector and private sector privacy acts are needed as parameters. The contradiction is that privacy protection is provided through one arm of the state apparatus at the same time that open-street CCTV can act as an extension of state surveillance measures via police services and the state’s internal monopoly on the means of violence (Giddens, 1985) and movement (Torpey, 2000). Notwithstanding its usefulness in regulating open-street CCTV surveillance practices, privacy legislation may not be able to guarantee the right to privacy because of its location vis-à-vis the state.

Still, others argue that, rather than surveillance and privacy being antithetical, there is a strong correlation between levels of surveillance and privacy. Stephen Nock (1993:126) argues that, as the number of strangers in contemporary society grows and disintegrates levels of trust, personal privacy grows; intensified levels of surveillance are needed to “make it possible to trust people who would otherwise be total strangers” (ibid.). Surveillance, then, is the cost of privacy. Ericson and Haggerty (1997:450) reiterate that “the greater the privacy, the greater the need for surveillance mechanisms that produce the knowledge necessary to trust people in institutional actions”. The larger the proportion of distrust in a society, “the greater the space for surveillance, and so on, in an amplifying spiral” (ibid.:117).

Privacy is an extremely contested concept, contingent on socio-cultural factors (such as traditions, mores, technology, etc.) and socio-economic status. What counts as a reasonable expectation of privacy can vary from demographic to demographic. Privacy has also been taken up by a wide array of disciplines in academia, each with their own
assumptions and approaches (Bennett, 1995). Most often borne out of the hypotheses of classical liberalism about the nature of the individual as autonomous, privacy as a concept is often viewed as stemming diametrically from the public/private dichotomy and judicial system which originated within 18th and 19th century liberal democracies. For instance, Colin J. Bennett (1992:31) writes that the right to information privacy is “...rooted in Lockean liberalism: inalienable human rights, limited government, the rule of law, and a separation between the realms of state and civil society”.

One of the most infamous definitions of privacy comes from a late 19th century Harvard Law Review article penned by Warren and Brandeis (1890:75), where privacy is described as the “right to be left alone”. Today, as an information subject, it is increasingly difficult or near impossible ‘to be left alone’. State and non-state information collecting techniques are rapid and continuous. The irony is that the real need for comprehensive international privacy law comes at a time when social theorists are announcing the death of the public/private dichotomy which ostensibly makes privacy as a concept work. In this next section I offer two contemporary critiques of privacy as a concept, arguing for a third conception of privacy which views privacy as having important social value.

**The Communitarian Critique**

A key question in political philosophy concerns what constitutes the good life. For John Rawls (1971), the good life comes when citizens choose basic rights within a redistributive schema. For communitarians, the good society is achieved through crafting a relational order based on social responsibilities. As a philosophical sentiment, communitarianism has traditionally ignored individual rights. Amitai Etzioni (1999)
examines the concept of privacy, taking up a rehashed-communitarian position which
asserts that a balance needs to be struck between individual rights and social
responsibilities, individuality and community. Arguing that privacy is a contingent
concept and not a ‘natural right’, Etzioni (ibid.:189) expresses concern that contemporary
notions of privacy are still built upon Lockean notions of private property. In the middle
of the 19th century, the liberalist tradition developed the sense of individual autonomy
into a notion of negative freedom, where the agent is free when left alone, and not
interfered with (Borradori, 2003:4). For Etzioni, the emphasis on personal autonomy in
latter half of the 20th century has pushed society too far towards ‘possessive
individualism’ and away from other societal considerations. Privacy should not be
extended “to the point where it undermines the common good”, nor can duties to
maintain social order be expanded to the point where they destroy privacy (Etzioni,
1999:199). Unmitigated in contemporary times, privacy is thus a “societal license that
exempts a category of acts (including thoughts and emotions) from communal, public,
and governmental scrutiny” (ibid.:196).

Sentimentality to Etzioni’s pseudo-attempt to renew egalitarianism as a tenet of
political philosophy in the face of neo-liberalism aside, his determination to decrease
privacy as a part of his communitarian strategy is not convincing. First, Etzioni’s
definition of privacy is naïve about the malleability of the privacy concept. Second, he
assumes that one definition of privacy can be fashioned and administered by an over-
arching body and applied to all forms of social organization; it is naïve about the degree
to which liberty has been subjected to market logic (Rose, 2000b; Davies, 2001). In
Etzioni’s language, the sovereign state is the only conceivable purveyor of such a
'licensing schedule', but state sovereignty has become perforated compared to the overarching scope of surveillance. Third, striking a balance between public goods and individual rights would be arduous. Balancing approaches are akin to doctrinal approaches, inherently awkward in delineating the applicability of the goods in question. According to Scott Gerber (2002:182), when it comes to balancing privacy versus other considerations there is "the underlying problem of deciding how to give one interest or value more weight than a competing interest or value". Fourth, privacy is not simply an individual right, but serves important social functions. The communitarian baggage in Etzioni's approach is chalk full of normative reference terms which also emerged from the language of modernity which he critiques as part of his questioning of privacy. This demonstrates the full circularity of his argument and tendency towards privileging a communitarian notion of the public good over privacy concerns. Responding to the dispersed and overlapping forms of surveillance unique to the 21st century is not best achieved through the communitarian critique of privacy.

The Postmodern Critique

Postmodernism is best understood as a signpost of several related, but non-identical, debates among intellectuals that have ensued since the mid-twentieth century concerning the metanarratives of modernity. David Lyon (1994b:7) posits that postmodernism "questions all the key commitments of the Enlightenment" and leads to a "collapse of hierarchies of knowledge". The concept of privacy has been treated critically by theorists who assert the traditional dualism of public and private has been completely obscured (Benhabib, 1998:88; Landes, 1998:143; Slater, 1998:150). For postmodernists, the public/private dichotomy which makes the privacy concept work historically exists to
reinforce masculine and bourgeois domination. Moreover, for these theorists privacy is just not possible. In his model of the superpanopticon, for example, Mark Poster (1996) contends that computerized databases – like those that could potentially be linked to open-street CCTV systems via facial and movement recognition software – exist outside the public/private dichotomy. Privacy as a concept, for Poster, has only precarious utility. There can be no reasonable expectation of privacy in social spaces that have been all but colonized by corporate interests, or in situations where personal information is ‘voluntarily’ divulged apropos interpellated information subjects. These arguments, lumped together under the postmodernist tent which aims to obliterate all sociological dichotomies, are intended to undermine privacy as a concept and realizable goal.

Deconstructing privacy is achievable in so far as the theorist maintains the rigid dualism between the private and the public sphere. We should be weary, however, that if deconstruction is the assertion of undecidability, it cannot serve as the basis for ethical decision making or collective action (Daly, 1999). Humans being are at the same time autonomous and part of a social collective. If privacy is destroyed, the public is destroyed as well, because the public is constituted by autonomous individuals (Regan, 1996:36). Autonomy and collectivity are contingent on one another. In reference to open-street camera surveillance, the streetscape might traditionally fall within what would be considered ‘public’ in the public/private dichotomy, insinuating candidness, but this should not undermine the right to a reasonable expectation of privacy. In commercial CCTV monitoring, a person gives their consent by entering private property. In open-street CCTV, no such consent is garnered by authorities, which is indicative of the subtle privatization of urban space which occurs under the proliferation of camera monitoring.
To conflate privacy with an outdated dichotomy and deflate privatization as an inevitable effect of postmodern life would be politically erroneous, but the postmodern critique of privacy is culpable of exactly this.

There is a qualitative difference between being noticed on the street by citizens or police officers and systematic open-street CCTV monitoring. As former privacy commissioner George Radwanski puts it:

Suppose a police officer decided to walk directly behind you on the street all day, quite obviously and deliberately following you everywhere you go. I'm sure you'd find that unacceptable, even if he wasn't saying a word to you or bothering you in any direct way. You'd probably consider it harassment—because he was invading your privacy... A notice telling you you're going to be monitored or recorded by video cameras in a public place can tell you that it's not 'reasonable' to expect any privacy. But it can't magically erase your fundamental right to privacy. This fundamental right can't be eliminated simply by putting up signs telling you that it's going to be ignored or trampled on.

