

## **Impunity Strikes Back, President Kiir Beats a Hasty Retreat.**

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**By PaanLuel Wël, Washington DC, USA, Planet Earth**

The combined forces of [determined impunity and endemic corruption](#) are striking back and the once-daring and -forthright President Salva Kiir is beating a hasty retreat on his not-long-ago [promise to the South Sudanese people to slay the dragon and to recover the stolen \\$4 Billion of South Sudan's national assets](#). For anyone out there who cares to connect the dots on this war on permeating corruption and entrenched impunity, it looks like there is a Panthou-Part-Two in the making. Remember how President Kiir promised heaven and hell to remain in Panthou/Heglig, comes rain comes sunshine, only for him later to unilaterally withdraw South Sudanese troops without any conditions?

[On April 10, 2012](#), South Sudan Army—the SPLA—captured the disputed, oil-rich town of Panthou/Heglig from Khartoum. While history will record July 9th as South Sudan Independence Day, April 10th, in the minds and spirits of all South Sudanese, was the day that South Sudan truly became an independent state. Two days later, April 12th, President Kiir issued one of his memorable statements that endeared him to and galvanized his support among the South Sudanese citizens as the young nation faced off with Khartoum over Panthou/Heglig's crisis and contended with unprecedented condemnations from the International community:

*"Last night I never slept because of the telephone calls...those who have been calling me — starting with the U.N. Secretary-General, yesterday — he gave me an order that I'm ordering you to immediately withdraw from Heglig. I said I'm not under your command...I told him you do not need to order me because I am not under your command. I am a head of state accountable to my people and do not have to be ordered by someone I do not fall under his direct command. I will not withdraw the troops [from Panthou/Heglig]...we withdrew from Abyei. Bashir occupied Abyei and is still there up to today...I told the UN Secretary-General that if you are not moving out with this force of Bashir, we are going to reconsider our position and we are going back to Abyei."*

*President Kiir Mayardit to the UN Chief, Ban Ki Moon, April 12th, 2012)*

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The statement was magical. That was not Salva Kiir the South Sudanese people knew during the war or within the seven years of the transitional period after the CPA. Salva Kiir was known as a quiet, dedicated gentleman with a lot of humility, always keen on avoiding high stake controversies unlike the late SPLM/A charismatic leader, Dr. John Garang, who thrived in and was adept at turning high stake controversies into his advantages and lethal weapons against Khartoum. With Joshua (Kiir's nickname) rallying South Sudanese against the combined onslaughts from the belligerent Khartoum and the largely clueless International Community, South Sudanese people, for the first time since independence, found a cause to shed off their internal divisions and a rally cry to present a united front as one, tribe-less nation.

So strong was the backing President Kiir garnered from the citizens that he threatened “[to send SPLA to Abyei if the African Union does not pressure Sudan to withdraw its forces from Abyei](#), a disputed region between Sudan and South Sudan.” But this was not to be because barely two weeks later, the President caved in to intense pressure from the International Community and unilaterally withdrew the SPLA from Panthou/Heglig. South Sudanese people, left high and dry on the altar of lost and found patriotism, were outraged and dumbfounded. Didn't the President categorically and publicly declare that he was not under the direct command of anybody but the South Sudanese people themselves, they wondered out loud?

As far as President Kiir's declared war on corruption is concerned, there is an eerily striking reminiscent of what happened in Panthou. Call it Panthou-Part-Two in the making. [On March 3rd, 2012](#), President Kiir, out of his own volition, baffled the world—but only vindicated South Sudanese who have all along been acutely aware of and been consistently decrying the mounting level of corruption in Juba—when he finally publicly admitted that:

*“An estimated \$4 billion are unaccounted for, or simply put, stolen by current and former South Sudan officials as corrupt individuals with close ties to government officials. Most of these have been taken out of the country and deposit in foreign accounts. Some have purchased properties; often paid in cash...the people of South Sudan and the International Community are alarmed by the level of corruption in South Sudan. Many people in South Sudan are suffering, and yet some government officials simply care about themselves. The credibility of our government is on the line...we fought for freedom, justice and equality. Many of our friends died to achieve these objectives. Yet, once we got to power, we forgot what we fought for and began to enrich ourselves at the expense of our people...I am writing to encourage you to return these stolen funds (full or partial) to this account. If funds are*

