

Power of a single identity

The United States enacted the landmark Social Security Act in 1935, giving birth to the Social Security Number (SSN). The debate leading up to the Act was highly contentious, as conservative Republicans/Congressmen declared, “Never in the history of the world has any measure been brought in here so insidiously designed as to prevent business recovery, to enslave workers, and ... opens the door and invites the entrance into a political field of a power so vast, so powerful, as to threaten the integrity of our institutions....” Christian fundamentalists joined the crusade by proclaiming that SSN was the very Mark of the Beast prophesied in Revelation 13:17: “...no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name.”

Safety nets

The fearmongering ultimately failed to impress the American public, and over the years Social Security and its counterpart, Medicare, have become the only safety nets for a majority of America’s elderly. While the SSN has arguably been overused for purposes that it was not intended for, and there have been many instances of leakage of information linked to it, nonetheless it continues to be the backbone of citizen interactions with the state — for the simple reason that no one has come up with a better alternative.

Aadhaar: Enabling a form of supersurveillance

Eighty-three years later, the apocalyptic rhetoric of those opposing Aadhaar in India’s Supreme Court harkens back to the arguments made against the SSN: “[Aadhaar] tends to terrorise citizens with the country becoming a totalitarian regime;” and “it is a ‘giant electronic mesh’ and will turn the country ‘into a surveillance state.’”

However, there is one important difference: The opposition to Social Security was informed by right-wing ideology, which saw it as the harbinger of socialism and an existential threat to America’s capitalist enterprise. In stark contrast, the movement against Aadhaar is led by a small group of Left-leaning activists, who are well known for advocating more and more government in people’s lives (the public distribution system, rural employment guarantee, food security, and so on), but who are now arguing in the same breath for the citizens’ right to be left alone.

Understandably, they do not sound credible when they invoke the bogey of Big Brother, who to most poorer Indians is the benevolent state that brings succour in an otherwise precarious existence. Also, having been the loudest voices against mismanagement of welfare schemes in the past, they appear a bit hypocritical when they now suggest that everything was working just fine until Aadhaar came on the scene.

The biometric difference

Petitioners will, of course, argue that there is another crucial difference between the SSN and Aadhaar: biometrics. Unlike other personal information that one can change at will to protect one’s privacy, they say, one can’t change one’s fingerprints. Granted, but as one of the learned Supreme Court justices observed recently, Google and other social media, mobile operators, and our own voter lists have a lot more immediately damaging personal information that one has no real control over. (Have you ever tried to delete highly personal and sometimes libellous information that show up when you Google your own name?)

Snowden says programmes like Aadhaar result in abuse

Besides, none of the examples of Aadhaar data breaches that have been reported — which we should all be rightly concerned about — involves fingerprints or iris scans. So, the argument that biometrics somehow make a more compelling case against Aadhaar simply does not hold water. In fact, in a nation with the world's largest safety net programmes, historically largest levels of leakages, and systemic fraud in every past ID programme, it is indeed the biometrics that bring credibility to Aadhaar as a national ID.

So, where does all this leave us?

On the one side, we have a well-organised group of anti-Aadhaar activists who can take full credit for catapulting the privacy debate on to the national stage, but who have not offered a single viable alternative tool to better administer the nation's massive subsidy regime.

Unfortunately, in their eagerness to quash Aadhaar, they seem even willing to embrace questionable storylines deliberately designed to bait and malign the Unique Identification Authority of India (UIDAI) prior to the Supreme Court hearings. For example, when the UIDAI filed a FIR in a case of alleged misuse of its grievance redress system to illegally obtain some people's Aadhaar demographic data, it was quickly accused of muzzling the free press, when it was merely fulfilling its legal obligation to act on any reported misuse of data.

Best use of a scheme

On the other side, we have a government at the Centre whose party opposed Aadhaar prior to the elections, but upon taking over the reins quickly realised the power of a single national ID in effectively administering welfare schemes; and which has been much more internally unified than the previous government in its determination to make the best use of Aadhaar. And we have the UIDAI, which has consistently shown its seriousness in addressing data security and privacy issues; is poised to add more layers of security, such as virtual Aadhaar ids; is taking an active part in crafting a national data privacy law; but which, unfortunately, has been unable to match the nimbleness of the opposition in its public messaging.

All that data that Aadhaar captures

In the middle is the Supreme Court, now hearing detailed arguments from both sides. When they are through, one would hope that the court will roundly reject the zero sum choice (Aadhaar or privacy) posited by some of the petitioners which would pose a huge setback for administrative reform. Instead, the Justices will hopefully focus their deliberations on where the nation should draw the line between personal privacy and the national interest. In my view, mandating Aadhaar for all government schemes and subsidies, and allowing it as a tool to prevent money laundering and terrorism are the most logical places to draw that line. And, lighting the fire under the government to quickly enact a comprehensive national data privacy law, which enshrines internationally accepted principles of privacy, must be the citizens' insurance policy to prevent mass surveillance and other excessive use of Aadhaar, like in the case of the SSN.

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