



# Digital Citizenship: The Case for a National ID Card

**By Dr. Karl Albrecht**

ABSTRACT: The tensions between privacy and security and between distrust of government and fear of hackers may not be relieved soon, but advancing technologies for digital identification and data storage make the possibility of national identity cards increasingly imminent. Potential benefits could include reduced fraud in tax and voting systems, but the “killer app” for a national ID card would be a solution for immigration reform.

# DIGITAL CITIZENSHIP

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## *An Idea Whose Time Has Come*

**F**ew topics can set off such an ambivalent response, particularly for Americans, as the mention of a national system of identity tracking: “Big Brother wins out.” “The death blow to privacy.” “The surveillance state.” These are typical reactions.

The concept of a national ID card has been kicking around for a decade or more, and now its time may have come. But in the current climate of bewildering technological change, we can see a paradoxical interplay between acceptance and suspicion, optimism and fear. The subjective arguments against a national ID system often center on a general sense of distrust—of governments, big corporations, and, of course, the faceless diaspora of hackers.

For the record, I consider most of those suspicions and apprehensions well justified. We’re not even sure what to be afraid of. The worst digital atrocities, including civil-liberties abuses perpetrated by government entities, probably haven’t been invented yet.

Perhaps a fair way to respect the legitimate concerns of those who are reluctant or unconvinced would be to describe a hypothetical national ID system and consider both possible side effects and presumed benefits.

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## *What Would a National ID System Look Like?*

We might get some useful insights for the design of a national ID system from various systems used in many other countries. Wikipedia.org lists over 100 countries that have compulsory ID cards, including Argentina, Belgium, Brazil, China, Germany, Greece, Hong Kong, Indonesia, Iran, Israel, the Netherlands, Russia, Saudi Arabia, Singapore, Spain, and Taiwan.

In some countries, possession of one's ID card is mandated, but not all countries punish failure to carry it. Some others impose strict penalties. As might be expected, the most totalitarian governments have imposed the strictest requirements on citizen identification. Few, if any, governments have fully integrated digital identity into their immigration and customs systems.

Tiny Estonia, when freed from the Russian orbit after the collapse of the Soviet Union, immediately began moving to become a full "digital society." The government in Tallinn seldom enforces the requirement for carrying the card, partly because almost all citizens have their online identities, and the requirement for physical possession is basically moot. Most Estonians register online to vote, file and pay their taxes online, and do most of their banking and other personal transactions online.<sup>1</sup>

The United States is probably much closer to having such a system than many people realize, although the parts have not been connected and integrated. The nation currently has a vast multitude of special-purpose databases, most of which don't know how to talk to one another.

A national ID system would probably have only two moving parts: a simple plastic ID card, with the citizen's photo and fingerprint, and a single database containing every citizen's basic data package. No personal data would be stored on the card—only a serial number, which would serve as the citizen's unique identifying number. A decade ago, the magnetic stripe encoded various specific chunks of information, but now we've evolved to the point where it's easier and cheaper to put all of the identity information in the cloud.

To make this crucial point very clear: Consider the gift card, or store card, which you buy from a retailer. The card is nothing more than a link to an online database. It doesn't know who bought it, who owns it, who's entitled to use it, or how much money remains to be spent. Only two items of information matter: the serial number, encoded in the card; and the cash balance, which is hidden away in a commercial database somewhere. When the card holder wants to buy something, the retailer simply swipes the card, the electronic access terminal taps into the database, and the system updates the balance.

That ultra-simple model would almost certainly be the core concept of the national ID card system. All of the action takes place at the database, not on the card.

Let's consider some of the most obvious applications—and presumed benefits—of this card-and-database system.

## *Fraud Might Actually Decline*

This new approach could actually have positive implications for *reducing* fraud and identity theft.

Most types of ID cards used today are fairly easy to counterfeit—driver's licenses, military ID cards, student cards, welfare eligibility cards, alien work permits, and lots of others. With the card-and-database system just described, however, counterfeiters face a very large challenge. If they invent a unique citizen serial number that hasn't already been assigned by an authorized agency, the system will reject it as invalid. But if they use one that's already in the database, the bogus version will eventually collide with the authentic one, and access terminals will reject it as a duplicate.

