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Review Article

Restorative Justice Discourses in Papiackum Witticism: A Socio-Pragmatic Analysis

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Abstract: Justice is fundamental in every nation building process as most nations have prioritised criminal justice system in which criminal sanctions and incarcention are inherent. To operational this form of justice, some nations especially Cameroon have enacted legal texts to ease its implementation notably, the penal code and the New Criminal Procedure Code. Contrary to criminal justice, restorative justice which is based on making amends is a key feature of African culture. This paper therefore aims at analysing aspects of Papiackum Witticism as speech acts to show the relationship between criminal offences and restorative justice. From the theoretical praxis of Functionalism, this paper operates on the premise that in Papiackum worldview, the concept of restorative justice is highlighted via its norms and values when criminal behaviours are proven. The Papiackum is a speech community in the Ngoketunjia Division, North West region of the Republic of Cameroon.

Keywords: Restorative Justice, Discourse, Witticism, Proverb.

INTRODUCTION

Justice is one of the ingredients that hold society together. This is because a society whose leaders are making the conscious effort to let justice reign will certainly be more peaceful and accommodating than one which bask on the train of injustice. In fact, a society without justice is one which is heading towards a crash because sooner or later those who feel that they are unjustly treated will rise up and revolt against the leaders who perpetuate injustice. In traditional African Society, the notion of justice is part and parcel of the culture of the people. The leaders of this traditional society in their daily administration of their subjects strive to make the society just and habitable for their people. This idea could be seen in literary texts such as *Things Fall Apart* and in the folklore (witticism) of many African societies. However, the concept of justice in African is not criminal perse but restorative in nature. This is because in African philosophy as encapsulated in her proverbs, the spirit behind the punishment of crimes committed is not only to traumatise the individual and make him suffer for his deeds as one will find in western jurisprudence but is to rehabilitate the individual and restore him back to society where he can still live in harmony with his neighbours and society at large. It is in this context that restorative justice finds itself in traditional African jurisprudence thus, the saying that a man who beats his child sends him under his bed and not to the market place.

The aim of this paper therefore is to analyse aspects of Papiackum Witticism to show the relationship between criminal offences and restorative justice. In other words, this study shows how Papiackum Witticism via its norms and values relies on making amends in the face of criminal offence. This study is based on the hypothetical consideration that in Papiackum world view, the concept of restorative justice is highlighted via its norms and values when criminal behaviours are proven.

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Geo-Political Presentation, Social History and Occupation

Baba I whose language and culture are the objects of this study, is among the thirteen villages that constitute present day Ngoketunjia Division in the North West Region of the Republic of Cameroon. As regards their origin, these people came from Refum which was capital of the defunct Tikari kingdom now known as Mbamkin in the Adamawa region of Cameroon. They came from some places in North Cameroon notably, Maroua, Garoua and Ngaoundere. They left North Cameroon during the Jihad wars and moved to the South. It is alleged that they belong to the Tikari ethnic group and arrived North Cameroon from Egypt. When they arrived the South of Cameroon, they created their Fondom with the urge to foster their unity. They call their Fondom "piack" which means "to leave". This coinage is the result of their history marked by migration before setting to their present site. Structurally, they have institutions that perform political and socio-cultural duties. Politically, *Mwarngang* is the highest institution that has the power to sanction cases of indiscipline, enthrone a new chief (ruler) and judges issues related to murder. In terms of occupation, they practise agriculture with rice farming as their principal activity. They developed a lot of interest in rice cultivation when the prices of coffee fell in the world market. The cultivation of maize in vegue and done mostly by women.

Definition of Key Concepts

For the sake of conceptual clarity, the key concepts that need to be scrutinized are restorative justice, Witticism and proverb. To begin with, Cameron (2005) describes restorative justice as an approach to crime and conflict that brings the victim, the offender, members of the larger community and often times professional service providers together into a non-hierarchal setting in order to collectively address a harm that was committed and to set a path towards reconciliation between all relevant parties. From this definition, it notes that crime and conflict are part and parcel of society and amends can be made through broad based participation. To shed light on this idea and drawing on notions of human interrelatedness, Archibald and Liewellyn (2006) assert that restorative justice sees crime and conflict as a breakdown of interpersonal relationships where justice processes are supposed to restore, repair and heal those relationships through meaningful and democratic input from all parties involved. In the case of this study, Papiackum proverbs recognize the presence of crimes in society but provide amends via its norms and values.