The deconstruction of the public/private sphere dichotomy may be warranted in sociological investigations of family, gender, etc., but in the case of open-street CCTV it is an ethical imperative that we retain a reasonable expectation of privacy in the street for the very reason that the right to privacy serves as a mobilizing tenet for blockading the further privatization of urban space. Moreover, there is something fundamental about the idea of a public sphere to participatory democracy (Fraser, 1997). That emancipation has collapsed into regulation is no reason to condone the privatization of political space. The postmodern critique falls short in that it leaves us with little ethical ground to regulate or resist forms of surveillance that directly impugn social justice and human personhood.

\[\text{66 See http://www.privcom.gc.ca/speech/02_05_a_020213_e.asp for a copy of the February 13, 2002 speech entitled 'Watching You: Privacy Rights and Video Surveillance'}\]
The Social Importance of Privacy

Privacy as a concept has moved beyond the possessive individual, and privacy protection policy has broadened in response to new surveillance challenges (Bennett, 2003). Stemming not from ‘natural’ law or any set of civil rights, privacy is perhaps best defined and decided on the bases of its social value. To say that privacy has social value is to concomitantly associate it with a collectivity which defines the normative parameters of privacy as a concept, which again denotes the contingent and fluid quality of privacy (Weinreb, 2000:44). Though different social collectivities draw different lines pertain to publicity and privacy, they all share common interest in the existence of privacy (Regan, 1996:34). What justifies the call for national and international privacy standards is the parallel injuries to privacy being scored across social collectivities by indistinguishable state and non-state agencies. The ascension of open-street CCTV across the Western world is a case in point.

There is a disjuncture between the governance framework delineated in Chapter IV and the application of privacy. There is also a relationship. The social value of privacy can philosophically break the dualism between self and Other, ‘us’ and ‘them’. Defining privacy on the bases of its social value challenges the liberalist-modernist claim which views life as tension between the two sovereignties of state and individual, instead focusing on the dialectic between individuals and their relationship to any governing body (which need not be a state in all instances). When demands for privacy are met, it contributes to social cohesion. When privacy as a concept is conceptualized as a relational social ontology, it clarifies the true value of the meaning of privacy, overcomes the false antimony between society and the individual, and “gives up the rhetorical
advantage of associating it with rights generally and with the demands of individual autonomy or liberty in particular" (Weinreb, 2000:44).

Privacy does not endorse individuation, but is instead a fundamental aspect of social relationships between individuals and their collectivities. Having privacy enacted as a social value allows us to fulfill our roles as community members without dread that information about our actions will be extracted, stored, scrutinized, and used to administer us unjustly. It is therefore important not to jettison the concept of privacy. Privacy can exist as a protectionist mechanism at the same time as collective solidarities that increase trust are formed around practices aimed at actively resisting undemocratic forms of governance. Collective solidarity can ease the tension between self and Other inherent to processes of governance. The power game of inclusion/exclusion operates based on the relations between subjectivity and collectivity, and privacy attempts to intercede to ensure the game is played justly.

Privacy has social value in as much as it is held to be a pre-emptive social more which mitigates the perception of urban disorder through promoting cohesion across class, ethno-racial, and gender particularisms. To be clear, I am not arguing that privacy protection today is configured in this way. For this to happen, privacy would have to become a movement. Currently, privacy is too closely associated with state apparatuses, or, in Habermasian language, its affinities are with system rather than lifeworld. Rather, I am arguing that defining privacy on the bases of its social value allows us to think past the communitarian and postmodern critiques of privacy as a concept.

This thesis has argued that the diffusion of open-street CCTV into urban space should be understood as social disordering, in that CCTV gains its legitimacy from
purported levels of 'crime' and fear of 'crime', and in the process vulnerable populations are moralized and constructed as imagined communities of risk – *images* to be policed which do not correspond to a over-arching empirical reality. These images or perceptions of the downtown core are communicated synoptically via media to the populous, engendering anxiety, legitimating increased levels of surveillance and perpetuating disorder in specific geospatial locales through the profitability of such perceptions for news media and through the lack of concern directed towards better policy initiatives. What can such an argument contribute to calls for regulation of open-street CCTV through privacy legislation?

The ascension of open-street CCTV occurs within a cycle of risk detection, communication, and management. Risk management distributes risk based on 'acceptable' standards. For open-street CCTV, these standards are purely utilitarian; in fact, risk bears a utilitarian morality (Ericson and Haggerty, 1997:39). Risk detection is the activity of garnering and retaining individual televisual information through camera surveillance. Risk communication is the activity of 'rebroadcasting' that televisual information to an audience. The information can remain in its original televisual form or be broken down into newsprint. Privacy protection can intervene at the stage of information extraction, limiting when, where, how, and if televisual data can be garnered. Well beyond the issue of individual consent to camera surveillance being the ethos which informs privacy protection, it is the collective representations of downtown urban areas which are central to creating risk discourses and moralizations. Controlling the perception of a more or less (dis)orderly core is a great form of social power. Social heterogeneity is the strongest design plan to ensure social order and welfare, whereas open-street CCTV is
part of a move in urban engineering to create spatially segregated neighborhoods and homogeneous social collectivities which harbor fear of an Other.

At the level of social and cultural integration, the representations of downtown areas create a perception of fear which deters middle and upper class urbanites from venturing to the core, but also create anger and hostility which are tied to the deployment of regulatory initiatives. Therefore, and this is the thrust of my argument, guaranteeing privacy protection for people in the core could in fact deter the media and police industries from communicating and distributing specific information pertaining to individuals who live and work in the core, diminishing the perception that downtowns are disorderly places which require disciplinary police response. Beyond the confines of ethnic and class divisions, solidarity between core and non-core residents could be heightened through recognition of common interests. As levels of social mixing improved the density of downtown areas, more ‘natural surveillance’ through co-presence interaction could be achieved, breaching the legitimacy of open-street CCTV as a regulatory mechanism. Conceptualizing privacy as having important social value moves the discussion of open-street CCTV out of the paradigm of utilitarian ethics which underscore the risk detection and risk communication cycle. What remains is not a subversion of privacy, but a problematization of open-street CCTV.

**Camera Surveillance and Privacy Policy in Canada**

In the previous section I examined privacy as a concept, albeit in an overly theoretical and redolent fashion. I concluded by conceptually accepting privacy because of its social value. In the next section I will examine the federal and provincial privacy apparatuses in Canada, and their role in regulating open-street CCTV in Canada.
Unlike the United States, in Canada both federal and provincial Privacy Commissioners oversee issues regarding personal information and its use for public and private bodies. Corresponding public and private sector privacy legislations are employed at both levels of government. At the federal level, the Privacy Act (1985), the Personal Information Protection and Electronic Documents Act (2000), and the Canadian Charter of Rights and Freedoms (1982) are the pieces of legislation which the Office of the Privacy Commissioner of Canada can levy against privacy grievances. The Ontario Office of the Information and Privacy Commissioner utilizes the Freedom of Information and Protection of Privacy Act (2003), but also the Municipal Freedom of Information and Protection of Privacy Act\(^6^7\) (1990) which contains a specific section on privacy and law enforcement. In May 2002, Quebec’s privacy office (Commission d'accès à l'information, hereafter the CAI) adopted *les Règles Minimales d'Utilisation des Caméras de Surveillance*\(^6^8\) (minimal rules for camera monitoring), and in June 2004 these rules were updated when the CAI implemented *Nouvelles Règles et Demande aux Organismes Publics de se Doter d'une Politique d'Utilisation de la Vidéosurveillance*\(^6^9\) (new rules for video surveillance and recording public places). The former emphasized that video recordings could be shared with police authorities only in cases where criminal acts had been perpetrated, and only after the issuing of a search warrant. Quebec also employs *Loi Sur L'Acces aux Documents des Organismes Publics et Sur la Protection des Renseignements Personnels* (an Act respecting access to documents held by public bodies

\(^6^7\) See [http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90m56_e.htm](http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90m56_e.htm) for a copy of the act.

\(^6^8\) See [http://www.cai.gouv.qc.ca/05_communiques_et_discours/commun_04_05_02.html](http://www.cai.gouv.qc.ca/05_communiques_et_discours/commun_04_05_02.html) for a copy of the rules.

\(^6^9\) The recommendations pertained to factors to consider before implementation, rules for the collection and management of televisual data, and rules pertaining to periodic review. See [http://www.cai.gouv.qc.ca/05_communiques_et_discours/commun_09_06_04.html](http://www.cai.gouv.qc.ca/05_communiques_et_discours/commun_09_06_04.html) for the 2004 regulations.
and the protection of personal information, 1982) and Loi Sur la Protection des Renseignements Personnels dans le Secteur Privé (an Act respecting the protection of personal information in the private sector, 1993). Most other provinces employ these overlapping forms of public and private sector privacy legislation, and have privacy protection offices or ombudsmen. By 2001, every Canadian province and territory had legislated into effect a privacy protection policy applying to public bodies (Bennett and Bayley, forthcoming). These laws are the teeth of privacy watchdogs.