A lost or stolen card would have little value at the point of use, unless the thief happens to look a lot like the citizen who lost it. Once the card gets flagged in the database as lost or stolen, the access terminal would cue the retailer to verify the photo or fingerprint and possibly to confiscate the card. Then the reissued card with the same serial number would be flagged as back in the rightful citizen's custody.

As an option, you might choose to have your database record flagged to show which credit cards and other special cards you are using. Retailers might ask for your ID number as a means of confirming validity. At point of sale or over the phone, the national ID cross check might cut down fraudulent charges significantly. A restaurant worker who stole a customer's credit card number would be very unlikely to have the customer's national ID number as well.

## *Law Enforcement Might Get Smarter*

The fatal flaw in the vast majority of our identity-based data systems—driver's licenses, credit cards, medical plans, arrest records, tax rolls, jury lists, and lots of others—is that they're indexed and accessed by the *names* of people, and names are not unique. If your name happens to match one of those on the government's no-fly list, for example, you could have a very unpleasant experience at the airport.

In some cases, secondary data fields such as Social Security numbers (as in the United States), passport numbers, or military service numbers might come to the rescue, but they're not always part of the databases.

Here the key question of privacy arises: Is the right to privacy—that is, “the right to be left alone,” as U.S. Chief Justice Louis Brandeis famously framed it—an absolute right? Should a society allow people to “disappear” by changing their name and relocating, even if they are criminal fugitives? Is anonymity an absolute right in today’s world? This is a question of significant scope.

Consider the obvious example of a divorced man under court order to pay child support to his former spouse. By pulling up stakes, relocating, and assuming a fictitious name, he might escape his legal obligations, unless they can find him. This remains a significant unsolved problem in the United States. Coordination between state-level law enforcement agencies is fragmentary at best. Typically the deprived spouse has to pay a private investigator to do what an intelligent data system could do in a split-second. With a national ID system, a flag on the divorced man’s record would alert the proper authorities, including tax authorities, of his obligation and possible delinquency.

Many of these linking and integration mechanisms might streamline law enforcement and greatly improve coordination across all jurisdictions nationwide. When police officers stop a suspect, they typically search the local database for their jurisdiction, such as city or county, for outstanding arrest warrants. In cases of multiple false identities, they might not get a match, nor would they for outstanding warrants in other jurisdictions. With a national ID system, a flag in the citizen’s record would cue the authorities to contact the previous arresting agency.

A similar problem exists with registered sex offenders. If an offender relocates and chooses not to register in the next city, his presence or absence is typically not detected automatically. Many U.S. states require landlords to verify that prospective tenants are not on restricted lists, but these systems are haphazard at best. With a national system, the citizen ID number would attach to the new address whenever he signed a rental agreement or established mail service.

The same possibilities apply to keeping track of felons on probation, bail jumpers, people with unpaid traffic fines or expired driver’s licenses, and those under restraining orders. In fact, the threat of suspension of driving privileges and a meaningful method for enforcing it might well serve as a significant deterrent to petty crimes. A suspension by one state would be recorded in the national database and enforced by other states if the offender should relocate.

Eventually, cities across a country might collect fines and enforcement fees imposed by other cities, and they could settle accounts by a simple method of annual transfer

payments. The United States, for example, might be a long way from having such a capability, but it's one of many options implied by the national alignment and connectedness of local data systems. A significant side effect of this new method for tracking misbehaving people on the move is that it would impose a sizable increase in cases and workloads for enforcing agencies. "Out of sight, out of trouble" would no longer apply.

Voter registration fraud might be another casualty of a national ID system. Although most experts assess the degree of voter fraud as relatively small, those who want to attack the problem might find it quickly solved. In the United States, all citizens except certain convicted felons have the right to vote. With a national ID system, they would be automatically registered. Once you pull the lever in the voting booth, the system would flag your record as having voted, so no one could use the ID number to vote more than once. The practice of registering names from graveyards as live voters would become impossible. Eventually, online voting might become feasible, with each citizen having a one-time access password for the procedure.

