

OBLIGATION TO RESTITUTION & WAYS OF FULFILLING IT

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Abstract

Conflicts abound in social relationships but our life must continue and the social contract we all share must go on. The human mind is a repertoire of past social relations and when nothing is done over time to annul the effects of conflicts it may cause a great negative yield or a greater conflict to address the former one. Restitution is at once a longtime answer to spiritual, economic, psychological, social and political injustice. It enhances the appearance of the truth and the healing of social relations. Nigerian example buttresses this fact.

Introduction

Restitution restores the integrity of any person or state and brings integrality for the return of free conscious activities in any state. It is a restorative justice since the wronged citizens are well placated but it is a commutative justice too since the gains of oppression from one side is paid out to the oppressed for a reconstruction.

A corporal meaning of restitution will be gleaned from the world religions and be brought to bear in the reality of our time. Nigeria needs a project of restitution in order to arrest the lack of the spirit of nationalism.

Definition of terms:

Microsoft Encarta Dictionary (2006) defines restitution as

1. giving back: the return of something to its rightful owner
2. paying back: compensation for a loss, damage, or injury
3. restoration: the return of something to the condition it was in before it was changed

And also obligation is defined as **duty**: something that must be done owing to a legal or moral binding.

Restitution

Restitution is an act of restorative justice, whereby what is taken from one is restored to him. However, Thomas Aquinas in his **Summa Theologica** maintained that it is likewise an act of commutative justice since it deals with restoring equality. He says

To restore is seemingly the same as to reinstate a person in the possession or dominion of his thing, so that in restitution we consider the equality of justice attending the payment of one thing for another, and this belongs to commutative justice. Hence restitution is an act of commutative justice,

occasioned by one person having what belongs to another, either with his consent, for instance on loan or deposit, or against his will, as in robbery or theft. (*Justice Question #62, Restitution; Art 1 par 5*)

Restitution involves two parties: one who has taken what belongs to another and one whose property has been taken. In religion, it is the third step in recovering a relationship with God or realization of the original nature. Repentance is the first stage of our coming back to a life before God. Sins, attachments, and mistaken views must be acknowledged as such; then it is possible to turn away from the old life and set out on the new path of faith.

The second stage, one far more efficacious, is to confess the sin. The humiliation and shame which accompanies confessing one's sin to another makes such repentance extremely serious. The third stage of repentance is to make some substantial compensation for the past misdeed. This means to do penance or to make restitution to the person who had been wronged, or, if that is not possible, to someone else representing that person. Finally, repentance should result in an actual change of direction in the life of the penitent, as he endeavours to perform good deeds and eschew his former transgressions.

Most of the world religions believe in the doctrine of expiation of sins and a resolution to make amends. However, I will focus on the Biblical teaching on the obligation to restitution and the ways of implementing it after picking some verses from the traditions of some religions to buttress the three stages of repentance, confession and restitution.

Islam: it is said that truly, "God loves those who repent, and He loves those who cleanse themselves." (*Qur'an 2.222*)

If anyone commits a sin and [by confessing] has inflicted on him the prescribed punishment for that sin, it is atonement for him. (*Hadith in Sharh as-Sunnah*)

Buddhism: Whosoever looks upon his wrongdoing as wrongdoing, makes amends by confessing it as such, and abstains from it in the future, will progress according to the Law. (*Cf. Anguttara Nikaya i.279, p. 355; Abot 4.22, p. 336. Digha Nikaya, Samanaphala Sutta*)

Hinduism: He who has committed a sin and has repented, is freed from that sin, but he is purified only by resolving to cease: "I will do so no more."...

He who, having either unintentionally or intentionally committed a reprehensible deed, desires to be freed from it, must not commit it a second time.

If his mind be uneasy with respect to any deed, let him repeat the penances prescribed for it until they fully satisfy his conscience. (*Laws of Manu* 11.231-34. Cf. *Laws of Manu* 8.314-16, p. 1080)

Confucianism:

If a man finds that he has made a mistake, then he must not be afraid of admitting the fact and amending his ways. (*Analects* 1.8.iv. Cf. *Analects* 12.1.i, p. 897)

The Biblical Teaching on Restitution

Why is Restitution Necessary or Obligatory?

