SOCIAL-POLITICAL MARGINALIZATION OF WOMEN IN RIVERS STATE:
THE ROLE OF THE VAPP ACT OF 2015

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Abstract

The Violence Against Person Prohibition (VAPP) Act 2015 was enacted in response to the third goal of the Millennium Development Goals (MDGs) which was to promote gender equality, women empowerment and protect women from social, economic and political marginalization. In this work, the VAPP Act was examined on whether or not it sufficiently deals with the issue of the social and political marginalization of women in Rivers State. The FGD method was applied for data collection using a purposive sampling technique and the thematic method for data analysis. The results from this study indicate that the VAPP Act of 2015 significantly addressed several forms of social marginalization and violence against women such as rape and domestic violence but has not significantly addressed the culture of patriarchy and masculine domination of material wealth in the society which fundamentally enables all kinds of Violence Against Women and Girls (VAWG). The study recommended that the government of should amend the VAPP Act 2015 to include political issue directing the political parties to present a specific percentage for women to men as candidates from their parties as in practice in several countries of the world including African countries. The study found that such legal provisions would protect women from political marginalization, enhance social-economic empowerment and reduce social-political marginalization of women in Rivers State and Nigeria at large.

Keyword: Social-Political Marginalization, Genda inequality and Violence Against Women

1.1 Introduction

Marginalization is the process of pushing a particular group or groups of people to the edge of society by not allowing them an active voice, identity, or place in it. Through both direct and indirect processes, marginalized groups may be relegated to a secondary position or made to feel as if they are less important than those who hold more power or privilege in society. Women are marginalized socially, economically and politically among other forms of marginalization and this form of marginalization constitutes violence against women. The understanding of violence against vulnerable persons in Nigeria became very clear with the emergence of the VAPP Law. However, not much is known as to whether this legal instrument has been well used especially by women to seek redress for violence against them particularly social and political marginalization. Legal studies that have examined the VAPP Act have only reviewed it on the grounds of its efficacy, constraints and constitutional relevance. For instance, Nwazuoke (2016) took an academic stab at the VAPP Act, dissecting all of its sections without relating it to any other variable in society. This made it extremely difficult to see the relationship of the Act to any other issue in society except for the fact that he did an amazing content analysis of the legal instrument. This notwithstanding, Nwazuoke's work went further to compare the VAPP Act with other criminal legislation in the country and credit to him, he came to the conclusion that the Act is indeed a major step forward in terms of the legal push to address the plight of vulnerable persons in society. However, his work was genderless with little mention of women especially neglecting the issue of forceful collection of properties from widows when he eventually discussed the issue of harmful cultural practices and abandonment as provided in the Act. Sadly, his study while analyzing the section of the VAPP Act that discusses political violence failed to extend knowledge on the shortcomings of the law in this regard. This is because in other sections of his qualitative review of the VAPP Act, the scholar made it a point of duty to pick holes in the relevant provisions of the Act that fits his discussion, failing in the above instance to see that when affirmative action legislation providing for percentages to political office appointments are violated, this could also be viewed as violence against women.. In the words of Onyemelukwe, (2016) while the Act does not specifically mention all these practices, the definition is sufficiently wide as to include matters like male

child or son preference which are not specifically mentioned but are harmful to women. This is a practice that encourages preference for male children over their female siblings, usually due to the need to continue the family lineage in patriarchal cultures. The result is often a displacement of girls in inheritance and succession matters, depriving them of land rights, attendant revenues, and opportunities for wealth creation (Onyemelukwe, 2016).