The second concept that needs to be defined is the concept of Witticism which is derived from the word "wit". The word "wit" however is a specialised term used in literary criticism which connotes the human faculty of intelligence, inventiveness and mental acuity. In the sixteenth and seventeenth centuries, it came to be used for ingenuity in literary invention and especially for the ability to develop brilliant, surprising and paradoxical figures of speech hence wit was often applied to the figurative language in what we now call metaphysical poetry. Witticism therefore, is a genre in oral literature which is concerned with the metaphysical and insightful use of language in conversation. Witty statements always have denotative and connotative signification. Thus, in oral literature, the notion of witticism is classified in to two broad categories which are proverbs and riddles. In the same light, Jensen (1969) reveals some features of a witty person as he or she who is creative with an extreme quest to act. In addition, he notes that such a person is one whose abilities or intelligence is manifested in the skillful use of words and humor to highlight ideologies. From this description, one can note that a witty person demonstrates innovation and talent in interaction while implicitly educating. To further articulate the attributes of a witty person, Jensen (ibid) ascertains that, it is that person who is very good at noticing and understanding things that many people do not notice, providing fairness in analyzing situations using the required diction, indulging in pure interaction and being steadfast to ideas. This description of Witticism claims that it is a blend of thought provoking ideas about society and the use of stylistics in expressing them via language. In the domain of oral tradition proverb is classified as an aspect of Witticism. In this regard, Mieder(2004) via a frequency study of the words contained in the over fifty definition attempts of proverbs makes it possible to formulate the general description thus "A proverb is a short, generally known sentence of the folk which contains wisdom, truth, moral and traditional views in a metaphorical, fixed and memorable form and which is handed down from generation to generation" (p.119). This citation underscores the view that proverbs are an indispensable component of folklore embedded with wise knowledge transmitted orally to posterity.

LITERATURE REVIEW

There exists many scientific publications on the concept of restorative justice and Witticism expressed via proverbs as scholars have scrutinized them from different perspectives and cultural settings. To begin with Chartrand and Horn (2016) explores the relationshipbetween restorative justice and indigenous legal traditions in Canada. It demonstrates that while these approaches to justice share similarities in terms of underlying principles, processes and protocols, they are ultimately very different. As they note, this difference comes down to proactive strategies mediated through kinship, the centrality of spirituality and the use of sanctions and penalties. Secondly, this study discusses how indigenous legal systems are being revived and likely to evolve to meet contemporaryneeds as well as international human rights standard. In addition, this study discusses the evolving relationship between restorative justice and indigenous legal traditions suggesting that the relationship will continue to evolve as long as there is continued engagement, dialogue, critique and support. This study like the present one is focused on restorative justice practices but the present one examines some criminal offences are how they are amended.

Marchetti and Daly (2004) examine the functioning of indigenous courts and justice practices in Australia. This study is based on the premise that indigenous participation in sentencing procedures has been occurring informally in remote communities for some time and as a result, during the late 1990's, formalization of this practice began in urban areas with the advent of indigenous sentencing and circle courts. As for indigenous urban court, they note that the first was convened in port Adelaide, South Australia on June 1 1999. In addition, they assertthat jurisdictions vary in their approaches and the extent to which indigenous people or groups are involved as they emerged spontaneously without a written reference. As regards the functioning of these courts, they ascertain that these courts are literally indigenous to the concerns of particular people and groups usually local magistrates and indigenous people who believe that concert room communication and procedure required modification for handling indigenous cases. The present study is different from this in that it shows how criminal acts can be amended through improvement in the human factor.

