

## ***The People's Right to Know and State Secrecy***

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Do people have a right to know the information within a government's control? An appeal to such a right figured prominently in the campaigns that led to the adoption of the FOIA and with the introduction of FOIA, the right to know has been recognized, at least in part, as a legal right. My question, however, is not fully answered by pointing to its legal embodiment. I am interested in the moral and political justification of such a right. So imagine that the FOIA legislation did not exist: Would we have moral or political reasons for creating it? If so, how much openness on the part of government would this right require? Two arguments are commonly invoked to support the people's right to know. First, the right to know information within government control is a human right. Second, a people's right to know is a right of democratic citizenship. In this essay I explore these grounds. In order to understand the rationale behind conceiving the right to know government-held information as a human right, I turn to two dominant theories of human rights. I argue that on a careful reading of these arguments, access to government information emerges as a right which people possess as citizens rather than as human beings. In the second part of the paper I turn to citizenship as the grounds of the people's right to know government information. I contend that citizenship grounds the right to know but also limits it in a way that has gone unnoticed so far.