As the above scholar observes that because the VAPP Act does not specifically mention all of the harmful traditional practices, social and political issues that are detrimental to women, it is more difficult for women to prove that their rights have been violated. This goes a long way to show that the VAPP Act is in itself short-sighted in this area. Therefore, the objective of the study is to examine whether the VAPP Act deals significantly with the issue of the social-political marginalization of women in Rivers State. Furthermore, it examine the role of the VAPP Act in protecting Women from Political Marginalization in Rivers State

1.2 Research Questions

Based on the objective of this study the following question arises:

- Does the VAPP Act significantly deal with the issue of the social marginalization of women Rivers State?
- Does the VAPP Act significantly protect Women from political marginalization in Rivers State

2.1 Theoretical Review: Patriarchy and Social-Political Marginalization

Although the work on patriarchy as a theoretical position on gender dates beyond the ideas of Silver (1990), her book titled "theorizing patriarchy" represents a significant theoretical eye-opener especially for feminist scholars around the world. This particular work increased the centrality of the theory of patriarchy in gender and feminist studies in a very unique way. In fact, Silver turned the concept of patriarchy into a convenient analytical tool for gender inequality in society.

It is important to note that in her book, Silver made the theoretical assumptions more flexible than the discussion of other scholars before her on the subject matter. One of her very unique selling point in theorizing patriarchy is the fact that she provided a historical touch to the subject making it easy to be applied especially with regard to historical analysis and class differences. According to her, six basic structures of restriction for women exist under a dominant patriarchal system or a male-dominant social formation. These are:

1: The structure of household production: She echoed what has been termed an interplay of biology and sociology by pointing out that women's unpaid domestic work covering care giving and child-birth provides a window of exploitation where men take advantage of the situation for dominance.

2. The structure of paid work or employment: She clearly adduced that patriarchal systems tactically edge out women in the work environment from certain kinds of paid jobs thereby disempowering them in another sphere (see also, Ayeni, 2015).

3. The structure of the Patriarchal State: Silver argued that in some historically determined state systems, a clear bias exist toward patriarchal interests.

4. The structure of male violence: this entails how men's violence against women are systematically endured by the state's refusal to intervene against it.

5. The structure of patriarchal sexuality: According to Ross (2014), this is a situation where patriarchy decides that heterosexuality is and should be the norm.

6. The structure of patriarchal cultural institutions: In this regard, certain culturally determined institutions in society propagate patriarchy as a way of life making women less important and less motivated to compete (Fagade, 2014).

Within the context of the six basic assumptions of patriarchy provided above by Silver (1990), it becomes easy to see from a gender economic inequality lens why women are marginalized

more often than men when it comes to economic properties in society. Thus to understand why women maintain a relatively marginal position in society whether in the world of work or in political settings, the activities of patriarchy as an implicit part and the mainstay of their culture and custom have to be unravelled and understood. Therefore, male domination of women is justified under the system of patriarchy but the most telling aspect is that this domination leads to disempowerment especially in the livelihood and economy of women creating enabling conditions for violence against them.

2.2 Political and Social Marginalization of Women in Nigeria

It is important to note that while the VAPP Act 2015 mentioned marginalization of vulnerable groups from mainstream activities that ordinarily should involve them as citizens, some of the perceived marginalization of women from political participation is a product of cultural and societal violence against women. For instance, where a particular cultural practice bars women from owning property, it translates extensively to violating their rights to economic power and as such political power. Empirically, it has been proven that beyond their economic importance, property rights, especially to land fulfil a number of socio-political functions. According to Meinzen-Dick (2009), in many rural communities, land distribution is associated not only with the well-being of the household but also with social and political standing in the community. Landowners are treated with greater respect and often feel a stronger sense of identity with the political class in the communities. This position, in turn, shapes access to many government services, influence in local politics, participation in social networks, and intra-household relations.

In Nigeria, women have been grossly violated with regard to political participation and appointments to office. Without necessarily seeing the hypothetical link between socio-cultural restrictions to property as violence against women, Samuel, Temitayo and Kayode (2014) have opined that most research works on gender inequity in politics have largely been focused on gross under-representation and sometimes lack of representation of women in Nigerian politics. As a result, the marginalization of women in political activities in the country has triggered affirmative action and studies aimed at reversing such marginalization given the immense role

that can be played in the country's political system by the female gender. In addition to this, several gender-related works and explanations have been enunciated and interpreted in a bid to correct some perceived marginalization of women in politics.