1. Restitution Is Essential To Justice.

Throughout Exodus 22 we find examples of the principle of restitution, which involves making wrongs right. For example, if a man stole an animal, he had to pay double the beast's market value. If you have done someone wrong, perhaps you should go beyond what is expected to make things right. This will (1) help ease any pain you have caused, (2) help the other person be more forgiving, and (3) make you more likely to think before you do it again.

Restitution Is Essential To Righteousness.

Suppose some of the people sin against the LORD by falsely telling their neighbor that an item entrusted to their safekeeping has been lost or stolen. Or suppose they have been dishonest with regard to a security deposit, or they have taken something by theft or extortion. Or suppose they find a lost item and lie about it, or they deny something while under oath, or they commit any other similar sin. If they have sinned in any of these ways and are guilty, they must give back whatever they have taken by theft or extortion, whether a security deposit, or property entrusted to them, or a lost object that they claimed as their own, or anything gained by swearing falsely. When they realize their guilt, they must restore the

principal amount plus a penalty of 20 percent to the person they have harmed. (Leviticus 6:2-5)

Here we discover that stealing involves more than just taking from someone. Finding something and not returning it or refusing to return something borrowed are other forms of stealing. These are sins against God and not just your neighbor, a stranger, or a large business. If you have gotten something deceitfully, then confess your sin to God, apologize to the owner, and return the stolen items-with interest.

Restitution Is Essential To Forgiveness.

The LORD said to Moses, “Give these instructions to the people of Israel: If any of the people-men or women-betray the LORD by doing wrong to another person, they are guilty. They must confess their sin and make full restitution for what they have done, adding a penalty of 20 percent and returning it to the person who was wronged. (Numbers 5:5-7)

God included restitution, a unique concept for that day, as part of his law for Israel. When someone was robbed, the guilty person was required to restore to the victim what had been taken and pay an additional interest penalty. When we have wronged others, we ought to do more than apologize. We should look for ways to set matters right and, if possible, leave the victim even better off than when we harmed him or her. When we have been wronged, we should still seek restoration rather than striking out in revenge.

Restitution is necessary for crimes committed.

If a thief is caught in the act of breaking into a house and is killed in the process, the person who killed the thief is not guilty. But if it happens in daylight, the one who killed the thief is guilty of murder. A thief who is caught must pay in full for everything that was stolen. If payment is not made, the thief must be sold as a slave to pay the debt. (**Exodus 22:2-3**)

Suppose someone entrusts money or goods to a neighbor, and they are stolen from the neighbor's house. If the thief is found, the fine is double the value of what was stolen . . . If a man seduces a virgin who is not engaged to anyone and sleeps with her, he must pay the customary dowry and accept her as his wife. But if her father refuses to let her marry him, the man must still pay the money for her dowry. (**Exodus 22:7, 16-17**)

Anyone who takes another person's life must be put to death. **(Leviticus 24:17-21)**

Anyone who kills another person's animal must pay it back in full—a live animal for the animal that was killed. Anyone who injures another person must be dealt with according to the injury inflicted—fracture for fracture, eye for eye, tooth for tooth. Whatever anyone does to hurt another person must be paid back in kind. Whoever kills an animal must make full restitution, but whoever kills another person must be put to death.

Give these instructions to the people of Israel: If any of the people—men or women—betray the Lord by doing wrong to another person, they are guilty. They must confess their sin and make full restitution for what they have done, adding a penalty of 20 percent and returning it to the person who was wronged. **(Numbers 5:6-7)**

Excuses might be found for a thief who steals because he is starving. But if he is caught, he will be fined seven times as much as he stole, even if it means selling everything in his house to pay it back. **(Proverbs 6:30-31)**

Restitution is necessary for accidental losses incurred.