Dei (2013) examines African indigenous and the institutional and pedagogic relevance for youth education using Kiembu of Kenya and Igbo of Nigeria as case studies. From the prism of a comparative approach to the study of African proverbs, it holds that within the African traditional context, proverbs as a way of knowing are deeply embedded in the community's culture, histories, indigenous cosmologies and worldviews. To render the main thrust of this study, the uses some Kiembu proverbs thus, "in –laws live together and die as friends" to project the importance of teaching about family, community and responsibility. Pedagogically, he noted that, it can be engaged to teach youths about community building, the importance of remaining true to friends and the responsibilities to each other when families and communities are created. Secondly, he mentions the proverb thus, "short cuts are not always the safest" which he relates to the fact that laziness is not a virtue and it is risky undertaking it. Pedagogically, he states that youths about the essence of hard work and self-determination. In relation to Igbo proverbs, he begins thus, "it is a pot of like water that is already hack full that the world would like help in filling to the brim" where he posits that the world is more willing to help those who help themselves. Pedagogically, he holds that teachers will be more interested in teaching those students who are willing to put in some effort of theirs into their education. This study like the present one is based in the use of wise knowledge in social progress but the present one placeemphasizes on how to solve and prevent criminal offences.

Theoretical Framework

The theoretical paradigm adopted for this study is Functionalism which emerged in the early twentieth century with Bronislaw Malinowski and A.R Radcliffe Brown having the greatest influence on its development from their pests in Great Britain and elsewhere. Functionalism is the doctrine that social institutions and practices can be understood in terms of the functions they carry out in sustaining the larger social system. As functions are the actions or impacts that one thing has on other things, Functionalism suggests that social and political phenomena should be understood in terms of their consequences rather than their causes. In the Functionalist view, the whole is more than merely a collection of its parts in the sense that the various parts are structured according to the "needs" of the whole. A variety of political theories have adopted a Functionalist methodology notably, the tendency of historical materialism to interpret the state, law and ideology in terms of their function in sustaining the class system and the general systems theory approach to political analysis. An important application of Functionalist thinking has been in the traditional conservative notion of an organic society. This is based upon an organic analogy that draws parallels between society and social institutions arise out of natural necessity and each part of society – family, church, business, government and so on plays a particular role in sustaining the whole and maintaining the "health" of society. Functionalist impact upon academic political analysis was greatest in the early post.1945 period where it was linked to the application of the systems model of political interaction and was widely used in analyzing institutional relationships and performance.

Papiackum Proverbs as Discourse

Discourse is often used to denote an extended stretch of connected speech or writing. In this light, Foucault (1977) adds that, discourse is socially constructed knowledge of some aspects of reality. To expatiate on this idea, Leauwen (2015) affirms that socially constructed knowledge is one which has been developed in specific social contexts in ways that are appropriate to the interests of social actors in these contexts. This means that discourse generates social meanings that reflect some social contexts. In this regard, Papiackum proverbs are a form of discourse which when interpreted in its entirety based on their context of use leads to wise knowledge. It is due to the preponderance of proverbs in Igbo verbal discourse that Achebe (1958) notes that, in the Igbo society, the art of conversation is regarded very highly and proverbs are "the palm oil with which words are eaten". This is not only circumscribed within the Igbo society but could be seen as a symbolic representation of Africa where proverbs in conversation are highly encouraged and valued in their expression of witticism notably in relation to the promotion of restorative justice. To begin with, crimes that can result to death are recurrent expressed in the Papiackum proverbial expression thus:

fóxtrù – á Wealth head mine. "The wealth of my head". This proverb is literally stated as "The wealth of my head". The expression "my head" is a metaphor for death. It points to the fact that the riches mentioned here is that which can lead to a person's death. The idea of death gives the impression that the riches are illicitly or illegally acquired and so the bearer has to face a disastrous consequence. This idea puts forth the idea that he who is honest and hardworking will not acquire wealth illegally. In this regard, this proverb implicitly asserts that those indulged in the illegal acquisition of wealth should be taught values such as trust, hard work and honesty so that available resources can serve the general interest of the community for the entire well-being of the population. The second issue reflected in this proverb is that wealth traumatises its owners when they do not want to share with the less privileged in society. From this perspective, it notes that for owners of wealth to live a secured and comfortable life, they should be able to share with the poor and also support developmental projects in their communities for the well-being of the population.

Secondly, in relation to crimes associated with death and the quest for materialism, it is expressed in the proverb thus:

ndrè pé ndémndém World is nothing nothing. "This world is worth nothing".