Studies have shown that in some parts of Nigeria especially the Igbo speaking states and some parts of Delta and River state, women were confronted with a retrogressive cultural campaign that claimed women could not be political office holders because they were not allowed to break kola nuts" a revered rite in Igbo society. According to Samuel, Temitayo and Kayode (2014) women were affected by this obnoxious cultural practice in their Local Government Area. In a similar vein, the former Deputy Governor of Anambra State, (Irabor, 2011) attributed the rising number of politically involved women to a form of political reawakening and awareness. However, she contended that women are still affected by factors from cultural/traditional practices which places women as inferior to men, as second-class citizens, weak and incapable of real strength, (Irabor, 2011).

The recent political space in Nigeria has shown that women have been seriously marginalized in the skewed nature of political appointment in the country thereby constituting violence against them. In a recent study conducted by Shehu (2016) on the political marginalization of women in government appointments in the country, it was pointed out that less than 15% of women appointments as political office holders has been recorded. The study went further to affirm that this is the worst ever in the history of the country's democracy. The study revealed that women participation in electoral processes was high but this did not translate in any way to real political jobs for women across the country. This study was also corroborated by that of Ayinde (2016) who also found that women marginalization in the South western part of Nigeria is a reflection of the grand political marginalization of women in the country in general. Much as this is the case, she contended that women's role in driving leadership position has been seriously downplayed and that this strongly translates to a violation of the fundamental human rights and a stab on the whole issue of affirmative action policy in the country which maintains a ratio of 70:30 for male and female in federal, state, and local government appointments respectively.

The marginal scenario which reduces the participation of women in political activities in Nigeria has been attributed to culture and the dominant social system of patriarchy in the country. Studies on feminism and patriarchy in the country have clearly shown that male-dominated systems tend to consciously edge women out of mainstream administration believing that women folks are just good for domestic purposes and childbearing. This is why in a historical study of the structure of patriarchy in Nigeria, Mazden (2014) came to the finding that while culture has been blamed for long, most of the structures that undermine or limit women's involvement in political participation or other mainstream administrative activities in Nigeria are actually social than cultural. According to Mazden (2014), the system of patriarchy is particularly a gender system of imperialism foisted down on the women folks in the country. Hence, male imperialists dominate women instead of creating an opportunity for equality. This according to him makes a nonsense of the country's gender policy in all ramifications.

Perhaps, this is why Samuel, Temitayo and Kayode (2014) in discussing the political participation of women in pre-colonial Nigeria argued that women had significant representation in political activities even though men dominated property ownership. This is not the case in modern day Nigeria where patriarchy in addition to stiff traditional practices has dominated gender relations creating enabling conditions for women to be marginalized. Further support of women's political power in pre-colonial society can be found in the study of Mercier and Gier-Viskovatoff, (2002) where it was proven that although African forms of patriarchy existed where men formally controlled most of the land tenure systems and political institutions, women wielded considerable political, economic and social influence and status throughout society. The difference, Gordon argues, is that capitalism imposed European forms of patriarchy that sought to silence women from any decision making within the community. Colonial structures significantly altered the existent political systems excluding women to the margins of society.

2.3 Social Status and Violence Against Women

The first research on social status and violence against persons without necessarily tilting towards any gender analysis was first don by Deere and Doss (2006) in the United States of America. This study focused more on the racial dimension of society and how some persons of the white colour race perpetrate violence against black people and go free with it in most cases. Deere and Doss in the course of their study, depended on a content analysis of over 500 case files on race-related violence in the city of Oakland, New Orleans, California among others. The analysis of these case files and the findings led the researchers to conclude that violence against mostly black and on a large scale female blacks, is as a result of the social status of white supremacists in the United States. The findings of this study provoked several other studies on racial status and violence in other parts of the Western World. Similarly, in a World Health Organization (WHO, 2012) global survey of violence against women, it was observed that a significant number of the women who experience sexual harassment from their male counterparts do so because of the social status of men. However, in the WHO study, this was said to be more prevalent in African societies due to their matriarchic or male dominance nature. The WHO (2012) survey relied on country specific data on women health related problems caused by domestic violence. Hence, the study was purely reliant on secondary data from various countries' health and demographic surveys. After analyzing the information from over 180 countries of the world, the World Health Organization came to the conclusion that countries in Africa and Latin America have the highest percentage of sexual harassment and rape cases resulting from the social status of men. In Africa for instance, the WHO report pointed out that cultural practices that elevate males above females disproportionately places them (females) in a position where men violate them. In this regard, culture enables men's social status and places them above women thereby making it easy for them to violate women under the ambit of culture.

