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By Martin Twomey

Having come full circle in half a century, today British citizens stand on the brink of having their 'fundamental rights and freedoms' enshrined in the plasticated chip of a compulsory ID card. But what, asks Martin Twomey of the Hackney NO2ID Group, is this card for exactly and whose interests does it serve?

This man walks into a bar... a bar I happened to be in a few months ago. The conversation turned to identity cards and he told me about his elderly parents' recollections of WWII identity cards. They spoke of the British public a few years after the war ended becoming fed up with growing intrusion and harassment, with every jobs-worth official from post office clerks to railway porters, bus inspectors to bobbies on the beat constantly demanding people's identity cards. They told of people gathering in the streets to burn their cards in defiance of what had come to symbolise an overbearing and ever more intrusive state.

Id Card, WWII

And well they might! Wartime identity cards, when introduced in 1939, had just three administrative functions: national service, national security and food rationing. Within eleven years this had risen to thirty-nine, and showing your identity card for the most trivial of purposes had become routine.

This began to unravel on June 26th 1951, due to the defiance of one man: Clarence Willcock. Mr Willcock refused to produce his ID card when stopped by a police officer. In court he argued that the National Register was wartime legislation with no legitimacy in peacetime. Eventually the Court of Appeal found in Willcock's favour, giving him an absolute discharge. Lord Goddard, Lord Chief Justice, summing up in the case said; 'To use Acts of Parliament, passed for particular purposes during war, in times when the war is past - tends to turn law-abiding subjects into lawbreakers, which is a most undesirable state of affairs'. Later in 1952, as a part of his 'bonfire of controls', Winston Churchill abolished the last compulsory ID scheme in Britain.

Since then, there have been failed attempts to reintroduce the card by both Conservatives and Labour, with justifications varying from tax administration, to football hooliganism. Following the 9/11 attack David Blunkett, then Home Secretary floated the idea but backed down in the face of parliamentary opposition. In 2002, he tried again; calling it an 'entitlement card' designed to help people obtain health care, get jobs and other 'entitlements'. When challenged, Blunkett declared he was in a 'contest with intellectual pygmies'. This debate raged until March 2006 when the Identity Card Bill passed into law following one of Parliament's bloodiest battles in years.

ID Card Poster

Throughout this debate we have been repeatedly told the cards, and the vast database behind them, the National Identity Register, will help fight crime, identity theft, illegal immigration, benefit fraud, and terrorism. The detail of these claims has been analysed and discussed at length and is beyond the scope of this article. But experts and officials in many fields have argued soundly that they are exaggerated, misleading, or plain wrong. Even the proponents of these claims, including Ministers, have at one time or another admitted, under pressure, that ID cards would not solve these problems. But they persist in spinning those lies, presumably on the Goebbels principal that if you tell a lie big enough and keep repeating it, people will eventually come to believe it.

The success of these lies however is central to the aims of those pushing for the card and National Identity Register. A 2004 YouGov survey for Privacy International indicated: 'millions of people would take to the streets or break the law to fight the UK Government's proposed national ID card' and 'more than a million people would go to prison rather than register for a card'.[1]

The tactic to disarm such popular opposition has been to generate a climate of fear about the issues mentioned above, and then proffer the ID card, and its Register as the solution. This is what we have been witnessing for some time now and the great fear is that the tactic is working. The sound-bite: 'If you have nothing to hide you have nothing to fear' is frequently trotted out. The poverty of this argument is to reason that if you are not a criminal the Government may use any surveillance and monitoring against you no matter how draconian and intrusive.