This proverb is literally presented as "the world is worth nothing". The idea here is that all the things of the world cannot be equated to human being. This view is based on the fact that most crimes are committed because of the insatiable quest for materialism. The world as being nothing gives the impression that it is meaningless as everyone is liable to a natural end which is inexplicable. It therefore puts forth the idea that man's relationship with material things is ephemeral while that with fellow human beings is eternal. It is for this reason that a fundamental biblical question is posed thus, "what shall a man gain if he gains the whole world and loses his soul?". This biblical citation justifies the fact that there is no need possessing wealth at all cost without the urge to have an eternal life. In effect, it insinuates that, to gain eternal life, one has to strengthen his relationship with fellow human beings by fostering hard work, meritocracy, love and harmony for the growth of the entire community.

In a similar vein, the idea expressed above is also projected in the proverb thus:

∫ĭtírwó Ground refuses who. "Who is refused by the ground".

This proverb is literally stated as "who is refused by the ground?". This proverb which is in the form of a rhetorical question that death is inevitable but should not be precipitated given that human existence on earth is fertile. The ground is a metaphor for death indicating man's natural end. This calls on people not to be at the origin of murder or death given that it is everyone's natural end irrespective of peoples' levels of material possession and social status. This also calls on people to live exemplary lives so that they will live eternally in Heaven and also be remembered as ancestors in their respective communities. This will lead to individual as well as collective progress.

In addition, corruption is a crime which is inspired by the quest for materialism as articulated in the proverb thus:

mbámntſú sélè Money is break rock. "Money can break a rock"

The proverb is literally started as "money can break a rock". This means that money can be used to impossible and nasty things with corruption not being an exception. This idea expressed in this proverb is also reflected in the saying that "money is the root of all evil". This entails that in as much as money helps to purchase peoples' basic needs in society, it is also a facilitator of some many problems and crimes. This proverb is a satire against the insatiable quest for materialism whereby some people are ready to betray their conscience in exchange for money. In other words, it implicitly insinuates that it is difficult for social justice to triumph in a community where corruption is at its peak because it makes some people to be rich at the expense of others thus expanding the gap between the poor and the rich. From this perspective, this proverb, calls on people who have much money to help the poor and also invest in sustainable projects for the benefit of the entire community while the poor should continue to work hard in order to gain deserved wealth without indulging in corruption.

Still in the light of the fight against corruption, it is projected in the proverbial expression thus:

ngágùindəpəghé Person buys something is thief. "The buyer is a thief".

This proverb is literally stated as "The buyer is a thief". It is usually evoked in a context of judicial proceedings where something was stolen and sold to another person. It should be noted that during a court session, proverbs can be

cited by a plaintiff, a defender or a traditional judge is keeping with the Papiackum customary laws. This is the case with this proverbusually used in a context of corruption to accuse someone who lias bought a stolen article to be a thief. If expresses the view that, like a buyer is a thief so too is the giver who is corrupt as articulated in the penal code of the Republic of Cameroon. In projecting this idea, it insinuates that, in a context where corruption strives, self-interest prevails thereby obstructing the idea of working for the general interest of society. In this light, Mtapuri(2016) asserts that, it is curse which needs to be addressed due to its profound costs to society which are socio-economic, political and psychological in nature. The central message here is that people should work hard and belief in meritocracy in order not to fall prey to stolen items which may be cheaper but can be a source of dispute.

Moreover, dishonesty is identified as one of the major cause of crimes. This is manifested via deceit as expressed in the proverb thus:

má∫ìmófèndí Road mohfendi. "The road of MohFendi"

This proverb is literally stated as "The read of MohFendi". The name "MohFendi" is well noted during the migratory history of the Papiackum. As the story goes, when they left menyog and before it way day time, MohFendi went and stood on the right path and directed the people in a swampy area. As he blocked the right path and directed the people to the swampy area, they were going and sinking completely. It was estimated that thousands of people sank. The situation was stopped only when somebody followed another one very closely and saw him sinking. Thus, among the Papiackum, if somebody says that someone showed him MohFendi's path, it means that the person misdirected him deliberately. Among the Papiackum, a person is angry if he is called MohFendi because it means that he is wicked and deceitful. From the historical background of this proverb, one can ascertain that the name,MohFendi is a historical symbol that wages an attack on deceit which is at the origin of high treason in the history of the Papiackum which reduced her population drastically. It thereforesatirizes deceit which has caused this great disfunctioning in the said society thereby clamoring for honesty and love for one another. This is because it is the absence of true love for the community that has led an individual into high treason.

