SUDAN AND SOUTH SUDAN

From One to Two

BONA MALWAL

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Sudan and South Sudan

From One to Two

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Academic Visitor, St Antony's College, University of Oxford

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In Association with St Antony's College, Oxford

Softcover reprint of the hardcover 1st edition 2015 978-1-137-43713-6

First published 2015 by
PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

ISBN 978-1-349-49376-0 ISBN 978-1-137-43714-3 (eBook)
DOI 10.1057/9781137437143

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

A catalogue record for this book is available from the British Library.

A catalog record for this book is available from the Library of Congress.

Typeset by MPS Limited, Chennai, India.

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Foreword

Bona Malwal has written the definitive political history of post-colonial Sudan. He is in an excellent position to tell this story because his entire life has been involved with the political process that began with independence from the United Kingdom in 1956. At that time, he was a secondary school student. He became involved with political and public life almost immediately and never stopped his patriotic engagement on behalf of his own people in Southern Sudan, as well as the entire national entity known as Sudan.

As Bona Malwal describes the manoeuvrings and machinations of the British colonialists, and then the various Arab-dominated regimes in Khartoum, and then the power struggles within the Southern insurgency, he never forgets the underlying suffering of his people in the provinces that today constitute the independent state of South Sudan. Unfortunately, those people continue to suffer today, even though they have been self-governing since 2005.

As a retired American diplomat who specialised in sub-Saharan Africa, I now understand a lot more of what I experienced in Sudan as a result of this book. I was Assistant Secretary of State for African Affairs from 1989 to 1993. My main policy objective during those four years, under the leadership of President George H. W. Bush, was to contribute to the resolution of internal wars in Africa.

Because Sudan was in the midst of a very long civil war when I took office in 1989, I naturally sought to become involved in a mediation effort between the Arab government in Khartoum and the Sudanese African insurgents in the southern third of the country.

My first impression of the leadership in Khartoum was quite negative. I found Prime Minister Al-Sadiq al-Mahdi to be weak and uncertain. He was clearly in no position to engage substantively with the leadership of the southern insurgents of the Sudan People's Liberation Movement (SPLM).

I also found that the SPLM leader, John Garang de Mabior, was not terribly interested in peace in 1989. He refused to begin negotiations with Al-Sadiq al-Mahdi, and then refused to negotiate with the successor regime of Omer al-Bashir who took over in an Islamic military coup in June of that year. I had persuaded both leaders to meet with Garang

with no preconditions, but Garang insisted on a long list of unacceptable preconditions. He was clearly in no mood to negotiate.

Bona Malwal has helped me understand what was driving Garang from the very beginning of the southern struggle. In those days, during my frequent visits to Khartoum, I usually stopped first in Cairo, in view of the Egyptian strategic interest in the Sudan and the Nile River that runs through it. My main interlocutor in Cairo was the Chief of Egyptian Intelligence, Omer Suleiman. When we talked about Garang, he never stopped repeating: 'Garang wants power in Khartoum. He will never have power in Khartoum.'

From the very beginning, at the time of independence, Bona Malwal was consistent in his demand for 'self-determination' for the people of Southern Sudan. He never advocated either for independence of Southern Sudan or unity of Sudan. He wanted the people of South Sudan to decide. He describes Garang, on the other hand, as constantly talking about a 'New Sudan'. Basically, my Egyptian friend was correct, Garang wanted power in Khartoum as the future head of an African majority in the greater nation of Sudan. From the time of independence, Northern Sudan has been under the control of an Arab-speaking minority. Garang believed that the African ethnic groups in greater Sudan could constitute a democratic majority under his leadership.

Unfortunately, Garang was killed prematurely in a helicopter crash, just as the people of South Sudan were beginning a six-year transition of self-government that led to full independence in 2011. Bona Malwal describes the time that has been wasted since 2005 as the South Sudan leadership has made a complete hash of governance. Most of their revenue from oil production has disappeared to corruption, and interpersonal factionalism has paralysed any efforts to bring benefits to the long-suffering southern peoples. Self-government and independence have so far proven to be a poisoned chalice for the people of South Sudan, thanks to selfish and callous leadership. Bona Malwal describes this with great sorrow, believing that the situation would have been much better if John Garang had lived to apply his firm hand of leadership in South Sudan.