## ***How I Study the Future***

I've long believed that the futures community is oversupplied with "gee-whiz" publications regaling us with all the wonderful developments that are going to change the world and change our lives forever, and rather short on thoughtful analysis. There's also the "gloom and doom" contingent, but they don't seem to get much air time these days.

With all of the online resources, however—news magazines, journals, blogs, and even the popular press—I no longer have to invest very much time in detecting or guessing about the signals of change, whether faint or strong. I've built an online feed system that brings me an endless supply of predictions, so now I have the capacity to analyze them and reflect on their real potential meaning. Most of the ethereal developments I've thought up have also been conjured up by the gee-whizzers.

My favorite tool for thinking about some particular development or potential outcome is the "cause and effect" map. It's just a flow diagram that shows how a number of potentially related forces might come together to produce a hypothetical result. Take the latest "future fad," plug it into a contextual flow of many other influences, and it often loses its glitter and sense of certainty. The more dots we can connect, I believe, the better we understand the contexts within which the important developments are likely to unfold.

And, in the subjective dimension, my favorite cognitive tool is a sense of humility, coupled with a keen respect for evidence.

Welfare fraud might go the same way. Once you are deemed eligible for social services, your record is flagged in the national database during the period of eligibility. Because all eligibility records would link to the unique citizen ID number, no one could register for public assistance more than once in the same jurisdiction, or even multiple jurisdictions, by setting up multiple accounts under fictitious names. At the time of death—just another data point for the national ID system—an algorithm would flag the citizen’s record as deceased. “Dead people,” to paraphrase the pirates of old, “commit no fraud.”

A national ID system might even moderate, to some degree, the rancorous debate in the United States that swirls around gun control. Even the most extreme opponents of firearms laws tend to agree that mentally disturbed individuals, and possibly violent felons, should not have the right to possess or buy guns or ammunition. Those advocates would probably favor a system that flags the records of such offenders, making it simple for gun sellers such as retail stores, gun shows, and collectors to screen out unqualified individuals.

Consider that a number of famous serial killers and mass murderers have been assessed by mental health professionals, before their rampages, as presenting serious risks for violent behavior, often without effective follow-through. Had the care providers been required by law to report their concerns into a national ID system, a number of perpetrators might have been flagged for monitoring. Of course, mass killings are rare and unique events, with unique histories and circumstances. Practically speaking, a national ID system might have prevented a number of murderous episodes, but certainly not all or even most of them. But perhaps a partial solution beats no solution. Legal mechanisms and safeguards would need to evolve to serve this purpose. The risk to civil liberties caused by simple data-entry errors might diminish but would not disappear.

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Overall, we must acknowledge the significant risk to privacy of such a broad-scale increase in the tracking of people who behave badly. Overzealous or malicious law

enforcement agents or government employees could indeed infringe the privacy rights of individuals without probable cause or due process. More likely, defective computer software and data-entry errors could cause havoc with false matches and episodes of mistaken identity. Large bureaucracies in almost all countries have shown an appalling lack of competence in implementing large-scale data systems.

## *The “Killer App”: Immigration Reform*

We save the biggest, and possibly most contentious, application of a national ID card system for the last. What can we do about people who are in the country illegally?

Unfortunately, this issue tends to trigger the primitive kneejerk reaction so regularly that it’s very difficult to get most people to think it through open-mindedly, and the discussion too often degenerates into an exchange of brickbats.

For the purposes of this discussion, we can only sketch out the general outlines of an immigration control strategy based on a national ID system and itemize the major benefits that might be claimed for it. Beyond that, rational discussion of the pros and cons must be left for other occasions. We can use the United States as an example, and suggest that the primary considerations of such a system would be fairly similar for most, if not all, of the developed countries.

At the heart of the “immigration problem” are two questions. First, how can law enforcement authorities reliably determine who is and who is not a citizen on a timely basis, at various crucial moments? Second, what should happen to those noncitizens who are in the country in violation of the law? Recognizing that these questions often become extremely complex and confusing in many real circumstances, we can nevertheless try to focus on the primary dynamics that present themselves most commonly.