Still in the light of deception, there is the issue of being cunny as articulated in the proverb thus:

pà tángámàníá] sí ngámàniá]

They allow person cunning bury person cunning.

"A cunning man should be allowed to bury a cunning man".

This proverb is literally as "A cunny man should be allowed to bury a cunny man". This proverb expresses the new that only a cunny person can associates with another cunny person. The view expressed here is also articulated in the popular saying that "set a thief to catch a thief". It is therefore a satire against people who a cunny in nature and are accomplices with other cunny people in committing crimes. In presenting such a situation, it is to insinuates that a society made of people with such a character is characterized by social disfunctioning and disunity as people will be struggling to harvest where they did not sow thus, depriving members of the community of their hard earned resources. In other words, a cunny person is synonymous to a lazy person who does not believe in suffering in order to enjoy in the future. The central message here is that people should be hardworking and avoid bad company or peers that can lead them into crimes in the drive towards social progress.

As concerns hypocrisy as one of the motivating factors of crimes, it is expressed in the proverb thus:

kál]ámí Friendship eye. "Pretentious friendship"

This proverb is literally stated as "Pretentious Friendship". It underscores the idea that some people are not sincere with their friends. It therefore criticizes hypocrisy or the idea of appearance and reality. In other words, it insinuates that friendship based on hypocrisy cannot last or cannot yield any fruit except for crimes whether consciously or unconsciously. To support this view, Cummins (2000) claims that, in relation to the quality of life domains, three aspects are outstanding namely, material and emotional well-being, health, productivity and friendship. The central, message here is that being in the company of pretentions friends does not favour self-sustained initiatives and so people should indulge into amity with people who have a vision that can lead to social progress.

As concerns crimes associated to jealousy, it is expressed the proverb thus:

pəríməntá They said it all. "All the lies have been said, what they will say again?" They proverb is literally presented as "All the lies have been said, what will they say again?". This is a proverbial name among the Papiackum given to someone who has experienced black mailing. The bearer of this name made us to understand that, this name was given to her based on the fact that her father was maliciously accused by his elder sister of belonging to a secret society simply because he refused to be the bread winner in her house. This proverb based on historical facts projects the view that instead of developing constructive ideas, some people spend time tarnishing people's image and discord among friends, family members and neighbours. It therefore criticizes misdemeanors linked to lies telling originating from envy and idleness which brings about hatred thus reducing the inclusiveness of the community. From this state of affairs, this proverb notes that to avoid indulging in character defamation, people should work extremely hard towards social progress so as not to be envious of other peoples' successes. As for those who are victims of black mailing, it noted that they should continue to work hard and share the proceeds with the less privileged in society.

Similarly, the idea expressed above is also articulated in the proverb thus:

yéwómbel]-í? See who fine him. "He who sees and likes it"/ "who sees and likes it?"

This proverb is literally stated as "He who sees and likes it". We learned from our informant that this name is given in families who have experienced hatred and calumny for no justifiable reason. The said informant stated that this name was given to his cousin based on certain facts. As the story goes, his family has experienced so many cases of food poisoning and deaths in the village die their many investments in Douala and Yaounde as well as in Baba I. From this background information one can conjecture that all the crimes committed against this family is due to envy and jealousy. This proverb notes that when people cannot appreciate individual effort, it breeds hatred in the community thereby limiting the spirit of collaboration. It also goes without saying that if people cannot appreciate individual initiatives in their communities, they will not be able to appreciate what the state has done for them and as such their actions might go contrary to that of nation builders. The central message here is that in order to shun jealousy, people should learn to appreciate individual efforts towards success and to also engage in hard work in order to increase the chances of social progress and limiting envy.

In the same vain and in the light of false accusation, there is the proverb thus:

ntʃùʃĭəké Mouth benefit what "What does the mouth benefit?"

This proverb is literally stated as "what does the mouth benefit?" we learned from our informant that this proverb said in a situation when someone has embarked on propagating false accusations against another person or a victim of gossiping and blackmailing. The "mouth" symbolize too much talking while benefit stands for the proceeds of too much talking when the two words are brought together, it puts forth the view that too much talking is useless and the person who speaks too much thinks less and as such speaks rubbish. This can lead to social exclusion given that too much talking can lead to an infringement into other peoples' rights and becomes a source of discord. The idea expressed in this proverbial expression can be linked to the saying that "An empty vessel makes the loudest noise". Through this proverb and the one under study, the message highlighted is that social will be more united and peaceful if each and everyone talks responsibly and put forth ideas that can help in the prosperity of individuals, the community and the nation at large.

