

Freedom of Information

President Johnson's signature on the freedom of information bill puts a useful statute on the books. He deserves a great deal of credit for signing it in the face of the adverse position toward it taken by a great many government spokesmen. Citizens will be grateful, not only for the bill, but for the attitude toward information which the President disclosed when he directed officials to observe the spirit of the law before its effective date a year from now.

The novelty of the new legislation lies in provisions under which the citizen denied information can appeal to the courts. This proposal grew out of the studies started in 1950 by the American Society of Newspaper Editors and emerged from the findings of the late Harold Cross, author of *The People's Right to Know*. Dr. Cross was appalled at the discovery that government officials were asserting a right to withhold information and that citizens had no appeal from the mere assertion of an official that he would not disclose.

The machinery for compelling disclosure probably is of more practical use to ordinary citizens than to the press, because of the inability of ordinary judicial process to move swiftly enough to satisfy press requirements. But the detail of the statute's practical remedy is less important than the assertion of principle. Citizens hitherto enjoyed a certain power to compel disclosure by sheer publicity. If they could not compel officials to divulge they sometimes could make them wish they had. Now, in addition, they are morally armed with an explicit assertion that citizens have a right to know, except in certain well defined exceptional situations. And they are legally armed with the right to take officials into court for improper withholding.