Fair information principles play an equally important role in defining the parameters of surveillance practices as they pertain to the protection of privacy (Flaherty, 2001). Fair information principles are generally agreed to rules which an institution is to follow if they are concerned with privacy protection. Such rules generally posit that institutions must be accountable for the information in their possession, that the purpose for collection of information should be clarified, that information should only be collected under conditions of consent, that information should only be used for purposes stated prior to collection, that data should be kept for no longer than needed, and that data subjects should be allowed to access their stored information (Bennett and Grant, 1999:6; Bennett and Raab, 2003:19). Such principles provide a general framework for information protection which can be applied through policy in different locations for different purposes. Such principles also form the basis of Canada’s Privacy Act.

Other non-legislative documents play an important role in providing such a privacy framework. In 2001, the provinces of British Columbia, Alberta, and Ontario all adopted similar guidelines for using video surveillance cameras in public places based on fair information principles. Whereas former federal Privacy Commissioner George
Radwanski took a hard line against public video surveillance, arguing that CCTV leads towards a totalitarian state, former BC Privacy Commissioner David Flaherty (1999:35) and other Provincial Commissioners (including Ann Cavoukian in Ontario and David Loukidelis in BC) have taken a less antagonistic stance towards open-street CCTV, arguing that each and every surveillance system needs to be measured up against fair information principles. In a discussion document regarding public video surveillance, Flaherty (1998:3-4) contends that public bodies must demonstrate why camera surveillance is necessary for their community, and weigh the costs to privacy and freedom before implementing CCTV. Public institutions should have a formal, written policy which both employees and the public are aware of, and CCTV schemas should appoint an internal reviewer to audit the operation of the surveillance system (ibid.ii).

Flaherty (1998:8) also expounds the connection between privacy and targeted camera surveillance. He writes that CCTV surveillance increases the chance that instantaneous decisions about guilt or innocence will be made on contentious ground, where “…marginalized and socially disadvantaged groups, who already receive disproportionate attention from the state, are more likely to [become noticed] because of their unusual or stereotyped appearance or behavior”. This again draws attention to that fact that privacy, embodied in fair information principles, is an appropriate way to protect individuals and their communities from over-scrutiny. The cases discussed below (Sherbrooke, Yellowknife, and Kelowna) on this subject exemplify the role of the federal and provincial Privacy Commissioners, as well as their utilization of diverse privacy legislations in Canada.
**Sherbrooke, Quebec**

Whereas Sudbury, Ontario, is the longest running open-street CCTV operative in Canada, Sherbrooke, Quebec, became the first Canadian city to implement cameras in their downtown core in 1991. Four pan/tilt cameras monitored the downtown bar district between 1991 and 1993 for the purposes of curbing delinquent behavior (Stoddart, 2002). A fifth camera was added in 1994 to monitor a parkade. Tapes were held for two weeks before being reused, and two signs notified the pedestrian public that they were under surveillance. Statistics Canada ranked Sherbrooke the country's safest city in 1999 (Maclean's, 2001), although the cameras were already dismantled.

The example of Sherbrooke demonstrates how privacy legislation is sometimes effective in regulating open-street CCTV. Provincial Privacy Commissioners have enforcement powers over the public sector in their jurisdiction. In Quebec, the CAI is the office which regulates privacy issues in the province. Under the 1982 *Act respecting access to public documents and the protection of personal information*, a report was filed against the Sherbrooke open-street CCTV operative in November 1999\(^7^0\). The open-street CCTV system was found to collect personal information (called 'nominative information' in Quebec law), and was therefore contrary to Quebec's public sector privacy legislation (Stoddart, 2002). Disagreeing with Sherbrooke City officials who insisted that the recording of images was necessary to deter 'crime', the CAI investigator argued that, because the cameras captured and retained televisual data, the urban CCTV operative contravened the Act (Bennet and Bayley, forthcoming). Few police services cite

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\(^7^0\) See *La Ligue des Droits et Libertes v. La Ville de Sherbrooke*. Quebec law has been continentally considered quite progressive in terms of privacy legislation. After the original implementation of Loi Sur la Protection des Renseignements Personnels dans le Secteur Privé (An Act respecting the protection of personal information in the private sector) in 1993, Quebec's scope of privacy protection exceeded that of the federal government.
Sherbrooke as a ‘successful’ initiative because of its experience with privacy legislation and subsequent disassembly.

**Yellowknife, North West Territories**

The Yellowknife case was the first instance where the *Personal Information Protection and Electronic Documents Act* (PIPEDA) was used to regulate camera surveillance. *PIPEDA* is federal private sector privacy legislation and applied in this case because a commercial company was carrying out video surveillance in Yellowknife’s downtown area. The City of Yellowknife and the RCMP had been working together to increase police presence in the downtown core through a program called ‘City Watch’. In April 2001, Centurion Security Services wrote to Yellowknife’s Mayor stating that it wanted to bring "City Watch to the next level". The City declined. In early May 2001, Centurion installed four open-street CCTV cameras on the roof of Sutherland Drug Store at the corner of Franklin Avenue and 50th Street as part of a marketing demonstration, monitoring the cameras 24 hours a day and notifying police of suspicious activity (*London Free Press*, August 3, 2001. D3). The televisual data traveled via a live feed to two remote monitors in the security firm’s office (Bennett and Bayley, forthcoming), but the data was not taped. As a regulatory project, the urban CCTV operative in Yellowknife can be conceptualized as being generated from the middle, as the operative was controlled and maintained solely by a business interest in separation from police or citizens’ interests.

A complaint was filed with the Federal Privacy Commissioner by Elaine Keenan Bengts, Privacy Commissioner of the Northwest Territories. Information and privacy

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71 See [http://www.privcom.gc.ca/media/an/nt_010620_e.asp](http://www.privcom.gc.ca/media/an/nt_010620_e.asp) for a copy of the news release entitled ‘Federal Privacy Commissioner says "no" to Street Surveillance Cameras’.
laws in the North West Territories only regulate public bodies, and so the violation of privacy was, in this case, beyond her jurisdiction. The fact that the video feed was live and not taped was deemed irrelevant, since *PIPEDA* does not limit the definition of personal information to recorded information. *PIPEDA* requires that entities who collect information must gain consent before collecting, disseminating or using personal information for any purpose, and that a definite purpose must be defined. Based on his investigation, then Commissioner George Radwanski concluded that Centurion’s camera system violated section 2 of *PIPEDA* because it collected personal information in the form of identifiable physical characteristics. Radwanski also found that Centurion Security Services had collected personal information without consent, in contravention of Principle 4.3 in *PIPEDA*. The cameras were removed within a week of their activation because of negative publicity (*London Free Press*, June 23, 2001. A3), before the Commissioner deemed them illegal in his ruling on June 15th, 2001.

**Kelowna, British Columbia**

Whereas CCTV in Yellowknife was generated by a sole local business, the open-street CCTV operative in Kelowna is exclusively a state-based initiative. In 1998, Kelowna RCMP implemented a trial camera which was subsequently destroyed when the pole it was atop was set ablaze in the summer of 1999. Kelowna RCMP implemented another open-street CCTV camera on February 23, 2001, above the Queensway bus loop near City Hall, for the purposes of monitoring sex and drug trade in a downtown park (*Edmonton Journal*, Oct 14, 2002. A13). Jointly funded by the City and the Downtown

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72 [http://www.privcom.gc.ca/media/an/nt_010620_e.asp](http://www.privcom.gc.ca/media/an/nt_010620_e.asp)
74 From the Questionnaire Data, Question # 14
Kelowna Association, the stated objectives of the Kelowna system are to detect and deter 'crime', and to improve community safety\textsuperscript{75}. The area where the $22,000 camera was mounted was marked with 11 signs notifying passers-by that the area was monitored by video surveillance for law-enforcement purposes (The Record, October 5, 2001. E7).

Civilian employees monitor the cameras, which digitally record data onto tapes which are destroyed after six months\textsuperscript{76}. Based on community consultations with a small number of property owners, Kelowna RCMP asserts that the cameras enjoy an 82\% to 87\% approval rating\textsuperscript{77}. The cameras were reported to be successful in detecting and deterring crime, although the B.C. Civil Liberties Association argued that the camera system actually displaced crime four blocks up the street (Maclean's, November 19, 2001). Initially the camera recorded televisual data 24 hours a day.