If an animal is grazing in a field or vineyard and the owner lets it stray into someone else's field to graze, then the animal's owner must pay damages in the form of high-quality grain or grapes. If a fire gets out of control and goes into another person's field, destroying the sheaves or the standing grain, then the one who started the fire must pay for the lost crops. **(Exodus 22:5-6)**

Suppose someone digs or uncovers a well and fails to cover it, and then an ox or a donkey falls into it. The owner of the well must pay in full for the dead animal but then gets to keep it. **(Exodus 21:33-34)**

Now suppose someone asks a neighbor to care for a donkey, ox, sheep, or any other animal, but it dies or is injured or gets away, and there is no eyewitness to report just what happened. The neighbor must then take an oath of innocence in the presence of the Lord. The owner must accept the neighbor's word, and no payment will be required. But if the animal or property was stolen, payment must be made to the owner. If it was attacked by a wild animal, the

carcass must be shown as evidence, and no payment will be required. If someone borrows an animal from a neighbor and it is injured or killed, and if the owner was not there at the time, the person who borrowed it must pay for it. But if the owner is there, no payment is required. And no payment is required if the animal was rented because this loss was covered by the rental fee. (**Exodus 22:10-15**)

Restitution is necessary as part of confession.

Then the Lord said to Moses, “Give these instructions to the people of Israel: If any of the people-men or women-betray the Lord by doing wrong to another person, they are guilty. They must confess their sin and make full restitution for what they have done, adding a penalty of 20 percent and returning it to the person who was wronged.” (**Numbers 5:5-7**)

Restitution is necessary for unintentional sins of defilement

Then the Lord said to Moses, “If any of the people sin by unintentionally defiling the Lord’s sacred property, they must bring to the Lord a ram from the flock as their guilt offering. The animal must have no physical defects, and it must be of the proper value in silver as measured by the standard sanctuary shekel. They must then make restitution for whatever holy things they have defiled by paying for the loss, plus an added penalty of 20 percent. When they give their payments to the priest, he will make atonement for them with the ram sacrificed as a guilt offering, and they will be forgiven.” (**Leviticus 5:14-16**)

Restitution is necessary for dishonesty

Suppose some of the people sin against the Lord by falsely telling their neighbor that an item entrusted to their safekeeping has been lost or stolen. Or suppose they have been dishonest with regard to a security deposit, or they have taken something by theft or extortion. Or suppose they find a lost item and lie about it, or they deny something while under oath, or they commit any other similar sin. If they have sinned in any of these ways and are guilty, they must give back whatever they have taken by theft or extortion, whether a security deposit, or property entrusted to them, or a lost object that they claimed as their own, or anything gained by swearing falsely. When they realize their guilt, they must restore the principal amount plus a penalty of 20 percent to the person they have harmed. They must then bring a guilt offering to the priest, who will present it before the Lord. This offering must be a ram with no physical

defects or the animal's equivalent value in silver. (**Leviticus 6:2-6**)

Meanwhile, Zacchaeus stood there and said to the Lord, "I will give half my wealth to the poor, Lord, and if I have overcharged people on their taxes, I will give them back four times as much!" (**Luke 19:8**)

Why is Restitution Important in Relationships?

Restitution gives hope for a damaged relationship

They must confess their sin and make full restitution for what they have done, adding a penalty of 20 percent and returning it to the person who was wronged. (**Numbers 5:7**)

"Now tell me as I stand before the Lord and before his anointed one-whose ox or donkey have I stolen? Have I ever cheated any of you? Have I ever oppressed you? Have I ever taken a bribe? Tell me and I will make right whatever I have done wrong." (**1 Samuel 12:3**)

King Hezekiah sent this message to the king of Assyria at Lachish: "I have done wrong. I will pay whatever tribute money you demand if you will only go away." The king of Assyria then demanded a settlement of more than eleven tons of silver and about one ton of gold. (**2 Kings 18:14**)

Restitution acknowledges that a wrong has been committed, shows concern for the one wronged, and demonstrates a sincere desire to take responsibility for one's actions.

