

Justice Must Be Served to Save South Sudan (Article II)

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Juba, 14th April 2014

In May 1981, a Muslim from Turkey, called Ali Agca, attempted to assassinate His Holiness Pope John Paul II. However, after his recovery, the Pope not only prayed for him, but also asked the people to “pray for my brother Ali, whom I have sincerely forgiven”. Later he paid a visit to Ali in prison and took his hand saying “I have forgiven you”.

The Pope developed a friendship with Ali’s family. Ten years later he requested President Carlo Azeglio to pardon Mr. Ali who was freed after spending ten years in prison.

When the Pope died on 2nd April 2005, Mr. Ali and his family mourned him sadly.

They gave a heartfelt tribute to him saying “Pope John Paul II has been a great friend.”

The story of Pope John Paul II and Mr. Ali Agca sends a strong message of justice, love, forgiveness and mercy in action. The Pope understood justice to mean generosity of unconditional love, justice and forgiveness, rather than punishment and revenge.

The Hebrew or Jewish word for justice is ‘mish pat’, which simply means ‘punishment of the wrong doer’. But punishment alone is not enough for doing justice. Justice must also include a search for the truth. In other words it is putting what has gone wrong right, so that the wrong doer can be put right as he/she acknowledges the truth and shows remorse.

In my previous article ‘Justice must be served to save South Sudan’, which was published on January 13, 2014, I wrote in defense of the President and his Government which was democratically elected according to the laws of the Republic of South Sudan and its 2011 Transitional Constitution, and not so much about him as a person. I condemned the loss of many innocent lives, and Dr Riek Machar and his followers for provoking the killings by mounting a failed coup against the constitutionally elected Government.

At the end of that article, I wrote that justice must come first, and then be followed by long-term dialogue and reconciliation, as important components of a true process of nation-building. Those calling for the release of those who led the conspiracy against the elected President are simply wrong. They should be released if proven innocent.

Justice must be allowed to follow its course according to our laws.

I strongly feel that Dr Riek and his co-plotters did not lead the coup without foreign encouragement. This can be seen from his first statement in which he said that he was going to sell our nation’s oil. The searching question is: do the powerful western oil cartels that control the world’s oil business care about the consequences of replacing legitimate governments and national leaders? Did Dr Riek and his group make a secret pact with some foreign government and oil companies to overthrow an elected leader for the love of money and power?

The US, EU, and UN made a mistake by threatening to impose sanctions on our country, and putting those who break the laws of South Sudan on the same level as the Government. A good Government can only be built when a country follows its laws, and when all of our citizens including our leaders are equal before the law. We must avoid building our country upon animal farm laws (George Orwell).

In any nation in the world, laws and constitution are drawn to be respected and followed, and nobody should be above the law. It is very wrong when some people think that they are the only historical leaders and liberators of the rest of us; assuming that without them South Sudan would

not be free today. They suggest being above accountability under the laws of the country and its constitution to which they pledged allegiance, before the President of the Republic, to uphold it in all circumstances.

Now that I say this, it does not deny the positive contribution which they have made during the war of liberation, but also to encourage them to accept the negative role they played at times, and to remind them of the greater sacrifice made by many of us, that in turn made them senior figures in the country. It's sad that they have forgotten the orphans, youth, women and all of our people who have suffered and died so that we may in turn do justice, and enjoy liberty and prosperity.

The tragedy of the aborted coup on 15 December 2013 has revealed to all the people of South Sudan how single-minded and self-centered were those suspected of being behind the coup. As much as we love Dr John Garang, and believe that he was and will always be the man who led us to gain our freedom, it's important not to look back, but forward as one nation and people in this fast changing world.

Let us go back to the theme of this article, why justice must be served to save our nation, and how forgiveness is so important for the future of our God given nation.

Pope John Paul II in the story above allowed justice to follow its course according to Italian law, and then made a request to President Carlo of Italy to pardon Ali who shot him. Forgiveness requires a perfect sacrifice, and strength to make it. Forgiveness cannot be earned, it's a free gift.

Pope John Paul II forgave Ali whose life and that of his family, were transformed simply by accepting the wrong that he had now put right.

What took place in Juba in December last year is a result of failing to consider the wrong done during our war with the north by both sides; those who split from the movement in 1991 and those who stayed with Dr John Garang. We should have initiated a dialogue for reconciliation and healing as soon as we came home in 2005, in order to find out the truth – not to seek punishment – but to help us to forgive ourselves and be healed.

We should have investigated how so many were massacred in greater Upper Nile that year especially in Bor, and how Joseph Oduho, Dr Carlo Madut, Benjamin Bol Akok, Gai Tut, Martin Majier, Kerubino Kuanyn Bol, William Nyuon Beny and many others got tortured and killed or disappeared mysteriously; how so many of our young fighters perished fighting against their own kith and kin; and how many of our good men and women, our elders and leaders like Bona Malwal, Aldo Ajou, David Basouni, Mary Basouni, Oliver Albino Batali, and Gordon Mourtat, had to keep away and live in exile in faraway lands. Our own evil acts against ourselves prolonging the war and suffering of our people, and increased the numbers of our martyrs. Dr Riek and his followers should have remembered this.

I believe in the ability of our people to forgive and move on. But it's important to build our nation upon the truth. That is why justice must be served. After that we must focus on being guided by our laws and constitution and not by political personalities, giving a good example to our youth, our future leaders, to pursue justice, liberty and prosperity for all of our people under the banner of unity.

Within our laws and constitution (2011), page 54 under 101-H 'functions of the President' reads "The President shall confirm death sentences, grant pardon, and remit convictions and penalties

according to this constitution and law”.

The Western world and the UN have mistakenly or knowingly supported Riek and his co-conspirators against the people of South Sudan who know themselves better than do the US, EU, and the UN.

Death sentences, and all sort of cruelty are western ideas, not African. I have the confidence that President Kiir will do the right thing for his people, including those who have been calling for his overthrow and removal, so that we may get on with the duty of our nation building as one nation and people.

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