

**Sean P. Hier**

*Panoptic Dreams: Streetscape Video Surveillance in Canada.* Vancouver: University of British Columbia Press, 2010, 328 p.

The title of Sean Hier's newly published book could easily suggest a somewhat utopian dream world of panoptic, totalizing observation by video camera. The author alerts readers early on, however, of a much more ambivalent picture concerning both the utility of closed-circuit television (CCTV) surveillance and the technology's implications for Canada's privacy framework. Advocates of public CCTV may consider streetscape monitoring programs as expansive mechanisms of disciplinary control, but, as Hier sets out to document, CCTV surveillance does not always meet desired goals. There is, as the author reveals through a thorough review of 13 case studies of CCTV monitoring in cities across Canada between 1981 and 2005, "no homogenous them" watching over an "homogenous us" but, rather, an assemblage of law-enforcement officials, concerned citizens, politicians, and business people, each with their own reasons for championing CCTV surveillance (p. xvii). CCTV program development is often triggered by one or more signal crimes or events (unexpected and often violent episodes) that prompt crime-prevention and deterrence strategies in cities, and while all who pass by a street-level camera fall under its gaze, individuals of lower socio-economic status, aboriginal peoples and other visible minorities, youth, and the disenfranchised populating many of Canada's cities are disproportionately targeted (pp. 26, 221). In mapping out the history of streetscape video surveillance in Canada, Hier methodically details the interplay not just between the aforementioned groups, but also among the concerned citizens, activist groups, and privacy advocates who have opposed public video surveillance. The experiences in each case play out against the sometimes confusing regulatory landscape that has evolved alongside the diffusion of video surveillance but has slowly solidified around the locus of a pragmatic privacy approach by Canada's privacy policy community. Hier documents a fascinating history of CCTV monitoring that can at times seem quintessentially Canadian: Anglo-Canada ignored Quebec's early experience with CCTV surveillance, and this impeded development of the privacy policy framework and best-practices guidelines (p. 32). The author also details the efforts of former privacy commissioner George Radwanski to build resistance to CCTV surveillance through a Canadian Charter of Rights and Freedoms challenge that was eventually withdrawn after Radwanski resigned as privacy commissioner over charges of financial wrongdoing (charges on which he has since been exonerated). The issue of the constitutionality of public video monitoring thus faded away, consolidating the "pragmatic, reactive, complaints-based approach" under the auspices of federal and provincial privacy commissions (p. 100). Hier's volume is as much a history of Canada's privacy policy framework as it is a history of public streetscape surveillance in Canada.

Although Hier is careful to include the range of experiences with streetscape CCTV programs across Canada, the successes and the failures, he sometimes appears overly cautious in his critical sociology of surveillance. On the face of his empirical evidence, he might have made a stronger, more explicit critique of the role of surveillance under neo-liberalism, of its bureaucratic exercise of power through the collection of personal information via monitoring systems. Hier acknowledges that CCTV monitoring programs are most often articulated along the well-worked logic of the panopticon, through which asymmetrical power relations enable “privileged members of society to impose systems of surveillance on the general population” (p. 15); yet he is keen to avoid essentializing the significance of CCTV surveillance and streetscape monitoring in Canada. He makes it clear in the book’s introduction, as in its conclusion, that he did not want to set out a strong position for or against CCTV monitoring of public spaces, reasoning that the complexity of CCTV surveillance requires a more balanced review. Hier’s study shines a light on the process, configurations, stakeholders, and policy landscape of public CCTV that can serve as a springboard for further research, but it might also have highlighted some of the troubling issues surveillance presents for Canadian society and law—for example, the amendments to the Privacy Act (as through Bill C-36, the Anti-Terrorism Act) that permit secrecy orders to trump privacy and access to information.<sup>1</sup> This important point is crucial to the broad expansion of surveillance in Canada, including CCTV monitoring, because it has lowered the threshold around “individualized suspicion,” justifying the expansion of surveillance systems through perceived threats from activist groups and terrorism.<sup>2</sup> There is little mention of the surveillance and security industry, which designs and develops CCTV monitoring systems, and their role in influencing, and lobbying, stakeholders in law enforcement and government. What are the political and economic interests at stake through the ongoing expansion of CCTV surveillance systems across Canada? I hope that Hier’s book will serve to heighten interest among researchers who critically examine the important questions of race, class, and gender within groups targeted unevenly by the powerful socio-technical assemblage that constitutes institutionalized surveillance in Canada.

These minor criticisms aside, *Panoptic Dreams* will prove indispensable to the community of interest around public streetscape CCTV. Hier’s study is rich in empirical data and will stand as a foundation for further study—a useful compendium of information for students and scholars of surveillance, for the privacy advocacy and policy community, for opposition groups, and for law-enforcement officials who want a thoughtful distillation of the issues surrounding CCTV surveillance in Canada.

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<sup>1</sup> Surveillance Camera Awareness Network, *A Report on Surveillance Cameras in Canada: Part 1* (Kingston: Surveillance Project, Queen’s University, 2009).

<sup>2</sup> Priscilla Regan, “Old Issues, New Context: Privacy, Information Collection, and Homeland Security,” *Government Information Quarterly* 21 (2004): 481–97.

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**Nicholas Blomley**

*Rights of Passage: Sidewalks and the Regulation of Public Flow.* Abingdon, UK: Routledge–Glasshouse, 2011, 134 p.

This is a brilliant book, the more so because the author is able to outline and develop the thesis, including its intellectual inheritance, concisely. It is also wonderfully modest both in aim and outlook, although it should be acknowledged that the book is potentially of wider importance, since it offers a material way of working with the emerging literature on legal technicality, including the significance of police, as a socio-legal resource. That work, which forms part of the intellectual inheritance of *Rights of Passage*, raises tremendous possibilities but also potential pitfalls (such as a retreat to doctrinalism), which Nicholas Blomley neatly avoids here. In addition, that work is asking us, as socio-legal scholars, to treat human and non-human objects equally—Emilie Cloatre uses the helpful descriptor “socio-legal objects”—and Blomley demonstrates the equal measure given to socio-legal objects (humans, benches, bins, newspaper boxes, etc.) by his research participants.<sup>1</sup>

The book's thesis, in sum, is that there is a collision of understandings about use of the sidewalk across a range of expert, technical, and political logics—whether administrative, judicial, or political—although those logics have different inputs. In these logics, pedestrianism, which is the focus of Blomley's book, is the unencumbered ability to move from point A to point B; it is about flow and circulation—as Blomley puts it, “the successful sidewalk is one that facilitates pedestrian flow and circulation” (p. 4). This output is neutral as to the nature and type of obstruction. That the book has left me feeling uncertain about how best to resist these logics and outputs is, I think, one of the author's aims (see, in particular, the conclusion), a point to which I return at the end of this review.

Blomley does not seek to produce a further account of what he labels “civic humanism,” the logics of which are discussed in chapter 2 and which is characterized as having “an emphasis upon the social and political effects of the sidewalk, understood in relation to the human subject” (p. 17). Blomley's point is that pedestrianism is overlooked or not taken seriously by academics and activists from those angles: to take pedestrianism seriously implies a different way of engaging with and resisting it. The book is at its strongest in the two chapters

<sup>1</sup> Emilie Cloatre, “TRIPS and Pharmaceutical Patents in Djibouti: An ANT Analysis of Socio-legal Objects,” *Social and Legal Studies* 17, 2 (2008): 263–81.