

South Africans are morally justified in opposing the Protection of State Information Bill because does it not serve the Common Good

We, the Catholic Church in Cape Town, strongly appeal to the National Council of Provinces to amend the Protection of State Information Bill (PSIB) in such a way as to bring it in line with our constitutional right to freedom of information.

As it stands

1. the Bill undermines our right to information, which right is vital for the full exercise of our numerous other human rights, and
2. the Bill violates the Constitution's commitment to open and transparent government.

The Bill comprehensively protects the State Security Agency from public scrutiny because it allows the Agency itself to decide what it wishes to be kept secret. Any illegal activity by the Agency could therefore easily be hidden from scrutiny and from the legal process. Furthermore, the Bill gives the Minister of State Security too much power and allows the Minister to extend the right to classify information to virtually any State body, thereby increasing the chance that illegal activities will be hidden in the name of State Security.

Although various changes have been made to the Bill since it was first proposed, a major weakness is that no provisions are made for a public interest defence and for the disclosure of supposedly secret information about which the public has a right to know.

Moreover, severe punitive action can be taken against whistleblowers and journalists if they are in possession of, or publish material, that is deemed classified information, even if it is within the public's interest to know about it. Existing legislation which protects whistleblowers is not nearly sufficiently strong to withstand the PSIB.

Many religious leaders and NGO's, such as the Right2Know campaign, have protested against the Protection of State Information Bill. As the Catholic Church in Cape Town we have the duty to continue opposing this Bill, not only as members of civil society, but also because there is a moral imperative to serve the common good. This Bill does not serve the interests of the nation and can be used to damage our democracy and lead us on the road, once again, to a Security State.

ISSUED BY MOST REV. **STEPHEN BRISLIN**,
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