The first question—who is a citizen—requires a broad acceptance of the doctrine that various authorized officials can request a show of ID from anyone they encounter, *provided* they have a valid reason that’s relevant to the performance of their assigned duties. That doctrine is in fact already in place in the United States and is widely accepted by the courts. This would not require a new feature of any system.

Certainly, we see evidence that some police forces and individual officers misuse and abuse this authority giving many activist groups valid concerns. The “probable cause” principle, however, has long been enshrined, verbatim, in the Fourth Amendment to the U.S. Constitution. Dealing with abuse is a separate issue, although certainly not one to be minimized.

The second question—what to do with people who are in the country without legal



authorization—is currently confused and unresolved for the governments of most developed countries and awaits a rational resolution.

Before we can deal with the “what to do with them” question, we must face a more basic question: Should the government of a target country control its borders, and if so, how?

In the United States, a long line of presidents and their administrations have neglected the issue of illegal entry and presence, to the point where immigration laws are meaningful only to those who choose to honor them. Those who plan to circumvent the laws and cross the borders illegally can usually count on a fairly high probability of success.

With no real punishment consequent to a dash across the border, other than simply being sent back, why shouldn't people who want a better life make the attempt? With each successive try, their cumulative chances of getting in go up. And once they get in, the lack of any meaningful tracking system means they can usually avoid getting caught. Realistically speaking, enforcing an ID-based immigration system would require a much higher level of coordination between national level and local enforcement agencies, especially in countries that occupy large land areas.

In the United States, for instance, city police and county sheriffs near the border with Mexico lack the resources to locate and detain the waves of people entering the country illegally. These officers commonly report that, if they encounter undocumented aliens in the course of their duties, and they have no cause to arrest or detain them on criminal charges, they typically release them. One might expect that they would be required to deliver such persons to federal immigration authorities. However, they reason, the taxpayers expect them to be on duty full time, protecting the homes of those who pay their salaries. They're reluctant to go out of service for the hour or more it takes for each episode to do the handover.

## *The Need for Systems Thinking*

This is a systems problem, and it needs good systems thinking for an effective solution. The general steps required to set up a better system are:

1. Consider abandoning emotionally loaded terms such as “illegal aliens,” “migrants,” “immigrants,” “refugees,” and “undocumented workers” and recognizing instead only two categories of people: citizens and visitors.
2. Governments must rationalize the collection of laws and processes that control the entry of noncitizens, and they must *enforce* these laws and processes. This enforcement must include physical control of the borders to the greatest practical

- extent. It would also inevitably involve limits or quotas for various types of entrants.
3. The backlog of undocumented visitors—those in the country without authorization—must be cleared. No rational systems approach can work until that has been accomplished. Mass deportation is probably logistically impossible, so some form of amnesty program, or a “path to citizenship,” is probably in the cards. Many of those now in the country illegally will get lucky, and those waiting at the gates will get the short end of the bureaucratic stick. Anti-amnesty advocates see this as rewarding the “illegals” for their criminal behavior, while ethnic advocates prefer to characterize it as the only decent thing to do.
  4. A universal “visitor card,” similar to the citizen card, would work much like the gift card or store card previously described. For tourists and short-term visitors, it would be a cheap and simple product, possibly made of sturdy card stock, with only a serial number on a magnetic card stripe. For longer-term visitors, such as students, authorized workers, asylum grantees, and citizenship candidates, it might include a photo and fingerprint just as the citizen card would.
  5. A single database for noncitizens of all categories would provide up-to-the-minute eligibility status of every card holder, as designated by the issuing agency. A simple swipe through a card reader would immediately show the card holder’s name, assigned number and identifying data, and the expiration date of his or her eligibility. Approved changes in status, such as permission to work, extension of expiration, change in category, or grant of citizenship, could go into effect immediately.
  6. A national process for monitoring and enforcement, keyed to both the citizen database and the visitor database, would enable officials to manage the traffic in and out of the country effectively.

## *It Won't Be Easy or Cheap*

Setting up the national ID system would certainly enable a number of national goals, particularly immigration reform. But it would require an enormous overall investment to make it happen, probably on the scale of a Manhattan Project or an Apollo moon mission. On the grand scale, the national ID component itself would probably represent only a fraction of the necessary investment in money, political will, time, technological leadership, and administrative commitment.

