

There are many articles in support of a single-payer system that answer most of the criticisms of this approach. This author doesn't attempt to answer possible objections. What is the effect of her refraining from tackling a wide array of issues and sticking to the comparison as a way of formulating her argument?

Suggestion for Writing

Take one of the issues the author discusses—such as the cost of health care, the infant mortality rate, or the mortality rate in general—research the topic and write an argument either supporting or disputing the claims of the author. You will want to keep an eye on the range of alternative explanations for the statistics in question.

ALAN EHRENHALT

The Misguided Zeal of the Privacy Lobby

Alan Ehrenhalt was born in 1947 in Chicago. He received an A.B. from Brandeis University and an MS from Columbia University. He was a reporter for Congressional Quarterly and serves as executive editor of Governing magazine. He has written numerous articles, editorials, and books including The Lost City: Discovering the Forgotten Virtues of Community in the Chicago of the 1950s. In this essay, he makes the provocative argument that there have been exaggerated and even harmful demands for privacy that overcome reasonable proposals such as the one for national identity cards.

- 1 My Social Security number is 349-40-7931. I don't mind telling you that largely because I'm confident you have no interest in knowing it. You won't even write it down. Of course, you could be a secret enemy of mine, eager to use any available information to discredit me in some way. But I'm not too worried about that, either. I have my share of secrets, just like anybody else, but at the moment I can't think of a single one that's vulnerable to exposure simply upon presentation of an I.D. number.
- 2 But I will tell you one secret belief I have that I'm usually careful not to blurt out in polite company. It's this: I think privacy is the single most overrated issue in the entire lexicon of public policy—state, local, federal or anyplace else. Of all the dangers that this society faces as it starts the new millennium, one of the most remote is the risk that America will become an Orwellian police state, watching everything citizens do and taking down every word they say. And yet people all over the country lose a lot of sleep every night worrying about it.
- 3 I have great admiration for George Orwell, as a writer and thinker, and as a lifelong leftist who had the courage to expose communism for the hypocritical sham it was. But in one important way, Orwell did posterity a disservice. He depicted the surveillance methods of totalitarian society so vividly and so convincingly that an entire generation of otherwise reasonable Americans has convinced itself that Big Brother is watching them even when the truth is that Big Brother has far more important ways to spend his time.
- 4 "They could plug in your wire whenever they wanted to," Orwell wrote a few pages into his novel, *1984*. "You had to live—did live, from habit that became instinct—in the assumption that every sound you made was overheard, and, except in darkness, every movement scrutinized."

5 I'm not a simpleton. I know there are governments in this century that have operated that way. The Stasi collected tons of data on the daily habits of ordinary East Germans and filed them away for later use. The KGB knew who the Soviet dissidents were almost from the moment they opened their mouths. I am also aware that even in a free society, horrible miscarriages of justice take place. Waco was indefensible. The police in a one-party dictatorship couldn't have acted any more irresponsibly.

6 But mature citizens in a civilized country are required to make distinctions between aberration and routine. Those of us who lay awake at night in America in 1999 worrying about the government's desire to snoop on them are mostly either (1) paranoid or (2) guilty of something. If there is a legitimate threat to our personal privacy these days, it comes from corporate capitalism, from the companies that make their living on the sale of information for commercial use. It doesn't come from the county commission, the legislature, or the U.S. Department of Health and Human Services.

7 But merely to say such a thing is to risk provoking shock and even ridicule among most members of the educated elite in this country. In the past generation, the idea that our precious privacy is under siege has transcended ideological differences, from the Cato Institute on the right, which says "the history of government programs indicates privacy rights are violated routinely whenever expediency dictates," to Justice William O. Douglas on the left, who wrote near the end of his life that "we are rapidly entering the age of no privacy, where everyone is open to surveillance at all times, where there are no secrets from the government." Ask to see the evidence for these propositions, and you won't get much. But you will be branded as a naïf, or a proto-Fascist, or both.