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2.4 Empirical Studies

Although patriarchy has been empirically proven to be a major limiting factor to women's participation in politics in Nigeria, scholars have also pointed to issues such as unwillingness among Nigerian women to drive their involvement in leadership as well as illiteracy as major setbacks to the socio-economic progression of women in the country. Balogun (2015) in a study of women marginalization in the country and using a sample of over 5000 young ladies came to a conclusion that 80 percent of women in the survey showed some level of political apathy. She went further to mention that her study found that young ladies in the country prefer to work in banks and other white collar jobs rather than get involved in politicking which they feel is the exclusive domain of men. This she says account for the limited number of women who eventually participate in politics hence reducing the number of women that eventually find themselves in political spaces in the country. Also, in Ayeni's (2015) study referred to above, it was discovered that women are less educated among the gender in Nigeria. In this regard, she believed that illiteracy among a vast number of women in the country militates against their effective participation in the country's political space. Much as this is the case, she, however, tied it to cultural and patriarchal practices that fundamentally limit female children's education in their formative years. This she says turns out to be a major limitation for women in their adult age since they now lack the required level of education to effectively participate in political activities in the country. According to Ayeni, education is a major determinant of boldness and since a good number of our women are not educated, they are therefore not bold enough to challenge their male counterparts in politics.

Also, the studies of Brudge (2010) and Bantley (2012) in Germany and Russia respectively provided further empirical support to that of Deere and Doss (2006). In Brudge's study for instance which depended on a sample of 1,200 case files and court judgements of gender violence in Germany, it was discovered that men who pledged guilty to the charges on rape against women, end up confessing that they committed the crimes due to the fact that they believed that they were more socially worthwhile than women. This goes a long way to show that men see their social status as a way of dominating women. Bantley's own study conducted

in Russia focused more on the role of men's social influence on sexual violence against women. Bantley sampled 800 trial cases and studied the character of the accused persons who at one point in their lives had sexually harassed females. The finding of the study revealed that over 90 per cent of the men standing trial for sexually harassing females was men of high social status and influence in the Russian society. This led Bantley to conclude that socially influential men are more prone to sexually harass women more than men with low social influence.

Another study of selected political office holders in Northern Nigeria by Shehu (2016) provided support for the WHO (2012) study. However, Shehu's study moved a bit further to prove that culture combined with male access to property and materialism provides a fertile combination for men's status to be valued above that of women in Northern states of Nigeria. His study of over 300 political office holders in the North first revealed that over 92 percent of political offices are held by males and this creates a fundamental problem of high and low social status for men and women respectively. Coupled with cultural beliefs and practices, these material differentials make men to sexually violate women. Shehu points to marriage of under-aged girls to older politicians in Northern states as a serious case of violence against women brought about by the high social status accorded to men due to the underlying masculine culture, religion and materialism in the area

Methodology

3.1 Study Area

Rivers State is one of the 36 states of Nigeria with Headquarters in Port Harcourt. The State is lying on 4°45′N 6°50′E with total area of 11,077 km2. Rivers State is located in the Niger Delta of Nigeria. The State is rich in oil and gas which attracts several oil and gas companies, industries, high profile businesses and international presence. Rivers State is known to be one of the States in Nigeria where the culture of patriarchy is very high especially among the upland people like the Ikwerre's, Etche's, Ogoni's, Ogba's and many more. This culture of patriarchy though not mostly defined by written laws, represents the motion of cultural history in the state with significant limitations for the freedom and access of women to certain rights and privileges that their male counterparts do enjoy. For example, Ogwu (2009) points out that the culture of

the people in 90 per cent of the State represses women especially with regard to rights to hold property. This according to him undermines the capacity of women to grow economically, commercially, educationally and even politically.

