
Almost half a century ago, Ralph Nader declared that "A well-informed citizenry is the lifeblood of democracy; and in all areas of government, information, particularly timely information, is the currency of power." These days, there is almost universal support for this view on the left, right, and center of the political spectrum.

The phrase "a right to know" dates back to the Constitutional Convention of 1787. But, according to Michael Schudson, a professor of journalism at Columbia University, the concept "has not always been accepted, let alone applauded." In *The Rise of the Right to Know*, Schudson argues that disclosure was a key component of public policy in the 1960s and 70s - and that despite the hazards of transparency, "its expansion has made our politics more worthy of the name 'democracy.'"

Schudson provides five case studies of the shift from secrecy to openness. With its provisions permitting any citizen to inspect public records and courts to review denials of requests, the Freedom of Information Act (1966) and the 1974 amendments that strengthened it, he indicates, was a "landmark of historic proportions." Pricing, ingredients, and freshness became more visible to consumers. The votes of congressional representatives were recorded and made public. Agencies were required to study "the environmental impact" of proposed actions and open their deliberations to public review, comment, and litigation. During the '60s and '70s, Schudson indicates, journalists became less deferential to politicians and more inclined to contextualize news reports (to get the story behind the story) and to unmask and criticize those in power.

Schudson is not certain why these advances in disclosure ideals and practices occurred when they did. In one case, he suggests, the process "seems almost but not quite accidental." Although he acknowledges that he is relying on "embarrassingly vague terms," Schudson attributes the embrace of openness to shifts in "climate of opinion" and "zeitgeist," brought on, perhaps, by the substantial increase in enrollments in higher education in the decades after 1945 and the prominence given in colleges and universities to critical inquiry and adversarial skills.

Whatever its causes, Schudson maintains that the new era of "communicative abundance" (including, of course, the Internet) has generated "more venues for seeing and more opportunities for saying," mechanisms that allow for more continuous rather than episodic (Election Day) representation and "a newly evolving publicly monitored democracy."

Schudson has identified an increasingly intense interest in the public's right to know - and has tried to accord this cultural shift "the honor it deserves." However, although he notes that secrecy is not disappearing, Schudson has not, in my judgment, paid enough attention to the forces arrayed against transparency. Indeed, during the period since 1945, and especially the years following 9/11, the advocates of secrecy may well have tightened their grip on the policies and practices of the government of the United States.

Every year, for example, in the interest of protecting national security, trillions of pages of text are declared "classified." Thousands of federal employees, including officials in the Department of Homeland Security, use dozens of designations, including "for official use only" and "sensitive but unclassified," to withhold additional information from other agencies as well as the public. To date, warnings from the 9/11 commission and the Public Interest Declassification Board, a committee created by Congress, that rampant over-classification was impeding informed government decisions and fostering corruption and malfeasance, have not resulted in remedial action.

And, of course, the National Security Agency, whose budget and number of employees are classified, is empowered to monitor, collect, and
process information and to conduct secret surveillance of individuals and groups. According to the Washington Post, every day the NSA (which has named one of its programs "Boundless Informant") intercepts about 1.7 billion communications, some of them emails and phone calls made or received by U.S. citizens, using warrantless wiretaps as well as other methods, and has tracked and stored metadata records (including those made or received by over 100 million U.S. Verizon subscribers). The Agency interprets the USA Patriot Act as authorizing such actions if even a small minority of the communications are deemed relevant to a terrorism investigation. Despite President Obama's assurances that legal checks are in place, substantive briefings, let alone oversight, of NSA activities by Congress and the Foreign Intelligence Surveillance Court has been virtually non-existent.

Sunlight is "the best of disinfectants," Louis Brandeis once said. And a steady and substantive flow of information about what government has done and is doing surely is essential to a truly democratic - and just - society. Michael Schudson is right to give a shout out to the rays of sunshine in behalf of the public's right to know and celebrate the "new possibilities" generated by the Freedom of Information Act and legislatively mandated environmental impact statements. These days, however, the skies are looking awfully cloudy.

MORE: The Right to Know A Well Informed Citizenry Freedom of Information Act Environmental Impact Statements Communicative Abundance Public Interest Declassification Board National Security Agency "Boundless Informant"