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National Strategy for Trusted Identities in Cyberspace

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USABILITY »

Focus More on Individuals

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This document would benefit from additional sections that focus upon the primacy of individual people with respect to their own identity - it's naming, control, portability and the rights and obligations that primarily attach to their identity. Assumed in the jurisprudence and general concept of the American Republic is that the people who are free enjoy certain unalienable rights - and the "person-hood" which I sometimes call their "core identity" or "root identity" is the entity that actually "has" the rights. In prior centuries the concept of individual identity has not needed to be defined in such detail, being mostly implied outside of philosophy and theology, but today the digital revolution is forcing a more detailed and explicit treatment of individual identity. The person identified by an "named identity" has a special relationship to that name that is substantively different from the relationship between a laptop and it's serial number/mac address, a car and it's vehicle identification number or an IP address of a node on a network. A free person for the most part has the authority to name themself and to use as many names as they like (aliases or pseudonyms) provided they don't use the name(s) with intent to commit a crime or fraud. Similarly, the identity that is named - the inner core identity of a person - is a sovereign aspect of that person and can not really be treated like the property of a government, corporation or even a non-profit organized for the benefit of that person. Somehow, the right of a person to - in the first instance - have autonomy over their own identity must be recognized in this NSTIC document and eventually reflected in an identity bill of rights in law, supported by systems of business and reflected in technology. In a policy like NSTIC, would benefit by the addition of a definition for the identity of a "natural person" (i.e. a human being) in addition to non-humans. That definition would be beneficially used within a future draft of the document to describe the important and special rights and autonomy individual human people have vis-a-vis their own identity. The role of governments and businesses and other organizations as stewards or service providers of identity services on behalf of people can then be understood in a context that supports and reflects the American notion that the people are sovereign and that - absent unusual circumstances (like imprisonment, slavery, etc) the person can control or delegate control regarding their own identity and hence can chose to "port" delegated control back to themselves or to another organization that they may feel better serves their interests. The basic concepts in the draft appear sound and reasonable to me, but there is a big missing piece. The role of the people who are identified and the relationship of the identity to the human being in our country.

For more information on thoughts on an "Identity Bill of Rights" and the types of high-level legal treatment eventually needed for identity in the US, please see this conclusion piece from a 10-part video series on Online Identity I produced while a Lecturer and Researcher at the MIT Media Lab:

To continue this discussion thread, and others in this system and generally about NSTIC, please consider coming to the NSTIC.US site where a community of