8 That is why I am so impressed with the courage of Amitai Etzioni, who dares to challenge the conventional wisdom in his new book, *The Limits of Privacy*. Etzioni is a reasonable man. He doesn't claim that our personal liberty is unimportant, or deny that the government possesses the technological capacity to invade it. He merely argues that we have gone overboard in our privacy obsession in recent years, and we need to tilt the balance back a few steps in the direction of common sense and provision for the common good.

9 And he offers convincing detail on why this is so. For reasons of privacy, for example, we fail to require HIV testing for mothers and infants, even though the information gained by such testing would save many of the infants' lives. We refuse to give law enforcement officials the tools to decipher encrypted computer messages, even though encryption makes systematic criminality easier to practice with each passing year. And on and on through a whole range of current public policy questions.

10 But of all the issues Etzioni takes up, none illustrates his point better than the controversy surrounding creation of a uniform identification process for American citizens.

11 The costs of not having such a system are hard to dispute. As Etzioni recounts, there are more than 30,000 fugitives from the federal criminal justice system running free on false identification. Each year, several thousand convicted sex offenders seek work in the child-care business alone. The use of fake identities by crooked taxpayers costs honest ones an amount estimated to be as much as \$5 billion a year. Another \$5 billion is thought to be owed by deadbeat parents fleeing their child-support responsibilities. At the end of 1997, the Secret Service reported that it had arrested nearly 10,000 people during the year for various financial crimes involving false or stolen identities, and placed the cost of that fraud to banks and legitimate credit-holders at \$745 million.

- 12 There's no way such figures can be exact. Quite likely some of them have been inflated a little bit in the process of reporting. But if they are even roughly accurate, they make it quite clear that identity crime is a genuine problem in this country.
- 13 And it's a problem that could be solved relatively easily, by creating a card or other universal identifier proving that the person in search of a job or transferring money is in fact who he or she claims to be. We already use Social Security cards and numbers as a de facto identifier for many public purposes. It's just that they're easy to cheat on. How dangerous could it be to create a new version that liars would have to respect?
- 14 Not very dangerous at all, is the correct answer. But it's an answer that a privacy-obsessed American polity is stubbornly unwilling to consider. In 1993, when the Clinton administration included establishment of a medical "security card" as part of its national health care proposal, it soon discovered it had made a major tactical error. Anything that sounded remotely like a national I.D. card set the privacy lobby going full blast.
- 15 Of course, it doesn't take much to do that. Pick up any ordinary newspaper these days, and there's a good chance that somewhere within its pages you will find a warning that an identification system is merely the opening move in Big Brother's bid for absolute power. "Don't we remember the Nazi experience in Europe?" the editor of *Privacy Journal* asked in the *New York Times* a couple of years ago. "Don't we realize the dangers of allowing government to establish identity and legitimacy?"
- 16 Just last campaign season, a Nevada gubernatorial candidate offered up identity cards as a sign that America was "rushing headlong into becoming a socialist totalitarian society." Privacy zealots left and right are fond of repeating the warning of former California Senator Alan Cranston: ID cards are "a primary tool of totalitarian governments."
- 17 Well, yes, they are. So are whips, but they are not a cause of torture. So is tear gas. That doesn't make tear gas an emblem of totalitarianism. A little common sense would be useful here. If America starts to go down the road to Fascism, it won't be because people are carrying identification in their wallet. As Etzioni says, "Cards do not transform democratic societies into totalitarian ones."
- 18 In America in the 1990s, the obsession with privacy is more than just a simple overreaction to George Orwell or to horror stories about something that happened in Moscow or Beijing. It is a reflection of the hyperindividualism to which the political system has succumbed in the past generation or so, and the ways that prevents us from becoming civic grown-ups in a democratic society.
- 19 One trait that marks just about all of us during childhood and adolescence is an unremitting anxiety about what other people think of us. When we get older, if we are lucky, we begin to realize that, in fact, other people aren't thinking about us at all most of the time. Other people are worried about themselves. The rest of the world isn't watching us with a pair of binoculars. The sensible thing to do is figure out what we want to do and then go on and do it.
- 20 Of course, some people never figure this out, even in middle age. They go through life searching desperately for clues about the impressions they are creating—at home, at work, even among strangers on the street. They are convinced their friends and acquaintances are judging the most minute details of their lives, and making mental notes about their performance for use later.
- 21 It's not a very pleasant way to live, and it doesn't bear much resemblance to reality. As individuals, most of us manage to figure that out somewhere between adolescence and middle age. If we learned a similar lesson in our capacity as citizens, we would all be better off.