It's harder to make amends with an offended friend than to capture a fortified city. Arguments separate friends like a gate locked with iron bars. (**Proverbs 18:19**)

Jacob stayed where he was for the night and prepared a present for Esau: two hundred female goats, twenty male goats, two hundred ewes, twenty rams, thirty female camels with their young, forty cows, ten bulls, twenty female donkeys, and ten male donkeys. (**Genesis 32:13-15**)

Amount of Restitution to be Made

The amount of restitution is to exceed the original amount in question.

A fine must be paid by anyone who steals an ox or sheep and then kills or sells it. For oxen the fine is five oxen for each one stolen. For sheep the fine is four sheep for each one stolen . . . If someone steals an ox or a donkey or a sheep and it is recovered alive, then the thief must pay double the value . . . Suppose there is a dispute between two people as to who owns a particular ox, donkey, sheep, article of clothing, or anything else. Both parties must come

before God for a decision, and the person whom God declares guilty must pay double to the other. (**Exodus 22:1, 4, 9**)

...or anything gained by swearing falsely. When they realize their guilt, they must restore the principal amount plus a penalty of 20 percent to the person they have harmed. (**Leviticus 6:5**)

David was furious. “As surely as the Lord lives,” he vowed, “any man who would do such a thing deserves to die! He must repay four lambs to the poor man for the one he stole and for having no pity.” (**2 Samuel 12:5-6**)

If he is caught, he will be fined seven times as much as he stole, even if it means selling everything in his house to pay it back. (**Proverbs 6:31**)

Meanwhile, Zacchaeus stood there and said to the Lord, “I will give half my wealth to the poor, Lord, and if I have overcharged people on their taxes, I will give them back four times as much!” Jesus responded, “Salvation has come to this home today, for this man has shown himself to be a son of Abraham.” (**Luke 19:8-9**)

Jesus’ teaching went beyond the idea of payment in kind. The offended party should forgive and genuinely love the offender, regardless of the amount, or even absence of, restitution.

“You have heard that the law of Moses says, ‘If an eye is injured, injure the eye of the person who did it. If a tooth gets knocked out, knock out the tooth of the person who did it.’ But I say, don’t resist an evil person! If you are slapped on the right cheek, turn the other, too (**Matthew 5:38-39**)

You have heard that the law of Moses says, ‘Love your neighbor’ and hate your enemy. But I say, love your enemies! Pray for those who persecute you! In that way, you will be acting as true children of your Father in heaven. For he gives his sunlight to both the evil and the good, and he sends rain on the just and on the unjust, too. If you love only those who love you, what good is that? Even corrupt tax collectors do that much. If you are kind only to your friends, how are you different from anyone else? Even pagans do that. But you are to be perfect, even as your Father in heaven is perfect.” (**Mt 5:43-48**)

This is so because Jesus Himself is our restitution for sin. **1 Corinthians 15:21-22** maintains that Adam disobeyed God and death became the lot of all but Jesus obeyed God even unto death and won for us what was lost by Adam. Thus **1 Corinthians 15:45-49** says that every human being has an earthly body just like Adam’s, but our heavenly bodies will be just like Christ’s. Just as we are now like Adam, the man of the earth, so we will someday be like

Christ, the man from heaven.

Restitution and our Contemporary Society

The Obligation to Restitution

There is a growing awareness that [addressing past injustice](#) is a crucial part of the process of healing and [reconciliation](#). In order to move towards a peaceful future, governments must acknowledge and respond to the wrongs and injuries of the past, especially [human rights violations](#). Victims of war, slave trade, torture, politics and other injustices need a re-integration into the society. Restitution, when done rightly bears the process of healing for all who have been denied justice; for all whose human rights have been trampled upon. In his article on “Sin, Guilt and Mental Health: Confession and Restitution as Means of Therapy”, Paul Martin realises that integration and integrity come from the same root word. There can be no integration within a human being unless he or she aims for a life of integrity. To achieve it, one opens up and restores to the other what one has taken. Adenauer (1951), talks about restitution over the unspeakable crimes committed against the Jews and their properties during the world war. Kritz (1996) discovers that “Many note that issues of compensation and rehabilitation of victims should be incorporated into plans for post-conflict [reconstruction](#) and economic revitalization”.