Since the camera surveillance was conducted by the RCMP and not municipal police, the case fell out of the BC Privacy Commissioner's jurisdiction. The RCMP is the only police service which falls under the jurisdiction of the federal Privacy Commissioner. On June 25, 2001, BC's Information and Privacy Commissioner, David Loukidelis, filed a complaint with the federal Privacy Commissioner, contending that the camera contravened the federal \textit{Privacy Act} which applies to the RCMP (Canada AM, October 5, 2001). In the \textit{Privacy Act}, personal information is defined as any "information about an identifiable individual that is recorded in any form"\textsuperscript{78}. Despite Radwanski's ruling that the case contravened the \textit{Privacy Act}, and despite garnering major national

\textsuperscript{75} Kelowna's camera can pan, tilt, and zoom, and is based on similar CCTV surveillance systems in England, Australia, and Sudbury, Ontario. From the Questionnaire Data, Question #10, #11, #13
\textsuperscript{76} From the Questionnaire Data, Question #6
\textsuperscript{77} From the Questionnaire Data, Question #12
\textsuperscript{78} See http://www.privcom.gc.ca/cf-dc/pa/2001-02/02_05_b_011004_e.asp for a copy of the Commissioner's findings in the Kelowna case.
media coverage, Kelowna RCMP continued to operate the camera. The RCMP arranged to monitor the cameras and record information only when suspicious activity occurred, which technically put them in compliance with the definition of personal information in the Privacy Act. In response, Radwanski wrote "I am not satisfied that a continuation of the video-camera surveillance without continuous recording is sufficiently respectful of the privacy rights of Canadians...only outright removal of the camera would meet that standard" (Maclean's, November 19, 2001). Kelowna RCMP planned five additional to be implemented in late 2003 (London Free Press, February 22, 2002 A8).

In response to the Kelowna RCMP’s defiance, the federal Privacy Commissioner sent a letter to the Solicitor General of Canada, requesting that the Solicitor General instruct the Kelowna RCMP to comply with his ruling and remove the camera (Bennett and Bayley, forthcoming). On April 5, 2002, the Privacy Commissioner released the legal opinion of former Supreme Court Justice Gerard La Forest on the matter. With reference to section 8 of the Charter of Rights and Freedoms, La Forest concluded that:

If I am correct that general video surveillance trenches upon a reasonable expectation of privacy, then it follows almost inexorably that it violates section 8 of the Charter. Any invasion of a reasonable expectation of privacy is by definition a "search." One of the prerequisites for a valid search is that it be authorized by law. As mentioned, there is no statutory authority for such a search. And it is doubtful if general video surveillance is encompassed by any common law search power. (Canada NewsWire, April 10, 2002)

La Forest also concluded that the Solicitor General of Canada had the authority to regulate the RCMP’s usage of urban camera monitoring. Radwanski took this opinion to the BC Supreme Court where he launched a constitutional challenge against the Kelowna CCTV operative. The federal government motioned to dismiss the case (Canada
Newswire, March 11, 2003), and found that the federal Privacy Commissioner’s jurisdiction was limited to those duties specified in the Privacy Act. Several months later, Radwanski was found in contempt of Parliament after a spending calamity\textsuperscript{79}, and the Kelowna issue was consequently dropped.

**Assessing the Practicalities of Privacy Protection**

The above cases are important for several reasons. The case of Yellowknife, for example, marks the first time that federal privacy legislation was successfully used to regulate an open-street camera surveillance operative in Canada. The case of Sherbrooke is similarly groundbreaking with respect to provincial privacy legislation in Quebec. The Yellowknife case also reveals the importance of overlapping privacy legislation. Whereas an image must be recorded for it to contravene the Privacy Act, the definition of personal information in PIPEDA is broad enough to cast a wider policy net of privacy protection. The Commissioner’s ruling attracted national media attention, which lent legitimacy to the Office of the Privacy Commissioner of Canada, as well as the new PIPEDA legislation. In one such media article, Radwanski explained:

> People have a right to go about their business without feeling that their actions are being systematically observed and monitored. That is the very essence of the fundamental human right to privacy, which is a crucial element of our freedom. There may be instances where it is appropriate for public places to be monitored for public safety reasons. But this must be limited to instances where there is a demonstrable need. It must be done only by lawful public authorities and it must be done only in ways that incorporate privacy safeguards set out by law. (London Free Press, August 3. D3)

The Yellowknife decision indicates the practicality of having both provincial and federal privacy offices. When a violation of privacy occurs, often it can be regulated through

\textsuperscript{79} See http://www.cbc.ca/stories/2003/11/06/radwanski031106 for the full story.
provincial jurisdiction. If this level of administration fails, the provincial Commissioner can file a complaint at the federal level. In the Yellowknife case, the federal Commissioner found the provincial Commissioner’s complaint to be well-founded. Sometimes privacy legislation is a viable way to curb open-street CCTV monitoring.

The Kelowna case is also exemplary in several respects. Like Yellowknife, the Kelowna case indicates the practicality of having both provincial and federal privacy offices. Communication between the provincial and federal levels is sufficient enough that privacy violations can be acted upon quickly. The Kelowna camera schema was based on urban CCTV operatives in Sudbury and the UK, which supports the general diffusion argument made in Chapter II. The Kelowna case was legitimized through moralized discursive references to drug and sex trade in the downtown core, which supports the argument that it is the image and perception of urban disorder which is quintessentially important in legitimating and maintaining open-street CCTV operatives.

In regards to privacy legislation, however, the Kelowna case also demonstrates that privacy policy does fail in some cases despite multiple and overlapping levels of legislation and administration. In cases where regulatory responses to deviance are pursued by state policing agencies, privacy legislation is sometimes an inadequate measure for regulating surveillance practices. An internal contradiction exists where the state can in one instance be the agency employing strategies to deter deviance and in the same instance be the watchdog which attempts to ensure that those strategies do not impugn social justice. Privacy law cannot completely guarantee the protection of personal information, and constitutional processes are reactive by their very nature. Moreover,
privacy legislation sets the conditions of possibility necessary for legitimate surveillance proliferation, and in this sense is hegemonic.

Regardless of the position from which they are generated, the majority of camera surveillance schemas are operated by police. As indicated in earlier Chapters, however, the motivation to implement open-street CCTV can emerge from numerous social positions and occurs in a mass-mediated political scape which transgresses the realm of the state. Because privacy legislation is primarily aimed at public and private institutions, legislation cannot anticipate and obstruct the implementation of citizen-driven surveillance schemes. Even following fair information principles does not preempt the proliferation of open-street camera surveillance. The politics of privacy as currently practiced fails to acknowledge that the power to regulate the population moves through the population itself and is not simply exercised from above. The right to privacy is thus not always the most sufficient language for challenging open-street CCTV surveillance operatives.

In this Chapter I have argued that the privacy concept is viable if further de-institutionalized on the ground of real life as a relational social ontology. Privacy could play a potential role in mitigating decontextualized representations of downtown disorder and the collectivities associated within downtown disorder. At present time, privacy protection is overly associated with the liberal democratic discourse of rights. As Peyman Vahabzadeh (2003:119) points out, “rights cannot eradicate antagonisms; they can only regulate antagonisms by forcing actors into the subjects of state protection”. Does the application of open-street CCTV serve a broad interest? Does the application of open-street CCTV serve the interests of those surveilled? Can less intrusive technologies or
forms of policing achieve the same outcome? These questions point to a basic paradigm which privacy watchdogs have used to assess the operation of surveillance technologies for decades. A more pressing question is Can privacy protections in the form of legislation adequately cope with citizen-driven surveillance initiatives? As I have argued here, the answer would indicate in the negative.