*returned, the government of the Republic of South Sudan will grant amnesty and will keep your name confidential. I and only one other official will have access to this information.” (President Kiir in an official letter to 75 former and current senior government officials, May 3rd, 2012)*

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And just like at the dawn of the Panthou/Heglig’s debacle, South Sudanese citizens, who have heroically bore the burden of state-sponsored and –condoned corruption, came out in support of President Kiir’s bold admission of the alarming rate and the pervasiveness of official corruption. Though it was obviously clear to all South Sudanese that the government was utterly corrupt, no one had imagined it to be [to the tune of over \\$4 billion or that over 75 senior government officials were perpetuating it](#). Because the numbers involved and the magnitude of official corruption were beyond anyone’s wildest dream, President Kiir’s courageous disclosure of the facts was unanimously welcomed and his wholehearted promise to track down and recover the stolen funds was highly appreciated by South Sudanese people.

On June 5th, 2012, South Sudan’s human rights advocacy group—the South Sudan Human Rights Society for Advocacy (SSHURSA)—released [a press statement](#) in which they applauded President Kiir’s letter to suspected South Sudanese corrupt officials. Not to be left behind in the holy crusade against national demon, South Sudan’s national assembly, on June 12th, 2012, following a majority vote by members of parliament, [called for a suspension of the 75 Government officials identified by the president to have stolen public funds](#). To complicate the matters further for the 75 corrupt government officials to whom the letters were sent by the president, two former cabinet members, Dr. Lual Achuek who previously headed the Oil Ministry and Madam Awut Deng, an ex-minister of Labor, have come forward admitting that they are indeed part of the alleged 75 corruption mafia and have actually received the letters from the president, urging them to return their booties.

As expected, the two ex-ministers have emphatically denied the allegation of having stolen anything from anybody at any time in their entire lives. Interestingly, they are now calling upon—rather daring—their colleagues to assertively come forward and declare if they have received the letters and if they have stolen the funds as purportedly claim by the president. So far, especially among the currently serving government officials, none has dared to stake his/her neck out to state if they have been written to and what they think of the allegation. By all indications, they want South Sudanese to believe that the alleged 75 corrupt officials are in Khartoum, not Juba. This is the school of thought that Dr. Marial Benjamin, South Sudanese Information Minister, represented on his [recent appearance on Aljazeera TV](#) in the wake of President Kiir’s revelatory letter.

Actually, President Kiir is caught between two groups of South Sudanese. The first group is the Comrades in Armed Patriots (the C-in-A). The C-in-A Patriots comprises the vast majority of the veteran SPLA soldiers who are suffering like the rest of South Sudanese; the vast majority of the ordinary South Sudanese that have gained nothing but miseries and disillusionments from the independence of South Sudan, and the few honest and

hard-working government officials, Governor Bakasoro of Western Equatoria and the SPLA commanders at the border-frontlines—for instance, who have abstained from the corruption spree to deliver on their promises to the masses. The second group, on the other hand, is the Comrades-in-Crime/Corruption Syndicates (the C-in-C). The C-in-C Syndicates includes, among others, the alleged 75 corrupt mafia who has successfully made away with over \$4 billion from South Sudan public money. Dr. Marial Benjamin, by contradicting President Kiir's crystal clear letter, is their spokesperson. Like Khartoum and the International Community during the Panthou/Heglig crisis, the C-in-C Mafia are determined to ensure the failure of South Sudan to protect and safeguard her interest, be they territorial, political or economic ones.