Discussion Questions

1. What seems to be the purpose of Ehrenhalt's essay? Is it essential for him to make a very strong argument?
2. What are Ehrenhalt's major arguments in favor of national identity cards?
3. What purpose does it serve for Ehrenhalt to indicate his social security number at the beginning of the article and then later indicate that we do use social security cards and numbers as forms of public identification?
4. In response to the argument that ID cards are the tools of totalitarian governments, Ehrenhalt answers that whips and tear gas are also tools of such governments. What is the point of his response? Is it an appropriate argumentative strategy?
5. What point does the author make in the concluding three paragraphs? How effective is this conclusion?

Toward Key Insights

Often we must make decisions weighing conflicting values. How important is privacy as a value compared to other values such as the protection of life and health? Currently the government and companies have extensive amounts of information about us. There is also a scattered system of identification including driver's licenses and social security numbers. Would a national identification card actually decrease our liberty?

Suggestions for Writing

Write a paper arguing whether we as Americans are excessively concerned about privacy.

Write a paper on whether or not we should require HIV testing for mothers and infants.

BARBARA DORITY

Halt and Show Your Papers!

Barbara DORITY serves as the executive director of the Washington Coalition Against Censorship. She is the president of the Humanists of Washington and edits the Secular Humanist Press. Her columns on civil liberties appear regularly in The Humanist Magazine. In this selection, she argues against the use of national identity cards.

- 1 The idea of a national identity (ID) card seems simple enough. Take the photographic and alphanumeric information on our birth certificates, Social Security cards, driver's licenses, and voter registration card; add a bar code, magnetic strip, fingerprint, microchip, or other biometric identifier; and display all that information (and more) on a neat plastic card no larger than a credit card. Our lives would be simplified. We'd always know for sure who we are and who everyone else really is.
- 2 But beneath this smooth surface lurks a complex terrain of issues and perhaps the greatest threat to personal freedom Americans have ever confronted.

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3 The concept of a national ID card has been debated in the United States for over three decades. In the past, the opposition has been strong and bipartisan and has always prevailed. Extension of the Social Security number to the status of an ID card was rejected in 1971 by the Social Security Administration. In 1976, the Federal Advisory Committee on False Identification rejected the idea of a national identifier. The Carter and Reagan administrations both went on record as opposed to a national ID system.

4 In 1996, uniform national driver's license standards—which some considered tantamount to a national ID card—were enacted into law. However, their implementation was delayed, and a permanent repeal of the proposal was contained in the FY2000 Transportation Appropriations Act signed by President Clinton. In October 1999, House Majority Leader Dick Armey's website featured an article entitled "Good Riddance to the National ID Card." Armey's accompanying statement included these words:

5 This is a classic victory of freedom over "Big Brother." Because we acted quickly, no American will have to carry a National ID Card. A national driver's license with "biometric identifiers" or social security numbers is more suited to a police state than to a free country. It took three years of hard work, but we finally laid this disturbing idea to rest.

6 Not.

7 As a result of the September 11, 2001, terrorist attacks, the debate has been renewed and elevated to a higher and much more dangerous level. Just look at this sampling of headlines from recent newspaper articles around the country:

- "Support Grows for National ID Card Proposal" (*San José Mercury News*, October 16).
- "National ID Card System Failing to Attract Supporters" (*Los Angeles Times*, October 24).
- "U.S. Security Advisor: National ID Card Not Feasible" (*NewsFactor Network*, November 8).
- "National ID Card Gaining Support" (*Washington Post*, December 17).