If open-street CCTV is a regulatory form of urban governance, and urbanism as a way of life is proliferating across the globe, then open-street CCTV might soon become a security fixture of the global city. The fact that the original camera in Kelowna was destroyed through direct action should not be dismissed as superfluous. Knowing that legislation and bureaucracy is sometimes not enough to regulate open-street CCTV surveillance and protect the social value of privacy, a more practical approach to resisting urban CCTV monitoring must be articulated. I offer such an analysis in the final Chapter.
CHAPTER VI
RESISTING OPEN-STREET CCTV:
NEO-LUDDISM AND THE POLITICS OF ACTIVE TRUST

*The Commune is still alive fulfilling the wish cried by the communards at the time of their execution. It lives on as a message that the city exists against the state* (Castells, 1983:26)

*If we have learned anything from two centuries of social science, it is that the most innocent-seeming, depoliticized activities...can have widespread political effects* (Magnusson, 2000:293)

There remains a need to develop a critical dialogue concerning open-street CCTV surveillance. The city is a space where control and regulation accords important leverage in struggles over class and representation (Sassen, 1996). Justice in the city entails the pursuit of social and economic development polices which give autonomy to people in core neighborhoods. Open-street camera surveillance is too often marketed as a technological fix, whereas a sociological and praxicological approach would “attack the root causes rather than the symptoms of crime” (Graham et al, 1995:23). If social problems like unemployment, alienation, poverty, and addiction are not addressed prior to the implementation of an open-street CCTV system, ensuing camera surveillance will more likely lead to an incident of displacement (Graham, 1999), or will lead to more people coming in contact with the criminal justice system because of the intensification of monitoring. As one police officer in Victoria, BC, put it: “...If you got more cameras, you’re seeing more stuff. If you’re seeing more stuff, you’re actually arresting more people, and crime stats are gonna go up...[CCTV] is going to assist police with clearance rates in the downtown core”80. Via its role in accelerating incarceration rates, urban

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80 Personal Interview with Darren Laur of the Victoria Police Department. February 24, 2004
camera surveillance may create the conditions necessary for recidivism: stigmatization, demoralization, and deskilling.

CCTV cameras in public effect political participation. Chill occurs when the democratic freedom of demonstration, a lawful activity, becomes excessively policed and surveilled in a way which causes activists/citizens to inhibit their behavior (Parenti, 2002). The threat of arrest for lawful activity is enough to deter most people from participating in democratic protest, and ‘zero tolerance’ policies on the part of authorities worsen depoliticization. CCTV is grossly de-democratizing for the role it plays in normalizing urban behavior towards depoliticization. This erosion of democratic civil liberties makes subversive/subpolitical resistance to surveillance appear militant and extreme, especially in the climate of suspicion lingering since 9/11 (Lyon, 2003b). Any protective/enabling aspects of open-street CCTV need to be articulated by its advocates in a more balanced manner.

Open-street CCTV is an inadequate measure for attenuating internal urban divisions and social problems associated with vulnerable neighbourhoods. Whether it is generated out of localized panics or long-term processes of governance, open-street CCTV is not an appropriate practice for addressing the structure of poverty at the root of social problems. Through the classification and categorization of deviance, the insertion of open-street CCTV into urban space advances the criminalization of behavior never before consider ‘criminal’. In effect, this process of social disordering produces deviance out of activities that in the past would have been considered undisruptive but have now been amplified by the collusion of risk, fear, and moralization. Under these conditions, technological citizenship is not simply about how to best harness new technologies in
democratic ways or limit technologies which infringe on civil rights. Approached another way, technological citizenship is also about limiting uses of technology which subordinate portions of the population (Isin and Wood, 1999:113; Lyon, 2003:160). All of these problematics deserve future research attention.

My comments hitherto in this Chapter have dealt with the effects of open-street CCTV monitoring, which I am not well versed to discuss because in this thesis I have dealt with the establishment of open-street CCTV initiatives. In Chapter IV, I linked the ascension of open-street CCTV in Canada to certain discursive, claims-making conditions regarding fear of 'crime', risk, grievance, and moralization, and so it follows that consciousness raising activities are key strategies of resistance in this regard. Put another way, if open-street CCTV projects are discursively constructed, they can be discursively de-constructed. In this final Chapter I articulate a counter-discourse useful for resisting the proliferation of open-street CCTV. Direct action (i.e. neo-Luddism) is action to resist the effects of open-street CCTV operatives, whereas consciousness raising activities (i.e. deconstructing 'crime', challenging expert knowledge systems, and thus increasing levels of trust) is action to resist the establishment of open-street CCTV initiatives. In what follows I offer an exegesis into the idea of mediating a space for resisting open-street CCTV between neo-Luddist collective action and greater levels of civic trust. I do this utilizing Giddens (1994) notion of active trust as a conceptual means of challenging the expert knowledge systems which maintain the cycle of risk detection, communication, and management, the regulatory dialectic between self and Other, and the seemingly never-ending ascension of surveillance practices in western nation-states.
Neo-Luddism and Resisting Urban Camera Surveillance

Long before Karl Marx wrote his treatise *Das Kapital* which exposed the alienating and exploitative nature of capitalist production, Luddite movements in the UK around the turn of the 19th century sought to dismantle the socio-economic conditions symbolized by technologies of the Industrial Revolution. Machinery in the new *laissez-faire* economy was used by mill and factory owners to increase the rate of production, which both proletarianized and outmoded the traditional labourers. Owners argued that mechanization would increase production and cheapen goods, thereby increasing the demand for labour. In shires all over England, groups of workers gathered under the banner of Luddism and set out to disrupt the introduction of mechanized manufacturing techniques which compromised their livelihood. As “working-class agitation that developed quite independently of the leaders of popular radicalism” (Dinwiddy, 1986:21), and before any organized trade union movements, Luddites targeted the means of economic production (mechanized technology) through disciplined and organized collective action. A political and moral response to the destruction of pre-industrial relationships, “the Luddites did not protest against new machines *per se* but against the changed social relations which were being brought into [existence] and of which mechanization was a part” (Webster and Robins, 1986:3). Luddites were represented as ignorant of the value of technology, and as irrational compared to the Reason seemingly embedded in the devices of the Industrial age.

Because of an alliance of forces united against them, including 35,000 army troops and a troupe of paid infiltrators and spies, the Luddite movement eventually came

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81 Ned Ludd, an apprentice, apparently smashed his stocking frame with a hammer around 1779 in Loughborough, Leicestershire. The so-called ‘machine-wrecking movement’ subsequently adopted his name.
to a halt in 1813 when sixty-four Luddites were arraigned on charges ranging from machine-breaking to burglary to murder (Grint and Woolgar, 1997:46). Seventeen were hanged. Since that time the term ‘Luddism’ has been associated with the apparently deluded and hopeless destruction of machines. Luddism, however, raised key questions pertaining to the design and deployment of technology, and the social values encapsulated in technology as a vehicle of power (Noble, 1983:89). The spirit of Luddism is of great consequence in this current epoch characterized by the introduction of information and risk technologies into the spheres of economic and cultural production (Sale, 1995). Webster and Robins (1986:307) assert that “if we can see technology, not as a socially neutral force, but as an expression of social and political relations – of relations of power – then we can perhaps begin to understand why the Luddites opposed progress”.

In what way are the premises of Luddism applicable to the current proliferation of open-street CCTV in western nation-states?

Open-street CCTV is an information and risk technology. CCTV captures televisual information which is relayed to police, and detects risks which are sometimes communicated to the public. Whereas the Luddites targeted machinery fundamental to economic production, open-street CCTV cameras are technical devices at the crux of cultural production and symbolic politics, central to the social construction of deviance, ‘crime’, and visions of disorder. Police are in a constant process of maintaining their legitimacy (Jones and Newburn, 1998). The terms ‘crime’, ‘criminal activity’, etc., have appeared in single quotation marks throughout this thesis to draw attention to the fact that ‘crime’ is constructed through process that involve police. The effect of the law and expert knowledge systems is to make certain ‘crimes’ appear as immutably wrong.
‘Crime’ is a sociopolitical artifact, and definitions of ‘crime’ are used by business and moral entrepreneurs to deter behaviors construed as disorderly. As an expert knowledge system, police are the vanguard of this definitional production. According to Richard V. Ericson (1981:7), police “are given organizational capability to produce particular levels of crime, and to produce particular types of crime to the relative exclusion of others”. Police are therefore central to the reproduction of the existing social order. Regardless of the social position from which it is generated, open-street CCTV is a tool operated by police to administer perceptions of disorder at the same time that CCTV is a device sometimes utilized by mass media to commodify and project visions of disorder.

