1. The paper seems to make a claim to a connection between *legitimacy* and *legality* (or legal validity). We were wondering whether the connection is a conditional one: is moral-political legitimacy, in your view, a condition of legality? If so, on what grounds?

Alternatively, if legitimacy is not a condition of legality, in what other sense the illegitimacy of secret laws is “inconsistent with the notion of law itself”?

2. We were wondering what exactly is the role of the historical survey in your argument? – only a factual claim, that secrecy of laws facilitates tyrannical regimes, or is it a claim about the self-understanding of the concept of law throughout history? If the latter, what role does it play in the argument of the paper?

3. You seem to argue that meta-secrecy is worse than secrecy. We were wondering how general this thesis is meant to be; is it generally the case that not to know that one does not know is worse than to know that one doesn’t know? Or is the thesis confined to the legal-political context of secret laws? (The worry about generality stems from the prevalence of cases in which meta-secrecy does not seem to be worse than secrecy. E.g. to know that a close friend of mine keeps someaspect of his life secret from me may be worse than not knowing this, especially if the friend has good reasons for the secrecy.)

4. With respect to your argument about self-identity being undermined by secret laws, we had two or three questions:

   a. The argument, as we understand it, seems to be this: the legal regime in which we live partly constitutes our self-identity; if the regime actually upholds laws that are different from what we thought that it does, our self-identity is somehow undermined. But we were not sure in what sense this is really an issue of identity. Suppose that it turns out that my spouse for many years is not quite the person I had taken her to be. Surely this would be a disturbing and disruptive revelation, but it is not entirely clear that personal identity is at stake here; after all, *I* remain the same person that I had thought that I was. In short, what exactly does it say about *us*, that the laws are actually different from what we think that they are?
b. We were also not quite sure why this is not really an issue about trust? If the laws are different from what we think that they are, we would feel cheated, we would think that our trust in the government has been violated. And perhaps it is an open question of how much citizens *should* trust their government; perhaps it is not quite right, morally speaking, to have too much trust in one’s government anyway?

c. This last point is related to the first: isn’t there an open question here about the desirability of allowing one’s self-constitution to depend too much on the normative environment in which one happens to live?

5. We were wondering whether the example of the torture memos proves your point about the main worries we have about secret laws. Our main indignation about the torture memos concerns the deed itself, not so much the fact that it was kept secret. The authorization for torture had to be kept secret because it was wrong, not that it was wrong because it had to be kept secret. (Cf. Would it not be weird to suggest that a cheated spouse should be mostly indignant about the fact that the other kept their infidelity secret? The main worry is the infidelity itself, and the fact that it had to be kept secret only attests to the fact that it was the wrong thing to do.)

6. You admit in the paper that there are cases in which, all things considered, secret laws may be legitimate. However, you also seem to suggest that even in such cases, there is a compromise between morality and efficiency. We were wondering whether this is necessarily so; aren’t there cases in which moral considerations actually favor keeping some laws secret?