Malwal describes everything that has taken place since 1955 in great detail, as someone who was in the thick of all major events. To read this book is to know the half-century tragedy engendered by the initial decision by the British colonial regime to keep the African south and the Arab/Islamic north together as one national independent entity.

It was a monumental mistake. Many thousands of people in both North and South Sudan have perished through political violence, and today millions continue to suffer as a result.

Throughout his adult life, Bona Malwal has been speaking the truth about power in both North and South Sudan. He has often been considered an annoying irritant to those leaders who did not want to hear the truth. He will undoubtedly continue to tell his compatriots in the independent state of South Sudan that they should be ashamed of themselves for all the damage they are doing to their country. All the players should take time off from their violent disputes and megalomania to read this book in order to get some badly needed perspective.

Herman Cohen
Former United States Assistant Secretary
of State for African Affairs

Acknowledgements

This book is the result of much prompting by my friends, both Sudanese and non-Sudanese. Very often when I have related a few of the many political problems I have had to confront in my public life in conversation with friends, they have urged me to record these painful stories for posterity. Much as I would like to, it is impossible to list here all those who have encouraged me to write this book. I also wish to apologise to the many friends who have had to share with me the bitter experiences related in this work, whose names may not have been mentioned. Most importantly, I wish to acknowledge and thank all the personal friends and benevolent organisations and individuals who have supported me materially and made it possible, throughout my professional and political career, to ensure the political voice of the long-struggling people of South Sudan was heard through the pages of the publications that I have been involved with: *The Vigilant* in the 1960s, *The Sudan Times* in the mid-1980s and the *Sudan Democratic Gazette* in exile in the early 1990s, until the Comprehensive Peace Agreement which, for the first time in the history of Sudan, enshrined the right of the people of South Sudan to self-determination. Self-determination finally led to independence.

This book has become a reality only because of the unfailing perseverance and help of a colleague, Caroline Davis, who tirelessly typed and retyped the manuscript, helping me comply with the demands of the publishers that we reduce it from hundreds of thousands of words to its present size. I owe Caroline a great debt of appreciation for her patience, diligence and courtesy. Thanks are also due to all my friends and colleagues at St Antony's College, Oxford, particularly Dr Ahmed al-Shahi. Twelve years ago we co-founded the Sudanese Programme there. It has more than distinguished itself as an academic and intellectual venue for the discussion and the debate of Sudanese affairs. Ahmed has always been generous with his ideas about this work. I owe him particular gratitude.

My final expression of gratitude and appreciation is to my wife, Salwa Gabriel Berberi, and to my children, Ed Ring, Akuei, Natalina, Sandra, Philip Thon and Makol, for their continuous support and encouragement. I am, however, solely responsible for what is contained in this work.

Introduction: Liberation or Political Realism?

South Sudan Has Finally Made it!

Having decided to write this book, I have been guided by the truth as I know it. I hope that I have related this truth without offence to anyone. As this work now moves towards the stage of becoming a public document, I want to apologise in advance to whomever is mentioned in these pages, who may feel that their role was not as I have presented it here. I know that the traditional Sudanese cultural way is to bury the hatchet with those who are dead. Unfortunately, this work is not about individuals who are dead or alive; it is about what they did or did not do while performing their public duty.

The outcome of the long war of 21 years by the SPLA was the signing of the Comprehensive Peace Agreement (CPA) in Kenya on 9 January 2005. Did the South win a war of liberation or was the CPA a compromise deal? In my view, the CPA was the outcome of a military stalemate on the battlefield in South Sudan. During the course of those 21 years, Khartoum tried to defeat the Sudan People's Liberation Army (SPLA) in the South and failed. The final regime in power in Khartoum, the National Islamic Front (NIF) regime, with whom the SPLA had to enter a compromise to reach the CPA, had sent into the South many very young Northern Sudanese schoolchildren as conscripts in order to win the war. Many of these youngsters ended up as cannon fodder in the war, with nothing to show for it.