Disabling an optic surveillance device should not always be revered as a petty act of vandalism. If part of a collective movement, the destruction of open-street CCTV cameras can be considered a legitimate political response to the de-democratizing effects of open-street CCTV on urban spaces and communities. In Britain, where the glut of urban camera surveillance is most widespread, direct action has enjoyed some success against open-street CCTV operatives and the governments/authorities which support them (Davies, 2001). For instance, in 1997, 200 people rallied against a network of cameras in Brighton, UK (Davies, 1999a:249). The protestors utilized a diversity of tactics, including street theatre82 to confuse the CCTV operators and lasers to disable the camera lenses. Situationist tactics also included a campaign of culture jamming and misinformation, aimed at destabilizing public confidence in the monitoring system (Davies, 1999b:255). Warning stickers were placed in toilets, changing rooms, and buses. Leaflets were distributed which linked open-street CCTV to oligarchy. Cameras can be

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82 Tactics like street theatre, which focus on spectacle and detournement as resistance, can be seen as linked to the Situationist International movement in the mid-20th century.
covered with blankets, lenses shot out with firearms. As noted in Chapter V, the initial camera in Kelowna, British Columbia, was set ablaze and destroyed.

Luddist-like resistance practices which engage in camera breaking, however, are only viable in cities where the installation of open-street CCTV is well known to a politicized and mobilized public. The destruction of cameras does little when CCTV is implemented under conditions of secrecy and/or complacency. Conversely, the examples of Peterborough and Brockville, Ontario, and Vancouver, British Columbia, suggest that regulatory projects fail when perceived as being top-down, commercially driven, or not congruent with civic interest. But when agents of regulation seek their own emancipation through the problematization of an Other's conduct, when acts of governance actually constitute the zones on which they act and the entities upon which they act (Rose, 2000b:145), resistance entails more than 'machine wrecking'. Resistance entails subverting the social organization of knowledge which stimulates self formation through the constitution and regulation of an Other. It thus makes sense to challenge the dominant codes and signifying practices related to the construction of behavior constituted as 'bad', 'deviant', 'immoral', and/or 'dangerous'.

An essential part of resistance begins with organizing awareness campaigns. Several allied anti-camera activist groups have formed out of their own local experiences to resisting urban CCTV. Under the banner of privacy, groups like the Surveillance Camera Players in New York City map out the existing surveillance infrastructure to provide those interested with a means to the 'path of least surveillance'. Similar groups exist in other American cities, as well as in Italy, Lithuania, and Sweden. Street theatre is utilized to mock the processes of camera watching, indicating to the camera operator that

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the gaze can be reversed. In Halifax, Nova Scotia, one activist has created a website with information mapping the extent of the privately owned cameras in public places. Though Halifax police services do not utilize open-street CCTV surveillance as of yet, the private cameras create a veritable surveillance web in urban space. The Warzine Blogsite is a webpage for reporting on actions related to media resistance, including counter-surveillance. Privacy International is a UK-based human rights organization which documents and challenges the growth of surveillance world wide. Like the Stop the Cameras Coalition in Peterborough, citizens are organizing in their municipalities to resist CCTV implementation.

Taken together, these direct actions indicate that business/moral entrepreneurs and state agencies do not exercise an unmitigated hegemony over public opinion when it comes to justifying open-street camera surveillance. Regulatory practices are always contested. At the same time, the actions have not materialized into widespread collective movements. A ubiquitous resistance to open-street camera monitoring has not yet emerged, for two interrelated reasons. First, as David Lyon points out (2001:136), “the biggest obstacle in the path of resistance is the rather mundane fact that the benefits of surveillance are attractive to many, and well promoted”. People desire surveillance. Second, the problematic of open-street CCTV has not yet emerged as a widespread public issue. As a regulatory response within processes of governance, open-street CCTV unfolds out of the tension between local politics and situational ‘crime control’

85 See http://www.warzine.blogspot.com/
86 See http://www.privacyinternational.org/ for the Privacy International website.
87 See http://stopthecameras.tripod.com/ for the Coalition’s website.
Towards a Politics of Active Trust

Individuated responses to resisting urban camera surveillance (see Marx, 2003) will not suffice. Placing ‘a tack in one’s shoe’ to beat a lie detector test, for example, does nothing to change the underlying relationship between the surveillance agent and the surveillance subject. In this thesis I have examined urban camera surveillance within a larger socio-culture framework, arguing that regulatory projects can only be sufficiently understood through an analysis of the media processes involved in cultural production. It follows that an adequate strategy of resistance must target those entities involved in cultural-knowledge production – what I will call expert systems – which play a role in legitimating the implementation and maintenance of open-street CCTV. More than ever, as individuals we have access to information about the world we live in and about the other individuals with whom we share the world. At the same time, we often rely on the knowledge of experts who we do not know. Individuals can develop a blind trust in expert knowledges. Police services, city councils, and the mass media all use expert knowledges to formulate their risk management and communication schemes (also see Rose, 1999:252). Though not a de facto hierachal structure, mass news mediums are sites where anxieties and fears are encoded, amplified, and articulated to the public. A regulatory agent or agency from any social position with aims to promote open-street CCTV as a means to counter the perception of deviance can tap this communication resource. Through civic participation and dialogue, in and against the expert knowledge systems which legitimate urban CCTV, resistance can be achieved. Anthony Giddens’ (1994) notion of active trust is a conceptual means to challenging the expert knowledge systems which maintain the link between media and increased surveillance.
Trust is a dimension of all social relationships (Barber, 1983:2). Moreover, according to Robert Putnam (1995), we have recently witnessed the decline of social capital and networks of civic trust. Elia Zureik (2003:37) argues that surveillance is practiced in workplaces, public spaces, “...and total institutions, such as prison and military, because those in positions of authority do not trust or are seeking grounds to trust those below them”. In place of embodied contributions, we sometimes exchange ‘tokens of trust’ (i.e. personal data) to facilitate extra-local social organization. As I have argued in this thesis, however, regulatory surveillance is also sometimes an emancipatory project which is sought after by civic communities who exercise power in their own right and distrust the members of their own community who are problematized in the media as disorderly/risky folk devils. Haggerty and Ericson (1997:117) assert that “the greater the presumption of distrust, the greater the space for surveillance...”. Therefore, in a society of strangers, people are forced to give trust to the managerial, professional, and extra-local organizations which govern our lives.

For Giddens, interaction in late modernity is distanciated. This means that interaction is torn from its original locale by abstract technological systems and ‘stretched’ over longer or shorter lengths of time and space. Destroying the sense of ‘community’ characteristic of simple modernity, abstract systems (i.e. airplanes, internet) disembed social relations from local interaction and restructure them across indefinite spans of time/space (Giddens, 1990:117). Time/space distanciation is bound up in the generation of power, and has the consequence of disembedding social relations (Giddens, 1981:91). Giddens (1990:21) defines disembedding as “the ‘lifting out’ of social relations from local contexts of interaction and their restructuring across indefinite spans of time-
space”. It follows that this reconstitution of time/space has implications for how trust is achieved between different social collectivities in different places. It is also the case that time/space distanciation gives expert systems (like police and media) the ability to regulate or be implicated in regulation at a distance (Barry, 1995:46). The influence of distanciation on modes of governance, like policing, is quite substantial. Police interaction with communities for the purpose of security now transpires within the communication circuitry of the information age (Ericson and Haggerty, 1997:45). Most traditional forms of social control depended on face-to-face knowledge and administration of force. Police work was formerly contingent on cops ‘walking the beat’ and having a working, experiential knowledge of the people and ‘hotspots’ in their patrol area – interaction through co-presence. Bound up in the globalization of personal data, open-street CCTV surveillance operates as an abstract system of monitoring populations from afar.

As I have argued in this thesis, police services and the mass media form part of a web of expert knowledges which capitalize on visions of disorder to justify the realization of open-street CCTV surveillance schemas. Police in particular take up the position of risk-knowledge brokers (O’Malley, 1999:139), collecting, sorting, distributing, communicating, and producing risk-based knowledges. Media are central to processes of articulation and problematization which invigorate regulation through civic governance. Whether open-street CCTV is generated from above, the middle, or below, knowledge about the city which construes certain populations as untrustworthy is a key legitimating factor. In simple modernity, trust is invested in expert knowledge systems based on the assumption of technical competence. But today, according to Giddens, in
reflexive response to the residual hazards produced by industrialization, common solidarities are forged across traditional boundaries in critique of expert knowledge systems.

Emerging in what Giddens calls late modernity, active trust is trust that is at the origins of new social solidarities which must be energetically treated and sustained (Giddens, 1994:186). Active trust emerges when institutions become reflexive and expert knowledge systems are opened up for critique, where trust in expert knowledge systems repositions from a relationship of passive transmittance to active contribution (Lash, 1994a:201). Institutional reflexivity is based not in trust but in distrust of expert knowledge systems (Lash, 1994b:116). In civic solidarity, it is time to reverse the gaze. A practical welcoming of strangers and increasing social solidarity goes hand in hand with resisting surveillance (Lyon, 2003b:155). Active trust is a participatory trust which blurs the hard and fast distinction between expert and lay, institutional and public.

