



International Environmental
Law Research Centre

A STATE OF SURVEILLANCE

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2010

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Three recent initiatives of the government need to be investigated before any decision about adopting them is taken.

In November 2009, newspapers reported Mr P Chidambaram's statement that the government would soon be setting up a DNA data bank. In December 2009, he announced the setting up of the NATGRID. "Under NATGRID", he is reported to have said, "21 sets of databases will be networked to achieve quick seamless and secure access to desired information for intelligence and enforcement agencies." The project is expected to be completed in 18 to 24 months. In July 2009, with Nandan Nilekani taking charge, the Unique Identification Authority of India (UIDAI) started its work on creating a database that would give every resident a number which is intended to become a unique, ubiquitous and universal identity. While the stated purpose of the DNA bank and the NATGRID is to meet the threat posed by terrorism, the UID is given a gentler visage: it is to be promoted as a means of removing "one of the biggest barriers preventing the poor from accessing benefits and subsidies", which according to this understanding, is the "inability to prove identity".

Are these benign arrangements of data to enable efficient functioning? What is it that makes some of us unable to recognise innocence in these sweeping 'identity' controls that are being remorselessly let loose in our midst? Why is it that some Cabinet Ministers have voiced concerns about the possibility of misuse of NATGRID, as reported on 14th February?

The motivation for the DNA bank fundamentally alters the characterization of citizens and residents. It is based on the perception that the state is at risk from its citizens and residents, and any person could emerge as a terrorist. It is the politics of suspicion, which dramatically erodes the ideas of citizenship, privacy, and minimum-invasion-and-that-when-there-is-reason-why. The state has to be preemptively readied to catch whoever of the 1.4 billion may commit the act of terror. This is notching up the control that the state, and its agents and agencies, has over each individual. Also, that the DNA test is not foolproof is known, but often not acknowledged. So, beyond the problem of every citizen and resident as suspect, there is the possibility of error. Recent experience with DNA debacles demonstrate the fallibility and corruptibility of forensic methods – there's many a twist between the scene of the crime and the laboratory. Yet, the presumptions about the infallibility of science and technology – contrasted, often, with human imperfection – will shift the onus to a person accused on the basis of who the DNA bank suggests is suspect. There is danger of DNA, and data, theft. There is the fact and circumstance of corruption, inefficiency and failing systems which could make the data unreliable. There is, importantly, the irrelevance of this bank to those who enter the country uninvited and unnoticed, which leaves the bane of cross-border terror unaddressed.

The NATGRID converges data from a range of data-holders and places them in the hands of "intelligence" outfits. This is expected to enable them to detect patterns, trace sources for monies and support, track travelers, and identify those who should be watched, investigated, dis-abled and neutralised. David Headley is its target. And, to get him, all the discrete `silos` of information will be shared with the intelligence agencies. The problem is that the intelligence agencies are not open to question, and are outside even the Right to Information Act. So, while they will be fed information about us, we are not entitled to know who is saying what about us to them, how they are interpreting it, and, most significantly, what use they will make of this information. Place this kind of information in anybody's hands, and its abuse by at some who have access to it is inevitable. Concerns about privacy are cast aside and invasion of privacy made a public virtue. The NATGRID is an unqualified statement that the state has a right to know every detail about each of our lives, but we are expressly excluded from knowing what the state and its agencies believe about us, and what they do with what they know. It places extraordinary power in the hands of those who already have access to a vast share of state power that is unaccountable.

There has been much myth creation around the UID: that enrolment will not be mandated but will be voluntary; that it is pro-poor; that only basic information will be gathered. Scratch the surface of these assertions, and a different truth emerges. The creation of the National Population Register, with its element of compulsion, is one aspect of this exercise in creating the UID data base. And there is one fact about the UID that is incontrovertible: that it provides an easy route for the market and the security agencies to identify and profile any person. That is how the UID fits into the larger scheme of monitoring and control and that, as the current discourse reveals, will be its central purpose.

There are those who ask: why should we mind if we have done nothing wrong? But this is not about doing right or wrong. Among many other concerns, it is about letting some persons and agencies know, accurately or mistakenly, all manner of things about oneself. It is about being tracked and tailed. It is about acknowledging that those who

may get access to the system may not always be fair, responsible and accountable. It is about recognising that too much power over individuals is a dangerous thing.

The relationship between the state and the people has to be carefully calibrated if absolute power is not to slip in and settle down, and these changes are too significant to happen without an informed debate.

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