Unfortunately, the C-in-C mafia is succeeding! Whereas [the president was categorically clear in his March 3rd letter](#) to the C-in-C syndicates about the nature of corruption and the identities of those implicated in it, [you would mistake him for Dr. Marial Benjamin on Aljazeera](#) if you have read his May 13th, 2012 latest statement on the war on corruption:

*"I did not say the money was stolen neither I did say \$4Bn has been stolen. I said the money has been lost somewhere and someone has to account for it. I have written to 75 former and present gov't officials. This does not mean that these 75 officials are suspects but they have the responsibility. I will still write to some officials whom I had written to them and now claimed to have not received any letter from my office. I will again write to some more officials whom I did not write to them earlier." (President Kiir, May 13th, 2012)*

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[President Kiir of March 3rd, 2012](#) declared that “an estimated \$4 billion are unaccounted for, or simply put, stolen by current and former South Sudan officials as corrupt individuals with close ties to government officials.” In May, he is now claiming that he was quoted out of context because “I did not say the money was stolen neither I did say \$4Bn has been stolen. I said the money has been lost somewhere and someone has to account for it.” What in the world is the President talking about? Does he listen to his own sound bites? Moreover, President Kiir had earlier stated that ‘some [former and current government officials] have purchased properties; often paid in cash.’ He had written 75 letters to these government officials, requesting them to “return these stolen funds (full or partial).” If indeed those 75 former and present government officials are/were not suspects, how could the President have written to and “encourage” them to “return these stolen funds (full or partial)?” Won't that be a [defamatory civil case](#)?

One more time, just like during the Panthou/Heglig's crisis, South Sudanese people are wondering out aloud: didn't the President unreservedly and publicly declared that he has already identified and written to “75 former and current government officials” in a bid to recover the stolen public money and would be relentless in his fight to stop and eradicate corruption in South Sudan, once and for all? What has gotten over him? How could he have come out to expose the corruption malaise only to beat a hasty retreat within a few

days? The answer is simple: he is coming under extreme pressure to “relax and take things easy” from the C-in-C mafia or else they would expose him as one of their own kith and kin who have, apparently, gone mad to wreak havoc on the “family house” from within, hardly aware that it would all come down, crumbling upon himself.

It is not that hard to picture the mess President Kiir has enmeshed himself in. First and foremost, by calling out the 75 corrupt officials, President Kiir is striving to differentiate and distance himself from the corrupt government he is leading. President Kiir is trying to reclaim the SPLM/A liberation mantle and of the promise of the Land of Canaan, flowing with milk and honey. He is trying to live up to the high expectation ushered in by the independence of South Sudan on July 9th, 2011. For the president to succeed though, he has to erect the devil and place the blame upon him. This has to be done before the son of man must sit on the high right hand of God, in readiness to be showered with somber praises and unadulterated admirations from the South Sudanese populace. The only problem with that strategy is that the devil, as always, is legendary wiser than mortals could dare to admit or realize. It will not be walking in the park for the President to fight corruption effectively and still remain clean and free especially when he has been the head-boy of this gang of alleged thieves.

Most notably, the demons bedeviling South Sudan’s economy are just but followers. Someone, wittingly or otherwise, gave them the green light, over many times, to engage in corruption. Someone somewhere, to borrow President Kiir’s ambiguity, had led them into corruption and must likewise lead them out of corruption. Put simply, President Kiir’s phraseology again, no one among the 75 government officials would willingly and freely come forward, admit of his/her crime and voluntarily return “full or partial” stolen money. Why would anyone do it if the President has not returned his supposedly stolen wealth? Why would you bother to admit to a crime that is presently being committed or return the money that would get stolen again? If the President is tired of corruption and is now serious and ready to deal with the scandal, he must set an example by being the first to receive his own handwritten letter, first to admit to the crime and first to publicly return his ill-gotten assets. Who among the ministers and the 75 government officials would refuse to toe the line if the President himself has accepted to carry his own cross to the Golgotha?

However, President Kiir is not going to do that anytime soon, never any time to be precise. President Kiir would not do so for the real fear that he would be called upon to account for his own crimes. He would be called upon to persecute the thieves and that would not be easy considering that he would be persecuting himself. The constitution is clear; all thieves belong behind bars. Besides, which President has ever voluntarily done such a thing and still remains as head of state? Is President Kiir ready to voluntarily step down? Absolutely not; he is there to stay put. Secondly, the alleged 75 government officials represent who-is-who in South Sudan tribal politics. There is no way anyone—not even President Kiir—can fire, persecute or jail those 75 guys and ladies and still have the country in peace and harmony. The cry of our-community-is-being-finished-or-being-singled-out-and-targeted will suffocate the nation. Civil war might ensue and Somalia-

on-steroid might get born out of the current failed—but not yet collapse—Republic of South Sudan.