The Westphalian idea of sovereignty is under pressure from news forms of micro and meso levels of governance, which threatens to cause a great fissure in the role of centralized institutions in everyday life. Moreover, the state bureaucracy, through which we are encouraged to practice our politics, displaces and masks political responsibility (Magnusson, 1996:304). The idea that citizens must take subpolitical responsibility for the burden of democratizing the agencies and technologies which govern them is imperative. The politics of active trust posits that a key strategy for impeding intensified surveillance is the fostering of a less discriminating and less efficient relationship between organizations and their clientele (also see Rule et al., 1980). This struggle must be citizen-based, and in the case of open-street CCTV this political struggle will be
centered in urbanity. Micro- and niche-media are an important part of the struggle. The case of Brockville, Ontario, demonstrates that civic resistance can bar the entry of open-street CCTV into urban centers. The actions of Brockville citizens opened up, and effectively subverted, an institutional process 'going on behind their backs'. Two rejoinders, however, should be offered to Giddens notion of active trust and its rapport with reflexive modernization.

First, while certain social and cultural shifts would indicate that we have broken off from simple modernity (Lyon, 1994b), and that expert systems are now ripe to be interrogated, the idea that we have switched to reflexive modernity cannot be simply assumed (Joas, 2003:173). Active trust and a truly cosmopolitan public is not so much what has been reflexively achieved, but rather, it remains as what is to be done. Citizens groups disturbed by the de-democratizing impetus behind urban CCTV will need to actively engage with police services and media systems via direct actions to demand regulation through privacy policy and/or the removal of camera schemas.

Second, as manifestations of deeper social anxieties, risk and morality based problematization of marginalized groups in the city continue to contribute to temporal concerns pertaining to urban spaces and their occupants. Kevin Robins (1995:48) writes that "fear and anxiety are the other side of the stimulation and challenge associated with cosmopolitanism". Expert knowledge systems are no longer based purely on quantifiable risk categories, and risk has colluded with moralization in processes of everyday communication. Politicizing the implementation and impact of open-street CCTV cameras is one key avenue of resistance. Another is the synchronic politicization of ‘fear of the urban’ which makes interpellative calls for the regulation of ‘harmful’ Others work
within the context of problematization. Since there will always be a need for a constitutive Other, we should advocate ways of self-constitution which are not contingent on the regulation of an Other. Social closure is achieved through the dissemination and circulation of knowledges which construe downtown areas and the peoples who live/work in them as disorderly. It is only through heterogeneous social mixing and political demonstration – in both street and media spaces – that intensified forms of surveillance can be opposed.
Agar, John.

Armitage, Rachel.

Barber, Bernard.

Barry, Andrew.

Bauman, Zygmunt.

Beck, Ulrich.

Becker, Howard.


Bell, Allan.

Ben-Yehuda, Nachman.

Benhabib, Seyla.

Bennett, Colin J.

Bennett, Colin J and Robin M. Bayley.

Bennett, Colin J. and Charles D. Raab.

Bennett, Colin J. and Rebecca Grant.

Best, Steven.

Best, Joel.

Bigo, D.

Biressi, Anita and Heather Nunn.

Borradori, Giovanna.

Boyne, Roy.

Bradburn, Norman M. and Seymour Sudman.

Bradley, Ann.

Brock, Deborah R.

Calhoun, Craig, Joseph Gerteis, James Moody, Steven Pfaff, and Indermohan Virk.

Carroll, Bill and Bob Ratner.

Castells, Manuel

Cesaroni, Carla, and Anthony N. Doob.

Chiapello, Eve and Norman Fairclough.

Chunn, Dorothy E. and Shelley A.M. Gavigan.
Cicourel, Aaron V.

Coaffee, Jon.

Cohen, Stanley.

Coleman, Roy.

Coleman, Roy and Joe Sim.

Creswell, John W.

Daly, Glyn.

Dandeker, Christopher.

Davies, Simon.

Davis, Mike.  

Deleuze, Gilles.  

Deleuze, Gilles, and Felix Guattari.  


Doxiadis, Kyrkos.  

Doyle, Aaron.  

Elden, Stuart.  

Ellin, Nan.  

Ericson, Richard V. and Aaron Doyle.  

Ericson, Richard V. and Kevin D. Haggerty.  

Etzioni, Amitai.  

Fairclough, Norman, and Ruth Wodak.  

Fairclough, Norman.  

Flaherty, David H.  

Foucault, Michel.  

Fraser, Nancy.  

Fyfe, Nicholas R. and Jon Bannister.  

Gandy, Oscar H.  

Garland, David.  

Gerber, Scott D.  

Giddens, Anthony.  

Goode, Erich and Nachman Ben-Yehuda.  
Goodlad, Lauren M. E.

Gordon, Colin.

Graham, Stephen.

Graham, Stephen, John Brooks and Dan Heery.

Greenberg, Joshua.

Grint, Keith and Steve Woolgar.

Gutstein, Donald.

Haggerty, Kevin D.

Haggerty, Kevin D. and Richard V. Ericson.


Hunt, Alan.

Innes, Martin.

Isin, Engin F.

Isin, Engin F. and Patricia K. Wood.

Jay, Martin.

Joas, Hans.

Johnson, H.

Jones, Trevor and Tim Newburn.

Knight, Graham.

Landes, Joan B.

Lash, Scott.

Lees, Loretta.

Lefebvre, Henri.

Lianos, Michalis.

Lianos, Michalis and Mary Douglas.

Lightbody, James.

Lofland, Lyn H.

Lyon, David.


Magnusson, Warren.


Maguire, Mike.

Marx, Gary T.

Mathiesen, Thomas.

Matthews, Roger.

McCahill, Mike.

McCahill, Mike, and Clive Norris.

McQuaig, Linda.

McRobbie, Angela.

McRobbie, Angela and Sarah Thornton.

Monmonier, Mark.


Parenti, Christian.

Park, Robert E.

Parnaby, Patrick.

Patton, P.

Poster, Mark.

Putnam, Robert.

Rawls, John.

Regan, Priscilla M.

Reinarman, Craig and Harry G. Levine.

Robins, Kevin.

Rose, Nikolas.

Rule, James, Douglas MacAdam, Linda Stearns, and David Uglow.

Rule, James.

Ruppert, Evelyn S.

Sale, Kirkpatrick.

Sassen, Saskia.

Schissel, Bernard.

Silverman, Eli B. and Jo-Ann Della-Giustina.

Silverman, David.

Slater, Don.

Smith, Dorothy E.

Tetzlaff, David.

Torpey, John.

Tully, James.

Vahabzadeh, Peyman.

Vukov, Tamara.


Webster, Frank.

Webster, Frank, and Kevin Robins.

Weinreb, Lloyd L.

Welsh, Brandon C. and David P. Farrington.

Whitaker, Reg.

Williams, Katherine S. and Craig Johnstone.

Wilson, James Q. and George L. Kelling.

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Yar, Majid.

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**Media Articles**


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Canada NewsWire, April 10th, 2002. Gerard La Forest Opinion on Kelowna CCTV.


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Halifax Herald, October 22nd, 2003. ‘Cameras to watch Antigonish businesses’.


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The Record, April 20th, 2000. A03. ‘Toronto police to have extra eyes on street’. Author: Canadian Press


Toronto Star, April 14, 1988. A2. ‘TTC to 'keep an eye' on crime rate 200 surveillance cameras slated for subway lines’.

Vancouver Sun, October 6, 2001. A20. ‘Privacy vs. protection: Like it or not, video surveillance cameras are here to stay’. Author: Grant Fredericks.


**Government, Police, and Miscellaneous Publications**


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Appendices

Watching the Nation: Open-Street CCTV Surveillance in Canada

You are being invited to participate in a study entitled Watching the Nation: Open-Street CCTV Surveillance in Canada that is being conducted by Kevin Walby who is a graduate student in the Department of Sociology, University of Victoria and is required to conduct research as part of the requirements for a degree in Sociology. Kevin Walby is conducting this research as part of the requirements for a graduate thesis in Sociology supervised by Dr. Sean P. Hier, a faculty member in the Department of Sociology. You may contact Dr. Hier if you have further questions by email at shier@uvic.ca or by phone at 250 721-6690.