It is against this background of fear that a sizeable part of the population seems to have lost or abandoned its capacity for critical thought. Last November the Government's own Information Commissioner Richard Thomas stated: 'Two years ago I warned that we were in danger of sleepwalking into a surveillance society. Today I fear that we are in fact waking up to a surveillance society that is already all around us.' But why is there no outcry from this ever more scrutinised society? Two factors help explain this: 'stealth' and 'mission creep'. Essential tools for anyone wanting to subdue a population, these are shrewd alternatives to the jack-boot enforcement of other times and places, but crucially, they can achieve the same results. The secret is to progress slowly in small increments, introducing 'necessary' and benign legislation, which once passed, provides powers that can be employed in ways which could not have been foreseen by the public, press, or Parliament whose job it should be to filter out such dangerous aims.[2]

But this is just conspiracy theory you may say. Well, take the Terrorism Act (section 44), it allows the police to detain without the need to demonstrate 'reasonable suspicion'. This happened in 2003 no less than 995 times against peace protesters. (Liberty report 'Casualty of War' 2003).[3] The Act was even used to expel a heckler from last year's Labour party conference. Under The Serious Organised Crime and Police Act, two people were convicted for reading out the names of UK soldiers killed in Iraq at the Cenotaph.[4] The Protection From Harassment Act, passed to protect women from stalkers was used to imprison a peaceful protester.[5] These are not isolated cases, the list goes on.

Shami Chakrabarti – Director of Liberty puts it well: 'If you throw live frogs into a pan of boiling water, they will sensibly jump out and save themselves. If you put them in a pan of cold water and gently apply heat ... they will lie in the pan and boil to death.' But could this Government really have a hidden 'frog boiling' agenda? Well, lets go back to 1934 to look at one hidden agenda. Sylvanus Percival Vivian, Registrar-General responsible for designing the far less intrusive WWII ID card, identified a strategy referred to as 'parasitic vitality': 'if it cannot be given enough real peace value of its own it must be given a borrowed and artificial peace value ... its use and production and the quoting or recording of the number upon it must be made obligatory in regard to as many as possible of the organised activities in close touch with the life of the people'.[6] Investigation shows a similar philosophy behind the façade of the Identity Cards Act 2006.

I realise that not everyone can plough through all Acts passed by Government for proof of this argument but one man who has gone some way towards this is Henry Porter of Vanity Fair. He discovered your NIR file will record all of your life – medical, prescription and driving record, children's details, insurance, mortgages, plane tickets, library cards, bank transactions and much more. In his article 'Blair's Big Brother Legacy', which makes for compelling reading, Porter says: 'what is remarkable, in fact almost a historic phenomenon is the harm his (Blair's) Government has done to the unwritten British constitution in those nine years, without anyone really noticing, without the press objecting or the public mounting mass protests.' Significantly, when Porter published his

comments on this research last year, Home Secretary Charles Clarke described it as 'pernicious and even dangerous poison.'[7]

What is clear is that this ID project, if implemented, will in time lead to a population totally dependant upon it for most of the normal transactions of their daily social and commercial existence. Bear in mind that the card, for which you will have paid around £93, remains the property of the Government and can be withdrawn at any time and that failure to submit to the process can result in fines up to £1,000, which may be increased if you object.[8]

Another and even more pernicious aspect of the scheme's 'collateral damage' will be its impact on minority groups. In 2003 criminologist Ben Bowling found that African-Caribbeans are 27 times more likely than Whites, and Asians 18 times more likely to be stopped under the Criminal Justice and Public Order Act. [9] The current DNA database holds samples on hundreds of thousands of innocent people, including 24,000 juveniles, who were never cautioned, charged or convicted of any crime. 38% of all black men are represented on that database, while just 10% of white men are.[10] In other European countries with less intrusive identity systems we see shocking abuse of minorities: In France young people North African descent complained they were asked to produce their papers several times a week following new laws in the mid-1990s. In Belgium, a citizen who had produced her ID card was disbelieved by police, who decided she must be an 'illegal' carrying a fake document because she was of African origin. She was detained for three days and almost deported to a country she had never seen.[11]

The financial costs of realising this grand idea are estimated by the London School of Economics to be up to £19 billion, with an annual running cost as much as £400m.[12] And this in a country with 3.6m children still living in poverty, an education system strapped for cash and scores of inner cities suffering deprivation and generating a growing minority of marginalised and disenfranchised youth. In 2005 Professor Danny Dorling stated in the report 'Criminal Obsessions': 'The rise in murder in Britain has been concentrated almost exclusively ... in the poorest parts of the country'.[13] The vast ID card budget would surely be better spent on more targeted, intelligent investment in these areas.

