

The Washington Post

AN INDEPENDENT NEWSPAPER

Information: A Vital Gift

CONGRESS GAVE the American people an important gift, this week, no matter that it was one that belonged to the people in the first place. What both houses did by overriding President Ford's veto of the Freedom of Information amendments was to advance the basic interests of a free people in a self-governing society. That interest has to do with the public need to be informed about what government does with the power delegated to it by the governed. As Sen. Howard Baker (R-Tenn.) noted, in announcing that he would go against the President of his party, at least two recent tragedies might have been avoided but for secrecy in government. He was referring to Vietnam and Watergate. Many might argue with one or another of his choices, but the point is that secrecy in government is a threat to the functioning of democracy. If people cannot know of the actions taken in their behalf, they are in no position to object. Without the ability to object, they are in no position to temper the actions of government with the reasoned debate that only disclosure can facilitate.

James Madison said as much nearly 200 years ago: "Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power knowledge gives." Despite such self-evident common sense, the bureaucracy that has grown since Madison's time increasingly has taken the

view that what people don't know can't hurt them. Yet, as Sen. Baker correctly noted, the opposite is much more likely to be the truth. That is why it is important that a number of members of his own party ignored President Ford's veto and made the new amendments law.

Now that the Congress has met its test, it remains to be seen whether the press and the public will meet theirs. A law is only as good as the use to which it is put. In the past, because of the loopholes the new amendments are intended to close, the Freedom of Information Act was used only rarely. When it has been used, the results have often been startling, but it takes time to badger a federal agency for a document. It takes time and money to hire a lawyer to pursue the issue in court.

With the new amendments, the time has been shortened, the number of documents available has been increased and, if the courts find a bureaucrat has denied information unlawfully, the agency must pay the plaintiff's legal fees. In the end, it is the public and those who inquire of the government in the public's behalf who can make the law work. It is up to them to apply Madison's principle to modern-day reality by recognizing that government by the people still depends on the information they possess.