

Identity cards are no prophylaxis

Wednesday, July 20, 2005

Moira Rayner

'Identity cards' have slithered back onto the political agenda. We are reconsidering them as both a potentially benevolent way to protect vulnerable people like Cornelia Rau and Vivian Alvarez Solon from 'mistakes' by police; immigration, prison and detention centre authorities, or gate-keepers on access to state mental health services; and as a way to protect us from being blown up by potential suicide bombers riding Melbourne trams or Sydney trains as anonymous soldiers in the 'war against terrorism'.

Let's have that debate, then, but test each proposition according to reason and observable facts. This is no time for slippery rationalisations.

One: The young men who blew themselves and scores of others apart in London on 7 July carried their de facto 'identity papers' - the cards we use daily to claim our entitlement to cheaper public transport; drive a car; access social services; use a gym or a library, an ATM or get credit. They were fished out of the middens they made. Their intimates knew who they were: family-oriented, educated, social and sporty British blokes. But that wasn't who they were on 7 July.



Two: There was plenty of official information about the identities of the two Australian women

Thanks to [Fiona Katauskas](#)

who were wrongly treated as illegal immigrants. Vivian Alvarez Solon, badly injured, managed to tell immigration authorities repeatedly exactly who she was and that she had a visa. Someone decided instead she was a beaten-up illegal 'sex worker' from the Philippines. Child welfare authorities were looking for the mother who abandoned her son at a child care centre. Nobody asked. Cornelia Rau was reported missing by her family, well known to local police and the psychiatric hospital she walked out from, and was an officially 'missing person'.

Nobody troubled themselves to get it: they had an identity - single, middle-aged, 'difficult' and damaged 'foreign' women - ascribed to them.

Three: Those who made these decisions had enormous power. They could arrest, detain, discipline and deport 'suspects' without restraint, and were encouraged by their superiors, the culture of their agency and by our political leadership - on both sides - to use their vast discretions ruthlessly: to the point, Palmer found, of ignoring their own administrative guidelines and the letter of the very law that gave them that power. Personal judgments about their character and future intentions made within a punitive, 'process rich' and compassion -impoverished, administrative culture, determined their 'identity'.

Four: We should not underestimate the probability of institutionalised discrimination, an obvious factor in Rau and Alvarez Solon's maltreatment. Both were disturbed, hurting, friendless 'ethnic' women. Neither was young, companionable or acted as 'good' women are supposed to. Rau told obvious lies about her name, origins and intentions, 'behaved' disruptively and was 'difficult to manage.' Alvarez Solon was an obvious foreigner who annoyingly, consistently claimed that she had the right to be in Australia. Neither was taken seriously. If we wonder why these factors are obvious. Men in possession of great power don't bother to be courteous or kind to or even to seek to put at ease women who 'present' as angry, assertive and are middle-aged, and therefore 'difficult'- especially those without articulate, confident male relatives or partners. But that's just my experience.

Five: Rau and Alvarez Solon were locked up and ill-treated not because their identity was unknown but because their presentation of 'self,' of who they really were, was not acceptable. What mattered to them, didn't matter and wasn't relevant to those looking out from the warm living room of 'normal' society, around whose bright windows they had been fluttering like moths for months or years. Since Cornelia Rau regained a voice, she has told us exactly who she thinks she is, of her own unique existence and identity. She told lies to protect that Self from being identified on others' terms, as a sick refugee from a group that had already rejected her. She was judged and her 'behaviour' found wanting by powerful men who invented their own fictitious identity for her.

When Rau argued recently that those making immigration policy should be 'ethnic', she was at a deep level, right: they did not comprehend what it means to experience 'otherness'.

Six: Identity papers define 'self' on criteria thought important by others and give them power over people. Their lack or theft or loss locks people out of human society - an academic friend, researching the lives of intellectually disabled women in central Europe where identity cards are common, recently learned that their 'cards' were automatically cancelled when they were diagnosed and treated. Is this how we 'protect' human beings?

Seven: Australia has already travelled carelessly, far down this road. We don't get far without carrying

our driver's licence, Medicare card and the plastic keys to social systems: a tax file number or an ABN and 'photo identity' to get into public buildings.

Eight: Identity cards are no prophylaxis against the misuse of power over or by individuals. They can at most work within and for organisational engines that collect and use data that is useless without perfect conformity.

The bombers' true identities were their inner agents, the 'self' that directed and controlled each of their functions, motives and desires; the watcher who reflected on events in the outer and their inner worlds; on the totality of their personal experiences and values, and in their actualisation of their goals. The state collected data that was useless to detect their 'identity' determined by their beliefs and choices.

For Alvarez Solon and Rau, nobody was watching their watchers; nobody had a duty and the authority to point out, once power over their lives had been totally taken, that their treatment contravened the department's procedures and standards, let alone the women's human rights and civil liberties. Even after the Petro Georgio amendments to immigration law, there will still be no-one, unless some (carefully excluded) third party contacts an ombudsman: there is still to be no obligation to inform of their rights, or right of judicial review.

What do 'identity papers' record? Not who we are, but what others think are important: our name, date and place of birth; our marital status; where we live and whether we work; our nationality, citizenship and rights to social benefits such as public education, medical treatment, housing or income support. They can't record what we believe and long for, with whom we are linked and the constant state of flux that is identity.

Montaigne wrote that, 'Every human nature is always midway between birth and death, offering only a dim semblance and shadow of itself, and an uncertain and feeble opinion. And if by chance you fix your thought on trying to grasp its essence, it will be neither more nor less than if someone tried to grasp water: for the more he squeezes and presses what by its nature flows all over, the more he will lose what he was trying to grasp and hold.'