8 Members of Congress, security experts, and high-tech executives have rushed to endorse the idea of some new form of identification system as a critical weapon in the "fight against terrorism." Unfortunately, little of this discussion has been open to the public (no surprise there), so it has been difficult to determine where the concept currently stands in the minds of the nation's decision makers.

9 George W. Bush, thankfully, has publicly stated his opposition, saying that national ID cards are unnecessary to improve security. Richard Clarke, Bush's chief of cyberspace security, agrees and does "not think it's a very smart idea." Fierce opposition comes from a wide range of privacy advocates, the American Civil Liberties Union, and even conservative organizations like the CATO Institute, Eagle Forum, and the John Birch Society.

10 And yet, as Roger Gay headlines his article in the November 29, 2001, conservative *Too Good Reports*, perhaps "It's Too Late to Stop a National I.D. Card." Marty Abrams, an information technology specialist at the law firm Hunton and Williams and a former senior credit bureau executive, summarizes the current state of the U.S. psyche well: "We're willing to accept this immense flow of data to law enforcement and their proxies to make sure we feel safe and secure. . . . The equilibrium point has shifted as a result of September 11."

- 11 Most disturbingly, recent Pew Research Center and Harris polls show strong support for a national ID card by those polled: 70 percent and 68 percent, respectively. This preference is undoubtedly hinged on the assumption that such a system would largely prevent terrorists and other "evil-doers" from entering the country—an assumption that is, at best, extremely dubious.
- 12 Other ID card supporters include the Department of Defense (which already has such a system in place), Oracle CEO Larry Ellison (who has offered to provide the ID software for free and would be glad to offer his company's services to maintain the system and its massive databases—for a fee, of course), the American Association of Motor Vehicle Administrators (which sees this as an opportunity for a national driver's license system), the Air Transportation Association, the Justice Department, lawmakers in U.S.-Mexico border states, and all those in charge of immigration committees in Congress. To my absolute horror, even Bill of Rights champion Alan Dershowitz has recently endorsed the concept, claiming it would reduce racial profiling!
- 13 The single best overview I've found of the basic questions about national ID cards and concepts involved in their debate is contained on the objective "Frequently Asked Questions" (FAQ) page of the Privacy International website at www.privacy.org/pi/activities/identity/idcard/idcard_faq.html. Its points are summarized below.
- 14 1. Who uses ID cards now? About a hundred countries currently utilize official, compulsory, national IDs for various purposes. These include Belgium, France, Germany, Greece, and Spain. Among the developed countries that don't have such a card are Australia, Canada, Ireland, New Zealand, Sweden, and the United States. Most countries that don't have a national universal card do have a health or social security card or other documents of identity.
- 15 2. What are the primary purposes of ID cards? Race, politics, and religion are often at the heart of older ID systems. Card systems have been instituted to control the threat of insurgents or political extremists, to facilitate religious discrimination, to enforce quota systems, and to allow for social engineering. The FAQ notes: "At the heart of such plans is a parallel increase in police powers. Even in democratic nations, police retain the right to demand ID on pain of detention."
- 16 3. What is the cost of an ID card system? The expense of implementing such a system has been at the forefront of both political and public opposition in a number of countries, including Australia, the Philippines, and the United Kingdom. Cost estimates to create and issue national ID cards in the United States are around \$3 billion.
- 17 4. Can ID cards assist law enforcement? The usefulness of ID cards to law enforcement has been marginal. Little evidence has been advanced to demonstrate that they would either reduce the incidence of crime or enhance the success of prosecution. Police authorities in the Netherlands and the United Kingdom have stated their reluctance to administer a compulsory card that might erode relations with the public. Furthermore, forgeries would be inevitable. Obviously, the more an ID card is used, the greater the value placed on it and, consequently, the higher its value to criminal elements.
- 18 5. Can ID cards help to control illegal immigration? The impact of such cards on controlling illegal immigration has been patchy. The use of a

card for purposes of checking resident status depends on the police and other officials being given very broad powers to check identity—either a vastly increased level of constant checking of the entire population or a discriminatory checking procedure that would undoubtedly target minorities (numerous examples are included in the FAQ).