Various international treaties have recognized that victims of gross human rights violations and war crimes have a right to restitution, compensation, and rehabilitation. And the obligation to provide compensation for victims of injustice has become part of international humanitarian law. Article Eight of the Universal Declaration of Human Rights, for example, states that everyone has the right to an effective remedy. And Article 10 of the American Convention on Human Rights refers to a "right to be compensated in accordance with the law." Such laws stress the importance of publicly recognizing the damages caused by injustice and of addressing the needs of [victims](#).

Neil J. Kritz (1996) writes that Compensation serves a variety of important functions. First, it helps victims to manage the material aspect of their loss. Individual financial grants help to bring immediate economic relief to the victims and allow them to fulfil basic survival needs. In many cases, monetary restitutions in the form of monthly payments are essential to ensure victims' survival. At the collective level, funds for community rehabilitation programs ensure that survivors of gross human rights violations receive proper treatment. Kritz also maintains that monetary compensation programs may also deter the state from future abuses by imposing a financial cost on such misdeeds.

However, many note that such restitutions are not primarily about money, but rather about making crucial repairs to individuals' psyches, and to social and political institutions. Compensation programs serve to publicly acknowledge wrongdoing, restore survivors' dignity, and raise public awareness about the harms victims have suffered. For this reason, restitutions for former victims or their family members are often a psychologically necessary component of the healing process. In addition, both monetary and symbolic compensation plays an important role in the process of bereavement. Monuments, plaques, and other markers serve to publicly remember the events of the past and help carry lessons from the past into the future. This can help former victims to come to terms with the traumatic events that have occurred.

Indeed, compensation programs are a crucial part of [restorative justice](#) and serve as focal points in the healing process. They can help victims move beyond the desire for [revenge](#) and make it possible to repair relationships that have been damaged by acts of injustice. Restitution paid to the victim can serve as a symbolic [apology](#) and signify a move to make amends and take responsibility. Restitutions also serve to expose victims' grievances and redirect blame towards those who are truly responsible. This, according to Gunnar Theissen, can contribute to the reintegration of victims into society and reduce the likelihood of renewed violent confrontation.

Lastly, compensation programs are said by Boven (1995) serve to promote and [protect human rights](#). They aim to publicly recognize the harms victims have suffered, correct these abuses, and prevent the reoccurrence of such acts.

Ways of Restitution

There is consensus in international law that former victims of human rights violations are entitled to compensation. Boven (1995) maintains that the United Nations has set out various norms for victim compensation and assistance:

1. Victims should be informed of their rights in seeking redress.
2. Offenders or third parties should make fair restitution to victims or their families. This includes "the return of property or payment for the harm or loss suffered, reimbursement of expenses incurred as a result of victimization, the provision of services, and the restoration of rights."
3. When compensation is not fully available from the direct offender, states should endeavour to provide financial compensation.
4. Victims should receive the necessary material, medical, psychological, and social assistance and support. (P.516)

Restitution and truth recovery need to be linked

On a purely psychological level, for a survivor to react in an overly forgiving way toward perpetrators, or to simply let 'bygones be bygones' is highly improbable in the short-term. However, for the most part when restitutions are granted, the survivor will not be ready to put the past behind them at that specific point. It is critical that victims are not expected, either implicitly or explicitly, to forgive the perpetrators or forget about the past because some form of restitution has been made. When restitutions are granted before the survivor is psychologically ready any form of restitution can be expected to leave the survivor feeling dissatisfied. When survivors or families of victims talk of restitutions as a form of 'blood money' (as some do in Chile, Brazil, Argentina and Northern Ireland), this is because the national process of 'moving forward and making amends' is greatly not coinciding with the individual process.