The people of South Sudan, too, had faced real war hardships. Their own young people of school age had had to forgo education to fight the war of liberation. Families in the South perished in their entirety, either killed outright, or due to lack of amenities and war-related causes. In the end, the international community, which had tried to intervene with

relief efforts to save the lives of millions of South Sudanese with little success, had to settle the war at the negotiating table. Both the warring parties, the NIF in Khartoum and the SPLA in the South, are entitled to claim credit in whatever propaganda ways and means available to them in the media. While appreciating all that, the bulk of this work has been about how the peace agreement has benefited the people of the two parts of the old Sudan, or the people of the country which has now split into two, to form the Republic of South Sudan and the Republic of Sudan.

The Republic of Sudan has inherited all the problems of the old Sudan, including some of the causes of some of the wars that eventually resulted in the country splitting into two. As the saying goes, 'We do not come from everywhere in Sudan, we come from specific places.' In my case, I come from South Sudan. South Sudan has fought hard to liberate itself. There are now serious questions about how South Sudan is managing itself. South Sudan was full of hope that, in return for its liberation, its new national leadership would get on with redressing the causes of their people's backwardness. God had endowed South Sudan with oil, a very finite commodity, with which the leadership of the South, had they been fair-minded, would have accelerated social and economic development and services while it lasted.

The civil war in South Sudan was the main cause of the overthrow of General Ibrahim Abboud's military dictatorship in Khartoum in October 1964. Northern Sudanese political leaders never conceived of a political settlement with the South that would leave the South sharing power equally with the North. Even under the interim prime minister, Sir al-Khatim al-Khalifa, the South was required to give up its armed struggle simply because it had been able to occupy the portfolio of the Interior Ministry, in charge of the security of the whole country. The attitude of Northern Sudanese politicians, of thinking that the South should agree to be spoon-fed by the North, was demonstrated by the attitude of the Northern Sudanese political leaders towards the holding of the Round-Table Conference in March 1965.

In order to ensure that the proceedings of the Round-Table Conference would not be impeded by political interference, or even by the Northern media, the Southern Front wanted the conference to be held anywhere in the world except Northern Sudan. This demand also had to do with security for the delegation of the Anya-Nya liberation movement, whom the Southern Front only managed with grave difficulty to persuade to attend the conference. The resistance of the Northern Sudanese politicians to meet with the South Sudanese politicians abroad in part had to do with their superiority complex.

If the Northern Sudanese politicians agreed to hold a political conference abroad, it would show the world that these Northern Sudanese politicians were after peace in their country and were making political compromises with their South Sudanese brethren, no matter where that search for compromise and peace took them. Nationalist-minded political leaders from Northern Sudan also should have realised that the leaders of the South Sudan liberation movement, the Anya-Nya movement, whom the North had called rebels and criminals of all sorts, would be reluctant to come and negotiate peace with the North anywhere in Sudan, when the country was under the total control of the North. This was especially true given the terrible atrocities committed by the Abboud military regime in the South during the six years preceding the period in which the holding of the Round-Table Conference was being discussed. But the Northerners did not care. If there was no Round-Table Conference, so much the better, as far as these Northern Sudanese politicians were concerned. This attitude of the politicians of Northern Sudan towards the 1965 Round-Table Conference is corroborated by Yousif Mohamed Ali, a Northern Sudanese who became chairman of the Round-Table Conference Twelve-Man Committee.[1]

By the beginning of 1965, Northern Sudan was heading for an election that the Southern Front had already publicly decided to boycott. The Southern Front did not want elections in Sudan before a peaceful solution to the raging civil war in the South was agreed upon. The Northern political parties were now campaigning amongst their electorate in the North about which party of the North was better placed to deal with the rebellion in the South after the elections. With the exception of the small Democratic Unionist Party (DUP) of Sheikh Ali Abdel Rahman, which declared its boycott of elections in Northern Sudan without the South, all the other parties were intent on dealing with the South militarily after the elections, to end the armed conflict there, if elected.

Already, the traditional parties of the North had split the Anya-Nya movement in exile. The Umma Party of Al-Sadiq al-Mahdi had brought William Deng Nhial into the country from exile and was now prepared to deal with him alone as the sole leader of the South. Deng had already made a public statement in Khartoum, calling on the Southern Front to recognise him as the sole leader of the South. Prime Minister Sir al-Khatim al-Khalifa clearly saw the arguments and the political moves being made. He could see where his interest lay. He decided to stick to the interim charter, which gave him the power.