- 19 6. Which countries have rejected proposals for ID cards? The most celebrated campaign against a national ID card occurred just over a decade ago in Australia. In response to proposed legislation, tens of thousands of people took to the streets in opposition, and the government became dangerously split over the issue. The proposal caused such hostility that it was withdrawn in 1987. A similar proposal was presented in New Zealand a few years later and, under the leadership of the Auckland Council for Civil Liberties, an opposition campaign was formed and the proposal was abandoned.

- 20 In summary, the benefits of a national ID card are highly questionable, while the risks threaten the very heart of a free, democratic society. The national ACLU provides one of the most succinct summaries of the rights issues by boiling down the debate to five major reasons why a national ID card will keep us neither safe nor free:

- 21 Reason 1: A national ID card system won't solve the problem: it won't prevent terrorism. It wouldn't have thwarted any of the September 11 hijackers, for example, many of whom reportedly had identification documents on them and were in the country legally. Terrorists and criminals will continue to be able to obtain—by legal and illegal means—the documents needed to get a government ID, such as a birth certificate.

- 22 Reason 2: An ID card system will lead to a slippery slope of surveillance and monitoring of citizens. While such a system cannot protect us from terrorism it would create a system of internal passports that would significantly diminish the freedom and privacy of law-abiding citizens. Once put in place, it is exceedingly unlikely that such a system would be restricted to its original purpose. For example, the original Social Security Act contained strict prohibitions against using Social Security cards for unrelated purposes, but those strictures have been routinely ignored and steadily abandoned over the past fifty years. A national ID system would threaten the privacy that Americans have always enjoyed and gradually increase the control that government and business wields over everyday citizens.

- 23 Reason 3: A national ID card system would require the establishment of a database of all people in the United States. What happens then when an ID card is stolen? What proof may be used to decide who gets a card? The records of every individual would require continuous updating; would likely contain many errors, any one of which could render someone unemployable and possibly much worse until they get their "file" straightened out. And once created, the use of such a database would almost certainly expand. Law enforcement and other government agencies would soon ask to link into it, while employers, landlords, credit agencies, mortgage brokers, telemarketers, private investigators, civil litigants, and a long list of other parties would begin seeking access, further eroding the privacy that people have always expected in their personal lives. We already see this happening with a proposed airline security database of passenger profiles that would be designed to rate the security risk posed by each passenger.

- 24 Reason 4: ID cards would function as "internal passports" that monitor citizens' movements. Americans have long had a visceral aversion to building a

society in which the authorities could act like totalitarian sentries and demand "your papers please!" That everyday intrusiveness would be conjoined with the full power of modern computer and database technology. For example, if a police officer or security guard scans your ID card with a pocket barcode reader, would a permanent record be created of that check, including the time and your location? The end result could be a nation where citizens' movements inside their own country are monitored and recorded.

25 Reason 5: ID cards would foster new forms of discrimination and harassment. Rather than eliminating discrimination, as some have claimed, a national identity card would foster new forms of discrimination and harassment of anyone perceived as looking or sounding "foreign." That is exactly what happened after Congress passed the Employer Sanctions provision of the Immigration Reform and Control Act of 1985; it resulted in widespread discrimination against foreign-looking U.S. workers, especially Asians and Hispanics. A 1990 General Accounting Office study found almost 20 percent of employers engaged in such discriminatory practices. A national ID card would have the same effect on a massive scale, with Latinos, Asians, Arabs, and other minorities becoming subject to ceaseless status and identity checks from police, banks, merchants, and others. Failure to carry a national ID card would likely come to be viewed as a reason for search, detention, or arrest of minorities. The stigma and humiliation of constantly having to prove that they are U.S. citizens or legal immigrants would weigh heavily on such groups.