This is particularly the case when survivors feel that restitutions are being used to buy their silence in the absence of the truth. Restitutions and the truth recovery must be linked, because without this link any form of restitution runs the danger of being seen by the survivors as a governmental strategy to close the chapter on the past prematurely and leave the secrets of the past hidden. Given that the full truth for each individual has not been revealed, anger and other emotional responses (e.g. refusing to accept restitution or protesting about what is granted) from victims can be anticipated.

Survivors' feelings must be legitimised and investigations continued

For any restitutions programme to be successful ongoing space has to be provided for survivors to express their feelings of sadness and rage as they struggle to come to terms with the psychological and emotional impact of their loss - a loss that restitution can only nominally acknowledge. Genuine restitution, and the process of healing, does not occur *through* the delivery of an object (e.g. a pension, a monument, etc.), but through the process that takes place *around* the object. For this reason, making space for the complaints and opposition of survivors, should be seen as an integral component of any restitutions programme. These can mean counselling, traditional mechanisms for story-telling and sharing, etc. and the ongoing use of public space (e.g. media, exhibitions, etc.).

In addition, as was noted earlier, it is problematic to expect someone to come to terms with an event (even if substantial restitution has been granted) if they do not know the full facts of the event or at least feel satisfied with the incomplete truth. In the cases where the truth may never be known, the best method is to set-up sufficient support structures (e.g. community based self-help groups, counselling, advice centres, traditional healing services and so

on) to help individuals personally come to terms with their uncomfortable reality. This is a highly personalised process in which rituals, symbolic acts and restitutions have a place, but it is unlikely that restitutions alone, no matter how substantial, will completely appease the individual in the short term.

The limits of financial restitution need to be appreciated

While monetary compensation is indeed integral to addressing injustice and building peace, many have noted that such programs are often limited. It is often difficult to implement compensation programmes under regimes that have tolerated human rights abuses because it may be stifled. Some of these countries might be a developing country and as such the resources that would stand the compensation programmes could be used for other political, economic and social problems.

Indeed, financial assistance is inadequate to address the psychological and social justice needs of the individuals involved. In addition to suffering physical injury, victims of human rights violations typically suffer psychological injury and emotional distress. Compensation programs that simply pay out financial grants are not sufficient to help individuals overcome this psychological trauma. This is because the amount of distress, injustice, and anger that survivors typically struggle with is immeasurable. It is impossible to compensate for years of sexual abuse or for the loss of a child. Substantial material assistance cannot bring back the dead or fully ameliorate all of the pain that victims have suffered.

Hamber (1998) also adds;

Passively accepting reparations can be experienced by the survivor as a disrespectful act that betrays the loss they have endured or the memory of those killed. It is only the ongoing combination of truth, justice, and survivor-support that may one day be sufficient to make some survivors feel at ease with accepting reparations as a symbolic replacement for what has been lost. (Pp 12-13)

To fully address the needs of survivors, states must go beyond symbolic acknowledgement and monetary compensation and combine these reparations with the ongoing needs of **truth** and **justice**. Victims often feel that the only thing that will enable them to put the past behind them is the disclosure of truth. Without such disclosure, survivors may view compensation programs as a strategy to leave the secrets of the past hidden. And investigations into past crimes are important if victims are to truly come to terms with the past. For example, state-sponsored truth commissions can conduct hearings for victims and perpetrators, and provide detailed reports about past events. Similarly,

non-governmental organizations (NGOs) can sponsor projects to document past atrocities. Where appropriate, criminal prosecutions of perpetrators may also contribute to the psychological healing and sense of closure of their victims. Such procedures break the silence about past human rights abuses, expose past atrocities from victims' perspectives, and identify victims' needs for rehabilitation. This aids the healing process and restores their dignity and reputation.

In addition, ongoing space must be provided for survivors to deal with the psychological and emotional impact of the losses they have suffered. Counselling, [story-telling](#), public exhibitions, theatre, and the media are all important outlets for the feelings and complaints of former victims. Likewise, community-based self-help groups and advice centres help family members of victims to deal with their loss.

