

Justice must be served to save South Sudan

by Ambassador Rev. Joseph Ayok Anei
Director of Research, Planning and Translation
Ministry of Foreign Affairs and International Cooperation, Juba, South Sudan

Juba, 11th January 2014

The Western media are rightly reporting the tragedy of renewed war in South Sudan. I was born into the civil war which started in 1955 and I do not wish to return to those dark days.

But I am concerned that the media are talking about the importance of starting negotiations between the two sides, anticipating the need for concessions by the Government in order to settle the conflagration. I have seen little evidence in the media of an understanding of the background to the fighting. I suggest that the facts of the conflict are such that no other democratic Government would lightly make concessions to the rebels if similar circumstances arose in their country.

The case for this uprising was made by former vice president Riek Machar and his followers in a press conference on Friday 6 December 2013 in Juba. Essentially, he argued that the country had been badly run even though the disagreement was within the Party. Curiously, he had been vice president of the country from 2005 to 2013. Why, one could reasonably ask, had he not used his powerful position for eight years to put right the wrongs he now sees in the Government? The fact is Riek and his allies were reacting to their sacking and investigation of their corrupt practices while in the government. It must be said that they are one of the richest politicians in the country.

Indeed, he and some of his followers are members of the parliament, and he is first vice chairman of the SPLM, the ruling party. Surely, this provides a peaceful route for scrutinising the Government and promoting change? South Sudan is a democracy; and he could create a new party, if he wished, to reflect his ideals, and to present it to the country during the next national elections.

In their case against the Government, Riek Machar, Pagan Amum, Rebecca Nyandeng and Deng Alor invoke the memory of Dr John Garang, late leader of the liberation movement. They claimed that the SPLM party, and SPLA military have now wrongly moved away from the origins, the latter becoming Salva's Republican Guards without mentioning Riek Machar's hidden militia within the SPLA led by Generals John Koung and Peter Gadet who took over the towns of Bor and Bentiu respectively and killing innocent people, by Dr Riek's orders.

Rebecca Nyandeng claims to be the mother of the nation. If she is indeed the mother of the nation, she should be the mother of all people of South Sudan. She should respect the memory and gratitude that South Sudanese people have for her husband, our late leader, Dr John Garang. So rather than dividing her children, let her unite them.

It is good that Pagan Amum, Rebecca Nyandeng and Deng Alor look back to the good days of the SPLM/SPLA; but sadly not remembering the wrong they were a part of, the great division in the movement that made it turn guns against each other resulting in the death of fine generals and politicians. It is regrettable to say that history can repeat itself, but to be repeated by the same actors is beyond understanding.

It is odd that Riek is now so much in love with John Garang after his death when Riek himself rebelled against Garang and split the SPLM and SPLA in 1991. In so doing, he massacred John Garang's own people, i.e. over 5000 people in that year in Bor – the very town in which he has just provoked again another massacre of innocent.

No one would claim that all has run smoothly for the Government of South Sudan. In 2013, on the second anniversary of independence, President Salva Kiir spoke publicly of the issues that were rightly the cause of grievances, including corruption in high places. He introduced a major anti-corruption initiative. Having identified 75 high profile Government officials as having embezzled public money, he sacked the entire Government and appointed a new one. Another scandal then arose of some officials - some of them Riek Machar's followers like Mr Deng Alor – transferring nearly \$8 million to an East African bank. Salva took action by sacking those Ministers who were implicated in that scandalous transfer. It looks like this money was part of their plan to bribe people in order to overthrow the elected Government.

Anti-corruption measures also revealed that many ghost staff was on the Government's books, and so screening of all staff in the army, police, prison service and Government Ministries was introduced to avoid misappropriation of funds.

As vice president Riek Machar and his group could themselves have led such an initiative. They did not. Sadly it is clear why. They have not been loyal to the President. In their various Ministries they had not been doing their jobs, but spent the eight years trying to wrong foot and undermine the President in order to replace him.

The story of his life shows that Riek is used to getting to power by intimidating his superiors and by inciting the army and tribalism. In 1991, he had led the so-called "white army", innocent young men from the Nuer tribe, who are simple cattle herders, to massacre people in Bor. He has repeated this now. He is a man who is used to getting his own way through the barrel of a gun. When he was sidelined by the President in 2013 for disloyalty to the country, he chose not to use the democratic approaches available to him but has reverted to the approach he knows best. So he mounted a coup against the elected President. He has been actively recruiting his tribesmen and inciting hatred and tribalism within the army and among the people. The events that took place last month in Juba and which spread to Unity, Jonglei and Upper Nile states have taken many lives needlessly.

But this conflict is of political nature, it is not tribal as mainly portrayed in the media. The majority of Nuer, Riek's tribe, can see through this and continue to support the Government.

What of his opponent, President Salva Kiir? He was John Garang's second in command throughout the struggle for independence though overshadowed by him and those who claim to be the rightful heirs today. By contrast with Riek and his new sons, Salva was loyal to Garang and faithful to the struggle as he once said to those who claim to be Garang sons 'If you are Garang's sons, then I'm his older son.' He fairly won a democratic election to the Presidency and has led the colossal task of creating a modern country from scratch. He has stated that there is no way we can go back to war, whether within the South or with another nation. He has clearly indicated to the people that we should instead wage a war for reconstruction and development within the country. Those who know President Kiir agree that he is calm, thoughtful and forgiving which Riek and his followers mistakenly see as a weakness. His anti-corruption campaign which started with those who are corrupt in the government is an indication of the priority he gives to the future of his country over personal advantage. The aborted coup of 15th December 2013 by Dr. Riek and his allies was an attempt to divert public attention.

Why should the Government make concessions to Riek Machar and his followers? In my view, they should be held accountable in the court of law for the death of many of our innocent people. Otherwise, the families of those brave men and women of the SPLA who died in the line of duty will not forgive us. Furthermore, the families of those who have been misled by Riek to die will not see justice.

Justice must come firsthand, and then followed by a long-term dialogue and reconciliation as an important component of a true process of nation-building. Those who call for release of those who led the conspiracy against the elected president are simply wrong. They should be released only when proven innocent. Justice must be allowed to follow its course according to our laws. We are a free country, and we should remain free.