It was clear that the Communist Party representation in the interim government of Prime Minister Khalifa was much greater than the

party's actual influence in the country warranted. The traditional parties of the North were threatening to withdraw from the government and concentrate only on campaigning for the elections unless the prime minister adjusted the representation of the Communist Party in the government. This meant that even if the interim government convened the Round-Table Conference, regardless of its location these traditional parties would boycott the conference. Time was now of the essence. Everything was conspiring to interfere with the holding of the Round-Table Conference.

On behalf of the Southern Front, I met with Abdel Khaliq Mahgoub, the leader of the Communist Party. I put it to him that unless he agreed to some cosmetic adjustment of the numerical representation of his party and their allies in the interim government during the remaining interim period, the Southern Front would be forced to join the traditional parties in their demand for the entire dismissal of the Communists and their allies from the government. Mahgoub saw my point very clearly and agreed. I went to Prime Minister Khalifa and requested that he convene a meeting of the leaders of the parties in government. Khalifa was himself very much on the mark with the political alignment of the numbers representing the parties in his government. When he called the meeting of the party leaders, not only did I propose a reduction in the number of ministers from the Communist Party and their allies, I also raised the question of representation of the South in the cabinet. Up until that point, the Southern Front had only two ministers: Clement Mboro was the minister of interior, while Gordon Muortat Mayen had replaced Ezbon Mundiri after he was forced to resign as the minister of communications for having slapped a Ministry official in the face. The prime minister had promised a review of the representation of the South in the interim government in my previous discussions with him. Now was the time to press for that change.

When the cabinet was reshuffled, Khalifa reduced the Communist Party representation by three ministers. He gave two of those, one each, to the two traditional parties of the North, the Umma Party and the National Unionist Party (NUP), and the third he gave to the Southern Front.

By this time, the Southern Front had recalled Hilary Paul Logali from his post-graduate studies at Yale University in the US to be part of the team preparing for the Round-Table Conference. Logali was already involved in the efforts to persuade Agrey Jaden and his Anya-Nya movement to agree to take part in the Round-Table Conference. Logali had travelled to East Africa a number of times already. We nominated Logali as the third minister of the Southern Front during what remained of

the interim period. We shuffled the Southern Front team in the government, retaining Clement Mboro in the Ministry of Interior but moving Gordon Muortat Mayen from Communications to the Ministry of Works and installing Logali at Communications.

Had Logali not been able to use his personal relationship to persuade Jaden to attend, the Southern Front would not have pulled off the Round-Table Conference at all. So severe had the political currents become. The North was against holding the Round-Table Conference before the elections, so the traditional political parties of the North vetoed everything the Southern Front proposed. The venue for the conference had to be moved from abroad to Juba. With only a few days left before the conference was to begin, in February 1965, the Sudanese army began shooting in the streets of Juba, killing a large number of South Sudanese civilians. The message, clearly, was that no South Sudanese citizen was safe in Juba town, especially the leaders of the Anya-Nya liberation movement, whom the Southern Front had managed to persuade to attend the Round-Table Conference in Juba after all.

Naturally, in response to the massacres, Jaden issued a statement in East Africa saying that his movement would not attend the Round-Table Conference in Juba. This was both a security measure and a protest against the killing of innocent citizens of South Sudan on the streets of Juba.

It was important to the Southern Front that the Round-Table Conference be convened at all costs, anywhere in the world, including inside Juba. The important thing, from the Southern Front point of view, was for South Sudan to put its political agenda on the map of the world stage. Fifteen African governments, including all nine neighbours of Sudan, had been invited and had agreed to attend. The North brought pressure on Prime Minister Khalifa to call off the conference. He resisted that strong pressure, perhaps because he was one of the Northern Sudanese who knew South Sudanese the most. He knew more than any other Northern Sudanese that the South would regard the cancellation of the Round-Table Conference as just another example of the Northern Sudanese breaking their word. Khalifa had been the assistant director of education for Southern Sudan for many years before becoming interim prime minister.

The Round-Table Conference eventually took place in Khartoum, after being shifted twice; once from abroad to Juba and again from Juba, in South Sudan, to Khartoum in the North. But the Northern Sudanese political parties showed at the conference in Khartoum that they were not interested in a positive outcome. All they needed to do was see the

elections run in the North, so that whoever of them came to power in Khartoum after the elections could deal with the South with an iron fist.