Among with the formidable privacy issues a national ID system would bring are the equally difficult logistical issues of compliance and enforcement. Many questions arise immediately:

1. How would the system find and deport unauthorized visitors who are not eligible for amnesty or a path to citizenship, such as criminals at large or those who are blatantly violating the terms of their entry? How would they be returned to their countries of origin?
2. How would the probable millions of undocumented people still operating in the shadows be located and processed? How would they be incentivized to come forward and legalize their status? How would the system define their rights and privileges, and how would it monitor their activities and movements to detect violations of status during their transitional periods?
3. What happens with people—citizens or visitors—who neglect (or refuse) to carry their ID cards? How do we treat civil rights protesters who burn their ID cards?
4. How would the system restrict access to citizen ID records, or parts of records, by unauthorized people or agencies? Should citizens have the right to declare parts of their record off limits? Under what circumstances—probable cause, court order, or exigent circumstances—should law enforcement agencies have the right to override privacy restrictions?
5. And the biggest question of them all: How do we keep out the hackers? Recent hacking episodes, which have victimized millions of people listed in databases owned by large corporations and government agencies, have seriously undermined confidence in official promises of privacy. Currently, IT experts seem to agree that the defenders will probably never get solidly ahead of the hackers. A lopsided stalemate would probably be the best situation we could hope for.

## *The Ideological Tug of War*

Even more challenging than actually implementing such a system would be getting agreement to do it. In the United States, the advocates of a national ID system would have to sell the president on the idea, as well as the key people in his or her political party; the chances that both parties would agree on doing it, and on how to do it, are probably close to nil. It would require a majority of both houses of Congress, and the alignment of their biggest corporate sponsors and wealthy clients, as well as a host of lobbying groups.

All of the usual special interest groups would surely swarm in, including anti-immigrant groups; cultural activists and advocates, especially those appealing to Hispanics already in the country; labor unions worried about destruction of jobs; political candidates with various ideologies; and privacy advocates. The list of potential players would be huge.

In the United States, two opposing camps seem to have formed around this issue and have voiced their positions for at least a decade. The American Civil Liberties Union

(ACLU) has opposed any kind of national identity system on broad general principles.<sup>2</sup> Similarly, the Electronic Privacy Information Center (EPIC) has consistently asserted its belief that a national ID system would jeopardize civil liberties without really solving any of the major problems for which it has been touted.<sup>3</sup> Curiously, the liberal *Washington Post* has strongly endorsed a national ID card<sup>4</sup> while the conservative *Forbes* magazine has published a discourse on “Why We Don’t Need a National ID Card.”<sup>5</sup>

To the “no-card” advocates, the issue of threats to civil liberties trumps all other considerations, including the need for immigration reform, internal law enforcement, and protection of voting rights. Those issues, they seem to suggest, should be separated completely from the civil rights issues and dealt with in some other, unspecified way.

The card advocates seem to view the civil liberties issue as one fraught with difficult trade-offs and not subject to absolute doctrine. Further, many of them argue, personal privacy in the American commercial culture is already a lost cause, as government agencies collect phone records and credit card data; Internet megafirms such as Google, Facebook, and Twitter track the most intimate personal details; and smartphones track people as they walk through shopping malls. What privacy do Americans have left to lose?

Judging by past experiences with similar grand ventures, the process of implementing a national ID system in a country like the United States would likely resemble a stampede of turtles—lots of motion and slow progress. It might take a decade or more. But if a strong bipartisan consensus should emerge, the pieces of the puzzle might fall into place surprisingly fast. All in all, I believe the national ID concept offers substantial benefits, and it probably would not significantly aggravate the risks to civil liberties that already exist. Maybe its time has indeed come.

## Notes

1. “Countries with Compulsory Identity Cards,” Wikipedia, [https://en.wikipedia.org/wiki/List\\_of\\_national\\_identity\\_card\\_policies\\_by\\_country](https://en.wikipedia.org/wiki/List_of_national_identity_card_policies_by_country).
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