If we do not understand this, or share common values about human personhood; if we retreat to the 'certainty' promised by tangible 'proofs' of public identity, the sole remaining protection of a human being's self-possession becomes the intuitive values, competence, diligence or laissez-faire attitudes of particular public servants and our political leaders, who have already shown themselves unfit for the responsibility.

About the author

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Published Comments

What's your opinion? Tell us what you think by adding a comment to offer feedback on this story.

*Katauskas has hit the nail on its proverbial.
cracking cartoon*

Tim O'Connor

Wednesday, July 20, 2005

I would like to raise another matter that concerned Alvarez Solon.

I was watching the interview of the doctor that gave the OK to travel.

It does not surprize me from what he said that he did not remember her.

*The clue was in the interview when he described the officers as carers.
These so called carers remained with her during the examination.*

It is my feeling that Alvarez Solon was presented to the doctor, the doctor assumed that she was intellectually handicapped.

if this was the case, the doctor would have made very little effort to communicate with her. He would have spoken to the carers.

Alvarez Solon would not have been encourage to talk for herself. She would have been further discouraged by the presence of the officers.

I have made the above assumptions from my own experience in working in group homes and other

agencies working with handicapped young adults.

Doctors on the whole, including those who work with these people are very uncomfortable with handicapped people.

Whatever the carer tells the doctor, generally is what the doctors work on. This occurs even where it is obvious to most people that they are capable of speaking for themselves.

With regulations concerning handicapped people in care, it is a regular procedure to get help clearances when they have to travel. Some do actually travel overseas, so the doctor probably did not realise he was asked for the clearance for deportation reasons. I would be surprised if they corrected the doctors understanding.

I know the above is only a little matter, but it shows how some people take advantage of people who are confused, which if media reports are true, Alvarez Solon certainly was.

Also if she was hurt easier by a car or another person, what happens to the police enquiries. Either way she would not be entitled to criminal compensation.

There are so many unanswered serious questions in this matter that need to be cleared up.

God help anyone in our wonderful country that are a little different, confused or handicapped. It is a frightening world for them.

Florence

Florence Howarth

Wednesday, July 20, 2005

Moira - I have lived in Britain for the last couple of years and it seems Australians' are having the same debate as here - mostly it comes down to traditional Tory liberalism vs. Labour's belief in ensuring "social obligations": well that is how the press frame it in Britain. In Europe people carry them and do not mind. I guess they have stronger Human Rights laws?? Is this your primary concern?

Corin McCarthy

Wednesday, July 20, 2005

A recent report in one of the daily papers indicated that biometric links and information would be introduced into Medicare Cards and all government benefit cards - everything except the baby bonus I imagine. It would seem to me that this is the thin edge of the wedge and it is one that I find absolutely abhorrent. I can only see identity cards as a means of control by an elite and as the opportunity to control movement, access to work and services, access to transport etc. In the past they have been used this way in Europe and in Soviet Russia. I don't trust our politicians (particularly not the current crop) not to misuse this power.

Jo Lewis

Wednesday, July 20, 2005

I am not as opposed to identity cards as others seem to be. Reason being that most of the information people fear govts having, I am sure they already have. They simply key in your name and there you (your credit rating, tax status, criminal record, citizenship/residency status, whatever). Given that we now live in a paranoid society, whenever we have to open a bank account (or close one) or apply for a passport or tax file number, or any official thing, we now need 100 "points" to identify us. I don't know about others, perhaps I am just less organised than most, but I have found this to be just another cumbersome, time consuming, bureaucratic nightmare. Where are the 5 or 6 papers I need to prove I am who I say I am, can I remember to bring them all on the day I need them? How often have I been told I have 80 "points" but must return another day with yet another piece of paper? If an identity card would help simplify such dreary daily chores, I am attracted to them. I doubt they'll do much about terrorism etc, but I can't reject them out of hand. I doubt that they will be used as a means of control, perhaps I am naieve, but if they might help protect a Cornelia Rau or a Vivian Solon then surely that's a good thing. A paranoid world will insist on us proving who we are, we simply choose the hard way to do it or the easier way.

Jane Caro

Thursday, July 21, 2005

I agree with Jane.

The "Australia Card" does not bother me in the slightest. It would be of limited value in the prevention of terrorist attacks but it would be a very efficient method to verify identity in the ordinary course of business.

ID cards (containing biometric data) have been used, for half a century at least in every Latin American country, European countries and the like.

I find the Australian debate on them as anachronistic in every sense.

And isn't it ironic that the same politicians who expressed no doubt in passing the most draconian "security" laws giving themselves the power to detain citizens without charge, voice their concerns about a possible restriction of civil liberties by virtue of the issue of ID Cards?

As a lawyer, I'd find this just laughable, if it was not so serious.

Ezequiel Trumper

Thursday, July 21, 2005

Jane and Ezequiel see the way in which ID cards could be personally convenient to them. Fine, so do I; and if having and using an ID card was voluntary, I'd most likely be prepared to buy the service.

But it won't be voluntary, and every little tin-pot authority figure will demand to see it as proof of my identity even when there is no need for them to know it.

My identity is mine, to reveal or withhold at my discretion. If I am peaceably and lawfully going about my business, no one should have a right to demand to know who I am.

My tax file has a number, my drivers licence has a number, my bank account has a number, my student records have a number, perhaps my ASIO file has a number, but an ID card gives ME a number. And that's the core of my opposition to the proposal.

If the government wants to indelibly identify me, then why not use tattoo; it's been done before.

Warwick Dilley

Friday, July 22, 2005