The elections in the North came soon enough. The two main parties of the North secured a massive majority of parliamentary seats between them. They wanted a strong government to deal with the South. So the two parties, the Umma Party with the plurality of the seats and the NUP, agreed to form a coalition government. Mohamed Ahmed Mahgoub of the Umma Party became the newly elected prime minister.

The first business of the new parliament, now without representation of the South, was to amend the interim constitution that was handed down by the colonial powers before they transferred power to the North on 1 January 1956. The constitution was amended in parliament to allow Ismail al-Azhari, the leader of the NUP, to become the permanent president of the Council of State. The interim constitution had provided for a five-member Council of State, called the Supreme Council of State, the chairmanship of which would rotate every three months between its five members, ensuring that every member of the council would, at some point, have the opportunity to act as chair for three months. The interim constitution also provided for one of the five members to be from South Sudan. That guaranteed that the South would at least have a chance to be the chairman of the Council of State after every fifth rotation. In other words, a South Sudanese would become head of the Sudanese state, albeit a ceremonial status, every 15 months. Now, with the amendment of the interim constitution by a parliament in which South Sudan was not represented, the South was locked out of any chance to chair the Council of State. No South Sudanese member of the Council of State would ever again have the opportunity to receive the credentials of a foreign ambassador accredited to Sudan, even though there remained a South Sudanese member in the Council of State.

Prime Minister Mahgoub declared war on the South inside what was now only a Northern Sudanese parliament. Every educated South Sudanese was declared a rebel against the Sudanese state. In a televised national first address to the new parliament, which did not include the South, Mahgoub accused all educated South Sudanese, including the officials of his own government, of being rebels. They needed to be dealt with.[2] It was a very straightforward way of sentencing all educated South Sudanese to death. Within days the army had carried out untold massacres across the width and breadth of South Sudan. The new prime minister closed off all channels for political dialogue with the South and refused to meet any leader of a political party from the South, except William Deng Nhial of the South African National Union (SANU) inside

the country. Deng was keeping political opinion in the South divided, since he had split from the Anya-Nya movement abroad and established SANU inside the country. Within weeks, the massacres in South Sudan had resulted in the deaths of tens of thousands of South Sudanese.

The newspaper *The Vigilant* was suspended because it published news of the horrendous massacre of 1,400 South Sudanese on the streets of Juba town on the night of 9 July 1965, and the massacre of 76 South Sudanese employees of the government of Sudan and others in a wedding party in Wau town on the night of 11 July 1965. As the editor of *The Vigilant*, I was charged with multiple crimes: treason, injurious falsehood, spreading hatred against the state, and so on and so forth. It took more than six months for the government to prepare its case against *The Vigilant* and to take me to court as its publisher and editor-in-chief.

The Round-Table Conference had decided to adjourn for three months, to enable its Twelve-Man Committee to draw up resolutions that were intended to ease the way for a possible peace agreement. The conference was expected to reconvene three months after the elections in the North. As it turned out, the Twelve-Man Committee could not complete its work on time. When the committee finally was ready to present its report to the new prime minister, political turmoil had already erupted inside one of the ruling parties – the Umma Party.

The head of the Umma Party, Al-Sadiq al-Mahdi, who was still under age when the June 1965 elections took place, had now become of age. It was now June 1966. A parliamentary seat was vacated for al-Mahdi in the relatively safe territory of Gezira Aba, in the White Nile, Mahdi's traditional home. When the leader of the Umma Party was returned to parliament unopposed in this safe seat, he immediately demanded that the post of prime minister be vacated for him. Prime Minister Mahgoub was forced to resign, and Al-Sadiq al-Mahdi, at the age of 30, became the country's youngest ever prime minister. But the harsh and cruel policies of his government towards the South remained intact, in spite of the new prime minister's personal friendship with William Deng Nhial, who had now fully established his SANU party inside the country as a rival to the Southern Front.

The Southern Front's three cabinet ministers during the interim government of Prime Minister Khalifa had handed over their cabinet seats to the newly elected coalition government of Prime Minister Mahgoub when that government took office in June 1965. The South was now once again represented in the central government in Khartoum by a South Sudanese individual hand-picked by the North and not by a political party of the South. Alfred Wol Akoc Majok became the only

minister from the South. Majok was a good South Sudanese, from the political point of view. Since the government was not interested in talking to the South, the South Sudanese parties did not question his credentials to represent the South within it. The North could have made a worse choice.