26 New York attorney Duncan Frissell writes in the *Sierra Times*: Most critics of a national ID card mention Hitler, police stops, and personal privacy to argue against the proposal. Those are certainly good reasons to oppose a national ID card, but they miss the idea's worst features. A national ID card is not really about identity. It is about authorization. A modern national ID system will:

- 27 ■ Require Americans to obtain federal government authorization to travel, work, rent or buy housing, obtain medical care, use financial services, and make many purchases.
- 28 ■ This federal authorization could be denied for many reasons, including database errors, a suspicious transaction profile, being a deadbeat parent, failure to pay taxes or fines, and any other social control measures Congress wishes to hang on the system.
- 29 ■ The system will almost certainly create an outlaw class—as large as 10 to 20% of the population—cut off from "normal" life in America. This class will include political refuseniks, as well as those whose behavior has caused the system's software to deny their transactions. This outlaw class will sustain the underground economy for the use of future terrorists (and ordinary criminals).

30 These effects are easy to predict because they've already happened on a smaller scale.

31 Robert Ellis Smith, a lawyer and privacy specialist, says the push for a national ID card is based on the false belief that there can be a simple, high-tech solution to an immensely complex problem. "One way to predict the effectiveness of a national ID number or document is to look at environments where the true identity of all residents is known: prisons, the military, many workplaces, many college campuses," he writes in a new paper about national ID cards. "And yet these places are far from crime free."

32 Ari Schwartz, a policy analyst for the Center for Democracy and Technology, supports a national ID program that is done in a way to allow individuals to

control the information held about them. But he is still concerned about the unintended consequences of a central database. "There are some measures that we should definitely be moving forward on today, and then there are some other ideas that we need to have a longer-term discussion about," he said. "This is definitely one of those longer-term ideas."

33 A similar message is offered by Peter Neumann and Lauren Weinstein, moderators[*sic*] of the RISKS Forum (www.risks.org) and the PRIVACY Forum (www.privacyforum.org), respectively, and co-founders of People For Internet Responsibility:

34 We have noted here before that technological solutions entail risks that should be identified and understood in advance of deployment to the greatest extent possible, regardless of any panic of the moment. The purported (yet unproven) benefits of a national ID card system notwithstanding, these risks deserve to be discussed and understood in detail before any decisions regarding its adoption in any form should be made.

35 The specter of a national ID card has been cropping up in my nightmares for years. On top of the current horrifying attack on the Bill of Rights under the guise of "fighting terrorism," the potential imposition of this ultimate "Big Brother" tactic in my America leaves me in virtual despair.

36 But according to the Attorney General of the United States John Ashcroft, by writing such articles as "Invading the Bill of Rights" (*The Humanist*, November/December 2001) and this one, I'm "scaring peace-loving people with phantoms of lost liberty" and "aiding the terrorists." When I first heard this accusation, I was outraged. Upon reflection, however, I've decided I don't mind. In John Ashcroft's America, where everything is literally turned on its head, being called un-American has become the mark of a citizen who truly loves and defends the principles of the United States. (Not to mention that the company is most gratifying.)

Discussion Questions

1. What is the overall structure of the argument?
2. What are Dority's major objections to identity cards?
3. What does Dority do to demonstrate that national identity cards is a real issue? Why is this an important step in her argument?
4. Like many writers, Dority does not generate all her reasons herself but rather brings in ideas from other sources. Does the inclusion of material from the Web and ACLU weaken or strengthen the argument? How might it have been more effectively handled?
5. In paragraphs 31, 32, and 33 what is Dority's argumentative strategy? Is it effective?
6. What is the possible purpose for the conclusion? Is it effective?

Toward Key Insights

In our computerized age, the government and businesses have access to extensive amounts of information about citizens. To what extent does a national identity card pose a threat to civil liberties?

How much liberty is worth surrendering for greater security?