The purpose of this thesis is to offer greater theoretical and conceptual insight into open-street closed-circuit television (CCTV) surveillance, drawing empirically from the Canadian case. My study of open-street CCTV surveillance in Canada will act as a measure of comparing the differential usage of CCTV between provinces, but also as a measure of comparing Canada to the international trends in CCTV surveillance. Through an examination of the current status of CCTV surveillance in Canada, we gain better understanding as to how intensified surveillance will effect particular communities. The questionnaire will also fill gaps in the research for those municipalities on which no such CCTV data currently exists.

Research of this type is important because few, if any, academic studies have been done on CCTV nationally. As the phenomenon of camera monitoring is new in Canada, law and policy lag somewhat behind. This research is important because it will provide insight into the effects that intensified surveillance has on already marginalized communities. In terms of contributions, the thesis data would prove very useful for policy formation regarding camera surveillance in urban areas.

You are being asked to participate in this study because your own knowledge and experience are specially relevant to this student’s project.

If you agree to voluntarily participate in this research, your participation will include being interviewed by the student or participating in a group discussion.

Though there are no known or anticipated risks to you by participating in this research, you are asked to let the researcher know before you are interviewed or participate in discussion whether participating may have problems, risks to you, or inconvenience of which s/he is unaware of. This is to enable steps to be taken to deal with problems, risks, or inconvenience. If this isn’t possible, the interview or discussion will not proceed.

The potential benefits of your participation in this research include receiving any part of your interview or group discussion that has been transcribed. The researcher will also be willing to give you feedback on the findings of the research.
Your participation in this research must be completely voluntary. If you do decide to participate, you may withdraw at any time without any consequences or any explanation. If you do withdraw from the study your data will be included in the study unless you prefer it also to be withdrawn. Implicit in your signing of the consent sheet is an acknowledgement that your data may be used in the study if you decide not to participate, and this is contingent on you indicating whether or not you would like your data included in the sample. Please indicate directly on the questionnaire your wishes in regards to the use of your data, or, contact me at 250-382-8927 or ktwalby@uvic.ca.

In terms of protecting your anonymity, a pseudonym will be substituted for your name on all the written or electronic materials that you have provided and any descriptive particulars that might identify you will be changed. You might like to choose your own pseudonym.

Your confidentiality and the confidentiality of the data will be protected by: 1) by keeping it secure at all times; (2) by restricting access to data to the instructor and the supervisor and graduate supervisory committee, if applicable; (3) by committing to destroy any audio tapes after their use as data is completed.

The data that you have contributed to may be used to write a paper for a conference or publication, or included in a thesis.

Consenting to participation in this research entails the possibility, in some cases, of tape-recorded interview sessions. Implicit in your signing of the consent sheet is an acknowledgement of this possibility. Audio-tapes of interviews or discussion groups will be destroyed electronically after the data has been used.

It is anticipated that the results of this study will be shared with others in a class presentation and with the course instructor.

In addition to being able to contact the researcher [and, if applicable, the supervisor] at the above phone numbers, you may verify the ethical approval of this study, or raise any concerns you might have, by contacting the Associate Vice-President, Research at the University of Victoria (250-472-4362).

Your signature below indicates that you understand the above conditions of participation in this study and that you have had the opportunity to have your questions answered by the researchers.

Name of Participant __________________________ Signature __________________________ Date __________________________

*Please keep a copy of this consent form and return a copy to the researcher.*
For municipalities who are planning to go operational with a CCTV system, or where a CCTV system is not in operation.

Hello. This is Kevin Walby, a Sociology MA student at the University of Victoria. If you wish to contact me with questions or comments regarding any aspects of our correspondence please do so through email (ktwalby@uvic.ca) or telephone (250-382-8927). You have been asked to participate in a study pertaining to closed-circuit television surveillance (CCTV) in Canada. Questionnaires are being distributed to police services across the country, and this is the first pan-national questionnaire relating to CCTV. The study aims to (1) gather information about the role and short history of CCTV in individual municipalities, (2) act as a measure of comparing CCTV usage provincially in Canada, and (3) act as a measure of comparing Canada with other countries (most notably the UK and the United States). Please respond as fully and accurately as possible. Feel free to provide additional information on the reverse side of the questionnaire. Also feel free to provide any relevant documents, studies, etc. pertaining to your own CCTV operative.

I. General Questions

#1 Education, Rank, and Years of Service

#2a City

Date of Proposed Implementation

#2b If you are not planning to implement a CCTV operative or are opposed to such operatives, please provide reasons:

#3 Where do you plan that the cameras will be located in the city? How many cameras will there be? Technological capabilities (tilt, zoom, etc.)?
#4 Will the cameras record or are the screens simply monitored? What sort of recording/monitoring schedule exists? (i.e. day, night)

#5 What will happen with the tapes? (i.e. reused, destroyed)

#6 Who will work as the CCTV operators?

#7 What sort of activities and labour hours will constitute the work of the CCTV operators?

II. Cost and Rationale

#8 Where do you plan to attain the funding to start the CCTV operative?

#9 Where do you plan to attain the funding for upkeep, maintenance, wages, etc.?
#10 Why do you plan to install CCTV cameras? If you do not plan on installing CCTV cameras, please state why?

#11 What are the objectives of the proposed CCTV operative?

#12 Will public consultations be held? How many people do you hope will attend? Will the cameras be implemented if public support is lacking?

#13 What other CCTV operatives are you currently consulting in formulating and implementing your CCTV operative?

#14 What resistance or challenges to the camera system do you anticipate? (i.e. Privacy legislation, protest, vandalism, etc.)
#15 Do you have a comprehensive action plan for dealing with the displacement of crime? Do you think it is important to monitor and oversee the displacement of crime that could be caused by CCTV surveillance cameras?

#16 Will the CCTV operative positively benefit the community? If yes, please substantiate with data or reasons. If no, please state why.

#17 Are you concerned with the potentially negative impact which the implementation of the CCTV operative could have on already marginalized communities?

Your participation in this study is greatly appreciated. Thank you!!
For municipalities with operational CCTV systems...

Hello. This is Kevin Walby, a Sociology MA student at the University of Victoria. If you wish to contact me with questions or comments regarding any aspects of our correspondence please do so through email (ktwalby@uvic.ca) or telephone (250-382-8927). You have been asked to participate in a study pertaining to closed-circuit television surveillance (CCTV) in Canada. Questionnaires are being distributed to police services across the country. This is the first pan-national questionnaire relating to CCTV. The study aims to (1) gather information about the role and short history of CCTV in individual municipalities, (2) act as a measure of comparing CCTV usage provincially in Canada, and (3) act as a measure of comparing Canada with other countries (most notably the UK and the United States). Please respond as fully and accurately as possible. Feel free to provide additional information on the reverse side of the questionnaire. Also feel free to provide any relevant documents, studies, etc. pertaining to your own CCTV operative. When finished, place in the self-addressed stamped envelope provided and mail. Thank you for your time.

I. General Questions

#1 Education, Rank, and Years of Service

#2 City______________________________

Date CCTV Implemented__________________________

#3 Where are the cameras located in the city? How many cameras are there? Technological capabilities (tilt, zoom, etc.?)

#4 Do the cameras record or are the screens simply monitored? What sort of recording/monitoring schedule exists? (i.e. day, night)
#5 What happens with the tapes? (i.e. reused, destroyed)

#6 Who works as the CCTV operators?

#7 What sort of activities and labour hours constitute the work of the CCTV operators?

II. Cost and Rationale

#8 Where did the funding come from to start the CCTV operative?

#9 Where does the funding come from for upkeep, maintenance, wages, etc.?
#10 Why were the cameras installed?

#11 What are the objectives of the CCTV system?

#12 Were there public consultations? How many people participated? Do the cameras have public support?

III. Privacy, Support, and Community

#13 What other CCTV systems did you consult in formulating and implementing your CCTV operative?

#14 What resistance or challenges has there been to the camera system? (i.e. Privacy legislation, protest, vandalism, etc.)
#15 Do you have a comprehensive action plan for dealing with the displacement of crime or is there any evidence for the displacement of crime in your city? Do you think it is important to monitor and oversee the displacement of crime that could be caused by CCTV surveillance cameras? Why?

#16 Will the CCTV operative positively benefit the community? If yes, please substantiate with data or reasons. If no, please state why.

#17 That you are aware of, has the implementation of the CCTV operative had any negative consequences for already marginalized communities?

Your participation in this study is greatly appreciated. Thank you!!