It was not always apparent what was going on within the government between Prime Minister Mahdi and his coalition partner, the NUP. But it was fairly clear that all was not well between Mahdi and Al-Sharif Hussein al-Hindi, the powerful minister of finance, who was universally recognised as the strongman of Ismail al-Azhari's NUP. The NUP had drafted into parliament 21 unopposed members from the seats of the South, even though the National Elections Commission had already declared that the elections in the South had been postponed due to the Southern Front's boycott and because of insecurity. The Southern Front had raised a constitutional case in the Constitutional Court to unseat the 21 unopposed NUP members of parliament from the constituencies of South Sudan, arguing that elections in South Sudan had been legally called off. Deng's SANU inside the country had joined the Southern Front in the constitutional case.

While all this was going on, Mahdi initiated the completion of the by-elections in South Sudan in an attempt to share the remaining seats between his Umma Party and Deng's SANU party inside. This meant that the line-up inside the coalition government would assume a zero configuration when the results of the by-elections in the South become known, especially if his friend Deng won an appreciable number of the remaining seats in the South. There were still more than the 21 unopposed seats from the South that were being contested in this latest by-election. Mahdi almost certainly wanted his friend Deng to be part of his government, but that would only be possible if Deng won some of the still vacant seats in the South and his SANU party entered parliament. The remaining parliamentary seats to be contested in the proposed by-elections in the South were mostly in Bahr el Ghazal, Deng's native province. It was expected, therefore, that with the Southern Front still intent on boycotting any elections in the South until there was a peace agreement with the North, Deng's party had a very good chance of winning most of the seats from Bahr el Ghazal, at least. And that was exactly what happened when those by-elections were finally conducted. Deng himself entered parliament after the by-elections. But before Mahdi could make a move to reshuffle his cabinet, the strongman of the NUP, Al-Sharif Hussein al-Hindi, made the first move.

Hindi negotiated and signed a reunification deal between his NUP and Sheikh Ali Abdel Rahman's DUP. The DUP had been boycotting the elections in the North in solidarity with the Southern Front's boycott of the same elections in the South. The DUP was using the argument that leaving the South out of the parliament was encouraging separation of the South. When the reunification between Hindi's NUP and Rahman's DUP was announced under the new name the Democratic National Unionist Party, under the leadership of Ismail al-Azhari, who had by now lost the court case against the 21 unopposed NUP members from the South, Azhari used his power as the president of the Council of State and decreed the dissolution of parliament and the running of new general elections in early 1968. Azhari's party also had another member in the Council of State, Philemon Majok Kuong, hand-picked by the North to represent South Sudan, making a majority of three to two. In fact, the decision to dissolve parliament by the Council of State was unanimous, because the two members of the Umma Party were from Imam al-Hadi al-Mahdi's wing and so wanted to unseat their own prime minister and have new elections. Parliament was dissolved and new elections were conducted in June 1968.

In solidarity with the DUP, which had stood with it since 1965 in opposition to the holding of elections in the country before there was peace in the South, and also as a security measure for the ordinary citizens of South Sudan, the Southern Front contested the 1968 elections. The two main parties of the South, the Southern Front and Deng's SANU inside the country, were both now agreeing to be political parties in Sudan, within the context of one country. This action later proved the inappropriateness of entering elections in the South without first putting a political agreement with the North in place. However, apart from solidarity with the DUP, it became abundantly evident that unless the Southern Front participated in this 1968 election, it would be impossible for it to remain a credible political party, even in the South itself. The Anya-Nya liberation movement was not interested in party politics, therefore its leadership would have been unlikely to oppose the participation in the Southern Front elections. The membership of the Southern Front in the South had been repressed and massacred by the government of the day, because it dared call for the right of self-determination for the South at the 1965 Round-Table Conference in Khartoum.

The shocking and horrendous outcome of the 1968 elections was that William Deng Nhial was assassinated by the government of Sudan army as he was returning from Rumbek, having gone there from Tonj to congratulate his successful candidates in Rumbek, among them Samuel Aru Bol.