But this Government denies direct links between crime and poverty. Of course they also deny promoting a climate of fear while constantly reminding us of the crime and terror we need to be protected from. They deny legislation will be abused yet we witness a string of abuse of existing laws. They deny our civil liberties are being eroded while limiting our freedom to assemble and speak. In the same vein, they deny that identity cards will be detrimental to society, yet it is plain to all who examine the detail, that this Act of Parliament will alter forever the balance of power between the rulers and those ruled. It is ironic that such a seismic shift in this delicate balance, and in this direction, has not been seen in Western Europe since the 1930s.

But what has a Government of any colour to gain from such madness? It is said that communism keeps people in fear of prison whilst capitalism keeps them in fear of debt. This ID project artfully combines both, and once embedded in our culture, its insidious nature will create a widespread subconscious fear of 'making trouble' of any kind. Those who are marginalised and most need a voice will be least able to speak out for fear of the ever-present threats, which such a system of total centralised control embodies.

My friend in the bar, where this discussion began, concluded that he would follow the conviction of his parent's generation, resisting at every turn the Government's attempts to fingerprint, number and control him for life – he might even become the Clarence Willcock of our time. But this is not 1952, and as we see with road cameras and the Iraq war, this Government ignores the voices of millions. We must hope there will be many Clarence Willcocks, people who value fundamental freedoms, who

understand and will defend the subtleties of the relationship between state and individual. As Edmund Burke warned: 'The price of liberty is eternal vigilance.'

FOOTNOTES

[1] Editor, PublicTechnology.net, 2004. A public opinion survey commissioned by watchdog group Privacy International,
<http://www.publictechnology.net/modules.php?op=modload&name=News&file=article&sid=1083>

[2] Henry Porter, 'Blair's Big Brother Legacy', June 30, 2006,
http://www.craigmurray.co.uk/archives/2006/06/blairs_big_brot_1.html

[3] Liberty report 'Casualty of War', 2003,
<http://www.liberty-human-rights.org.uk/issues/pdfs/casualty-of-war-final.pdf>

[4] Liberty press release, 26 Jan 2006,
<http://www.liberty-human-rights.org.uk/news-and-events/1-press-releases/2006/first-case-under-new-protest-law.shtml>

[5] Indymedia, 'Anti-EDO Demonstrator Sent to Lewes Prison',
17h June, 2005, <http://lists.indymedia.org/pipermail/imc-uk-features/2005-June/0616-qz.html>

[6] Jon Agar, 'Identity Cards in Britain: Past Experience and Policy Implications', November, 2005,
<http://www.historyandpolicy.org/archive/policy-paper-33.html>

[7] Henry Porter, *ibid.*

[8] Identity Cards Act 2006:
S. 7 ID cards for those compulsorily registered
5) An individual who contravenes –
(a) a requirement imposed by subsection (2), or
(b) a requirement imposed under subsection (3),
shall be liable to a civil penalty not exceeding £1,000.

S. 32 Objection to penalty
(3) The Secretary of State must consider a notice of objection given in accordance with this section and may then–
(c) increase it ...

<http://www.opsi.gov.uk/acts/acts2006/20060015.htm>

[9] Arun Kundnani, 'Anti-terrorism' Policing Leads to Arbitrary Use of Stop and Search', Independent Race And Refugee News Network, 20 January, 2004.

[10] Henry Porter, 'We Don't Live in a Police State Yet, But We're Heading There', *The Observer*, 22 January, 2006.

[11] Arun Kundnani, 'ID cards: Implications for Black, Minority Ethnic, Migrant and Refugee Communities', The Institute of Race Relations, 26 May, 2005.

[12] The London School of Economics, 'The Identity Project, An Assessment of the UK Identity Card and its Implications', 2005
<http://is2.lse.ac.uk/IDcard/identityreport.pdf>

[13] Crime and Society Foundation Report, Criminal Obsessions,
October, 2005, <http://www.crimeandsociety.org.uk/briefings/harm.html>