3.2 Research Design and Population of Study

Survey research involves the collection of information from a sample of individuals through their responses to questions and it takes into account, issues such as places, things or persons and even the perception they hold about social phenomenon.

The population of study is women from 18 years and above in Rivers State. In other words, all women of voting age are considered eligible for this study. From the submissions of the Free Online Encyclopedia (2014), the projected population of females in Rivers State following the figure provided by the National Population Census of 2006, is put at 3,596,426 (Rivers West 1,200,579, Rivers East 1,435,452 and Rivers South-East 960,395). While, the above figure is the total population of women in the study area, this study focused on women from 18 years of age and above. Also, NGOs focusing on VAPP Act, Legal Departments, Women Associations and the Nigerian Police, Social Welfare Officers, Community Development Committee (CDC) members and women who have experienced one form of violence or the other shall be targeted for inclusion in the FGD sessions.

3.3 Sample Size and Sampling Technique

The sample size for females from each of the three senatorial districts that make up Rivers State is 400 each. Note that a sample of 10 participants was drawn purposively for the first Focus Group Discussion (FGD) session and 12 for the second FGD session for each local government in the senatorial district. The participants comprised of heads of NGOs, Legal Departments, Women Association as well as the Police Force in addition to victims of violence. The purposive sampling technique was adopted to select FGD from each senatorial district.

3.4 Method of Data Collection and Analysis

The primary data method was adopted. Hence, for the primary method, the Focus Group Discussion or Interviews. Descriptive statistics such as bar charts, pie charts and trend graphs

were adopted to analyze the data relevant to the research questions. Secondly, thematic method was applied to analyze the FGD information

3.5 *Reliability*

The reliability was done through repeated applications of the same measuring instrument. As a result, repeated measurements were very necessary for the instrument to be used in this study. In the light of this, the test-retest method of determining reliability was used.

4.0 Discussion

4.1 Social Marginalization of Women -

Social marginalization includes the use of social vices by men such as sexual harassment, rape, domestic violence, deprivation, use of male status to deny women of their fundamental rights in the society and intimidation. For this particular discussion, there was lack of consensus among the participants during the FGD session. For instance, one of the police officers aged 43 years pointed out that "it is not the social status of men that leads to the rape of women in the state". To her, "rape is a function of pathological behaviour amongst some category of men and cannot be generalized for all men in the state or society in general". She further argued that there are men with a high social status that do not engage in the rape of women and sexual harassment. Another participant aged 39 years disagreed with the police officer in this regard. She pointed out that it is not status in terms of wealth that propels men to commit rape against women. For her, it is the societal elevation of men above women that makes them sees women as their sex toy hence the desire by some men to utilize that oppressive status to marginalize women.

Incidentally, two of the participants in the second FGD had experienced rape before so their response to the issue of social status of men and rape was very important. To quote one of them verbatim, "I would not say that it is the social status of men that predisposes them to commit rape against women, but rather, men commit rape because of some psychological problems" (female aged 32 years). However, in some case as men go ahead to rape women as a show of their machismo rather than status. Others in the FGD session point to the fact that men's social status which is oftentimes a product of their control of power and mostly ownership of property

especially land in communities should ordinarily make them protect women and not violate them. The study found that the VAPP Act 2015 sufficiently protect the women from social violence such as rape, sexual harassment and domestic violence but the major issue is the low level of implementation by the law enforcement agencies.

Additional, one of the participants of the FGD, a female police officer aged 42 years tried to provide a balanced argument by pointing out that rape and sexual harassment cases over the years have shown that men try to prove to their victims that it is their world and that they can have their way anytime with them. However, in most of the rape cases that they have investigated, some women are the ones that provide the gateway for such offenses to be committed on them especially through indecent dressings that show their body parts. In this regard, one of the legal practitioners aged 37 quickly added that women are dressing should not be a sufficient reason for anyone to commit rape. She clarified that in a number of cases that she has been involved in, rape cases and sexual harassment are peculiar to men with high sex libido who are anti-social and timid in all ramification. She noted the the VAPP Act 2015 is clear on the penalty but sometimes there have been poor implantation due to long court cases, bribery and corruption and pervasion of justice.