Restitutions need to be visible, directed and individualised

Hamber (1998), using the apartheid of South Africa as a case-study decries restricting focus on only the 'victims' of the so-called gross violations of killing, abduction, torture or severe ill-treatment. The reality is that the majority of victims or survivors who appear before the Committee are victimised not only because of their political affiliation and activities, but because of their structural circumstances including their gender, poverty, race and general social marginalisation.

There is also the fact that the violations of the past have included both physical and psychological violence, as well as substantial structural material oppression. As such the wider oppressed community should also benefit from restitutions and not only individuals.

This makes practical sense, but runs the danger of allowing the government to argue for so-called broader restitutions (e.g. community development, social upliftment, etc.) in lieu of individual restitutions. Unfortunately collective restitution strategies can be expected to have a limited impact on the individuals who suffered the brunt of the direct brutality of apartheid violence. At an individual level it will not work to substitute social reconstruction for individual restitution. Firstly, for most people in South Africa, the upgrading of their communities is considered a right and is expected anyway. Secondly, for restitution to be psychologically restorative it has to be personalised. Although the broader system may have been responsible for creating a context conducive to human rights violations, and the system itself may have caused additional social violations, individuals primarily experience violence through their own personal universe. Although socio-economic development is necessary, but the physical and psychological impact of violence has to be

addressed directly and individually if we are ever to deal with the traumas of the past and prevent cycles of revenge emerging.

Collective restitution (e.g. providing better access to health care, etc.) has its place, but this form of restitution should take place in addition to, and not to the exclusion of, individualised restitution. Furthermore, if collective restitutions are undertaken, they need to be clearly labelled as part of the restitution strategy and also targeted at specific violations if they are to have any efficacy. For example, as part of the restitutions strategy, the government could publicly justify (and perhaps debate) that on a road building project a community that has suffered a large-scale massacre in the past will be prioritised over another.

Evaluating the Nigerian condition

Nigeria has undergone some torturous historical events that made indelible impacts on the citizens beginning with the slave trade, through the struggle for independence and the Biafran war and ending up with sectionalism in the minds of rulers. These have actually sundered apart the nationalistic zeal that should have possessed the citizens. This weighs more heavily on the Ibos who have often experienced killings since the pogrom of 1966 that initiated the civil war, yet the government cares less about the event, the wounded families and the targeted race and actually does nothing to forestall future happenings. In the heart of many Hausas, the Ibo person is an animal of sport, whose right to life can be taken away at any time without questions. However, this acrimony often sublimates into religious unrests.

There is therefore need for restitution in Nigeria if the country must move forward. Individuals and races must have to be healed through the justice of making restitutions. However, since our resources cannot support a long term compensation program, it is advisable to make honest efforts at using the symbolic and collective restitution.

Conclusion

In conclusion, making amends for past violations can be expected to stay with the country for many years, if not decades. It is not an issue that will simply vanish with time or when restitutions are granted. Although restitutions may well be necessary on an individual level, they will never be sufficient because resolution depends on how the individual personally works through traumas of the past. Restitutions, both material and the so-called symbolic, are useful markers in this process.

However, to effectively deal with the impact of large-scale political violence we need to fully comprehend its impact on individuals. We need to respect the feelings intrinsic to why individuals find the process of moving forward after

suffering substantial loss and trauma so difficult. At the time of significant loss most people enter into a number of invisible pacts with themselves. Sometimes this can be a vow to avenge the death of a loved one, or as is most often the case, the individual will vow that nothing will ever replace what has been lost. Thus passively accepting restitution can be experienced by the survivor as a disrespectful act that betrays the loss they have endured or the memory of those killed. In essence, the rituals of respect and memory associated with death and trauma have been broken. This process can only be eased by accepting the feelings (and opposition) of survivors as legitimate and making space for them to work through their individual experiences of the conflicts of the past; and through continually (and perhaps endlessly) trying to make substantial and personalised symbolic, material and collective restitutions. It is only these actions that can hopefully one day be sufficient to make survivors feel at ease with their guilt of accepting restitution as a symbolic replacement for what has been lost.

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