Thirdly, some corrupt officials would even be adamant that their conscience is clear in spite of what they have done. This point is well dramatized by one South Sudanese commentator, Mr. Philo of the SPLM-Diaspora Forum—an online forum where government critics regurgitate their unreasonable grievances with and imagined frustrations over the Government of the Republic of South Sudan, and wherein government supporters recite their undying love for and naked admirations of President Kiir in the hope of being spotted for a big, luxurious government's position:

*Following the scandalous episodes in the country, several suspected persons were brought before the high court for conviction trial. Judge Malongdit, wearing a red court robe, opens the court and began interrogating each one of them.*

*Judge Malongdit: Why did you do what you did?*

*33<sup>rd</sup> Person: Your Honor, they never paid my salary for 3 months, so I took what they owed me.*

*40<sup>th</sup> Person: Mr. Justice, having what I want is more important than being honest and save my business*

*45<sup>th</sup> Person: Lord Justice, I have 10 wives, 50 children, and 215 close relatives, where do I feed them?*

*57<sup>th</sup> Person: Lord Justice, everyone is doing it, why not me?*

*Judge Malongdit: (turning to a young lady, seated composed behind the court bench), what about you young lady what reasons do you have?*

*Young Lady, 69<sup>th</sup> Person: Your Honor, my husband is a problem! He accumulates debts and debts, never pays them, coming home late drunk and children in school!*

*70<sup>th</sup> Person: Your Honor, I was not paid during the war.*

*72<sup>nd</sup> Person: Your Honor Judge, they want to retire me without retirement arrangement, so I took my share of retirement.*

*73<sup>rd</sup> Person: Judge, I was just trying to beat the system, to see if they can discover it.*

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Assumed that the president is clean and free of corruption, it is still practically impossible for him to deal accordingly with his wartime comrades and peacetime buddies. It is partly due to the tribal nature of South Sudanese politics and partly due to the closeness of the top government officials—these are people who struggled, survived war and death together. It is just implausible that President Kiir would go after them with the same zealotry with which they have bankrupted South Sudan's national coffers. While the war of empty words and rhetoric may intensify in the coming days, weeks, months and years, don't hold your breath waiting for public persecution of any of the 75 public officials. It might happen that South Sudanese may never know of their exact identities.

But wait a minute; is this not the kind of "analyses" that was recently dismissed by Deng Arok Thon—the son of the Late Arok Thon Arok—as being a patronizing and too-knowing "views" usually espoused by the too-distant, too-arrogant and too-clueless South Sudanese in the Diaspora who should better leave South Sudan to South Sudanese and rather concentrate on their adoptive countries?

*You in the Diaspora always seem to "know it all" and have so much to say: giving your "thoughts, analyses, theories, solution, views and resolutions." Pay more attention to being productive citizens in your adoptive countries. I have nothing against any of you in the diaspora personally, but it's the sense of patronism and Mr. Know- it- all-I-have-come-to-save-you-from-yourselves attitude many people in the Diaspora always seem to have. (Deng Arok Thon via Facebook May 12th, 2012)*

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South Sudanese people would pass the verdict themselves. The war on corruption knows no international borders; corruption is a disease against humanity! It was in that humanistic spirit that President Kiir thought it prudent to seek help from other heads of state by writing letters to them seeking the return of stolen South Sudan national resources. All that South Sudanese people care about is that the suspected stolen funds are fully recovered, corruption completely eradicated and that Juba adheres to its social contract with the masses by delivering on economic development, social services, good governance, long lasting peace and political stability!

If South Sudanese Diaspora community has any contribution to make towards that noble national goal, so much the better! If South Sudan accepts economic, social, technological and developmental assistances from total foreigners, how about from people of South Sudanese origin? The seventh front is part and parcel of the required solution to South Sudan's national predicaments.

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