4.2. Protecting Women from Political Marginalization- Genda-quota legislation for women representation

The study found that the VAPP Act 2015 does not sufficiently protect women from social-political marginalization in Rivers State and in Nigeria. Based on this finding, the question on how to protect women from such marginalization was asked and 88.5% percent of the participants of the Focused Group discussion (FGD) suggested that without a legal document mandating political parties in the country to present a particular genda -quota for women participation for all parties the parties would hardly give women the opportunity to context or win primaries from their parties. This augment was based on the fact that the theory of patriarchy is still very operation within the country as the world, therefore other countries of the have used this method of genda-quota legislation to check it. For instance, in France, passed the Parity law of 2000 mandating their political parties to present candidate lists of 50-

50 female-male candidates; Rwanda's 2003 Constitution also mandated a quota to ensure women's representation in their National Parliament, and this resulted in 49% representation of Rwandan women in parliaments. Also, in the Portugal Parliament, were the country enacted a Gender-Quota law in August 2006 for at least 33.3% women inclusion in politics; while Iraq's federal Constitution requires that 25% of women, Sweden women constitute 45% of parliamentarians due to such laws.

However, the present Nigerian constitution does not have sure laws that direct political parties to provide a minimum number of women inclusions in their electoral positions and the Violence Against Persons Prohibition Act 2015 does not capture this critical aspect of violence against women in Nigeria, particularly in Rivers State. Therefore, the Violence Against Persons Prohibition Act 2015 should be amended to capture this critical part of women marginalization. In Africa, according to data compiled by the United Nations Economic Commission for Africa, four countries that came closest to achieving 30 percent female decision makers in 1997 were Seychelles (27 percent), South African (25 percent) Mozambique (25 percent) but in Nigeria, the highest so far as at the time of this study is below 8% and this constitute violence against women. The report also suggested that some countries such as Mozambique, South Africa, Uganda Seychelles and Rwanda have surpassed the 30% minimum threshold in decision-making for women as stipulated by the Beijing conference memoranda of 1995 (Salami, 2005).Whereas women's political representation in Nigeria is among the lowest in the World.

Despite the widespread movement towards democratization in most polities, women are still highly under represented at most levels of government, and have made very low improvement in attaining the target endorsed by the Economic and Social Council of having 30 percent women in positions at decision making levels by 1995 (UNO, 1996:109). Therefore, this study recommends that the Nigerian government and legislation should enact a law mandating political parties in the country to present a particular genda quota for women participation for all parties. The study found that such legal provisions would protect, enhance social-economic empowerment and reduce social-political marginalization of women in Rivers State and Nigeria at large. This finding is in agreement with the works of Joan and White, 2009 in Anioke (2013) who suggested that the most important implication of good representation women in politics is

they tend to promote and support women's issues than their male counterparts. Additionally, Alexander & Welzel, (2007) emphasized that increased socioeconomic status is central to increased political participation of any social group. Also, Olasupo (2012:16) suggested, "women should be empowered and encouraged to aspire for political leadership and governance positions, which is critical to societal and human development". The study applauded the Rivers State led People's Democratic Party (PDP) who produced all Vice Chairpersons of the local government areas in the election held in 2018 for the first time and urge other parties to follow such example.

5.0 Conclusion

The outcome of the FGD discussion indicated that the constant marginalization of women in the state is a result of the culture of patriarchy rather than men's social status. The study showed that the VAPP Act of 2015 significantly addresses several forms of social violence against women such as rape and domestic violence but has not significantly addressed the culture of patriarchy and masculine domination of material wealth in the society which fundamentally enables all kinds of Violence Against Women and Girls (VAWG). Furthermore, the study found that the VAPP Act 2015 does not significant protect women from political marginalization. Also, political marginalization of women is still on the increase as women representation in political affairs has been very poor, even the new roles they play are still at the subordinate level. Therefore, government at all levels should ensure the implementation of the VAPP At 2015. This study recommends that the Nigerian government and legislation should enact a law mandating political parties in the country to present a particular genda quota for women participation for all parties as practiced by other countries of the world.

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