Moreover, there are crimes associated to enmity as articulated in the proverb thus:

sóbsé Kill elephant. "If you kill an elephant and give it to your enemy, he wants only your small head".

This proverbial name is literally stated as "If you kill an elephant and give it to your enemy, he wants only your small head". The elephant represent the largest animal in the forest. The implicit message here is that if one should be humble enough to sacrifice an elephant in exchange for reconciliation, it shows the extent to which there is the quest for peaceful cohabitation amidst enmity and other crimes. The refusal therefore to accept such a huge sacrifice in favour of a lesser one paints the picture of an atmosphere characterized by anarchy. The killing of an elephant and giving it to en enemy is symbolic of asking for or extending a hand of forgiveness or reconciliation. The acceptance of the elephant and still go ahead to look for one's head presents a situation whereby reconciliation has not been put into practise. The central message here is that for a return to harmony the former enemy must be ready to accept to forgive and reconsider the person with whom they had conflict so that crimes related to enmity are avoided to pave the way in the attainment of stated goals. This view is supported by Hansen (2007) who notes that through reconciliation, a wide range of goals will be accomplished such as establishing a foundation for a stable and democratic social order, assisting people to psychologically heal and restore human dignity.

As regards family hostility associated with crimes, it is projected in the proverb thus:

ŊdʒáŊ ndáp Thorns house. "Thorns in the house".

This proverbial name is literally stated as "Thorns in the house "The word" thorns". Symbolize a type of grass that hurts when one's leg is placed in it and the "house" symbolizes the family. In effect this is referring to an enemy whose crimes are directed towards family members or close relatives. This puts to question the role of the family as the basic unit of society which is disintegrating because of enmity masterminded by evil machinations. The idea here is that if the family which is the immediate context where a child starts learning the norms of society is disintegrating, then there is the need for a return to harmony in individual household so that it can be extended to the larger society. In this guise, this proverb notes that family members who do not want to cooperate with their families should not be isolated but should be made to understand that conflicts and crimes are imbued in any human society but reconciliation and healing should be the watch word. Put differently, an enemy of yesterday can be transformed into a good friend or a devoted citizen in the ongoing drive towards community and national construction.

In relation to crimes related to the evil nature of people, it is highlighted in the proverb thus:

pèulálá Evil every where. "There is evil everywhere".

This proverb is literally stated as "There is everywhere". This entails that evil is becoming part and parcel of human daily activities. This means that people should not be too surprised whenever and wherever they confront evil. The word "evil" represents a situation whereby because of certain constraints in society, human relationship is experiencing certain difficulties. It therefore expresses the idea that despite the fact that as time goes on human nature is imbued with evil, human beings are bound to live together. In other words, it posits that it is not because society is imbued with evil that its members should continue to sensitise evil doers on the benefits of virtue for their eventual transformation as active participants in the growth of society.

In the same light, view presented above is also articulated in the proverb thus:

tzáktrúkpér Cap hatred. "The cap of hatred".

This proverb is literally stated as "The cap of hatred". It is usually said in relation to a pig which is mostly associated with destruction and evil. So, those who are evil minded are compared to the pig that symbolizes hatred and destruction. In other words, it projects the view that, for people to live in harmony in the society, they should not copy the example of a pig. From a different perspective, hatred has been personified as having a cap to show its intensity as manifested via high crime wave. It is also ironical that a cap which is supposed to be worn on a head is instead worn on hatred to project a situation whereby natural order has been reverse plunging society into chaos. The central message here is that those who incarnate hatred should continue to be sensitized on the virtue of love and commitment to one's community or nation.

CONCLUSION

This paper presents the link between Papiackum Witticism via its proverbs and restorative. In this light, this paper underscores the view that crimes which is part and parcel of society is as a result of a breakdown in human relationship due to the absence of principle centeredness. It proposes that rather than indulging in incarceration, Papiackum advocates for restorative justice where people who are indulged in crimes are transformed by impacting onto them certain norms and values that will permit them to abandon crimes and be active participants in every nation building process. These norms range from love for one another, charity, honesty to tolerance.

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