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## **Female Migration from Nigeria, Sex Trafficking and Cultural Dynamics. Beyond a Simplified Narrative**

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### **Abstract**

Female migration from Nigeria and its frequent connection to sexual work and human trafficking represent an alarming phenomenon at the global level. Numerous studies by anthropologists, sociologists, and legal experts engaged in defending women seeking international protection have revealed complex links between trafficking, socio-economic factors, and cultural dimensions. Focusing specifically on migration from Nigeria to Europe, this paper explores the multifaceted nature of these connections, challenging the dominant narrative that portrays Nigerian women as merely “exotic”, “other”, vulnerable, and victims of magical rituals. This paper highlights the various factors contributing to this complexity and examines the notions of consent and coercion, drawing on legal frameworks and feminist legal literature. The concepts are considered in relation to the more specifically social and cultural aspects of the Nigerian context that several studies have revealed are linked to sexual trafficking. The Nigerian context is briefly illustrated in terms of its ethnic, legal, and religious pluralism before delving into the structural dynamics, customary norms, and practices helpful in understanding the phenomenon of sex trafficking.

### **Key words**

Sex trafficking; Nigerian female migration; consent; legal pluralism; patriarchy; customary norms; oath

### **Resumen**

La migración femenina desde Nigeria y su frecuente relación con el trabajo sexual y la trata de personas representan un fenómeno alarmante a nivel mundial. Numerosos estudios realizados por antropólogos, sociólogos y expertos jurídicos dedicados a la defensa de las mujeres que buscan protección internacional han revelado vínculos

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complejos entre la trata, los factores socioeconómicos y las dimensiones culturales. Centrándose específicamente en la migración de Nigeria a Europa, este artículo explora la naturaleza multifacética de estas conexiones y cuestiona la narrativa dominante que retrata a las mujeres nigerianas como meramente «exóticas», «otras», vulnerables y víctimas de rituales mágicos. Este artículo destaca los diversos factores que contribuyen a esta complejidad y examina las nociones de consentimiento y coacción, basándose en marcos jurídicos y en la literatura jurídica feminista. Los conceptos se consideran en relación con los aspectos más específicamente sociales y culturales del contexto nigeriano que, según han revelado varios estudios, están vinculados a la trata con fines sexuales. El contexto de Nigeria se ilustra brevemente en términos de su pluralismo étnico, jurídico y religioso antes de profundizar en las dinámicas estructurales, las normas consuetudinarias y las prácticas útiles para comprender el fenómeno de la trata con fines sexuales.

### **Palabras clave**

Trata sexual; migración femenina nigeriana; consentimiento; pluralismo jurídico; patriarcado; normas consuetudinarias; juramento

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## 1. A complex issue

Trafficking for sexual exploitation constitutes an alarming phenomenon, a contemporary manifestation of slavery, with particularly severe implications in contexts characterised by entrenched socio-economic inequalities. Women and children remain the primary victims, mainly as a consequence of structural disadvantages such as restricted access to economic resources, limited educational opportunities, and insufficient awareness of legal rights.

In 2022, 61 per cent of victims detected worldwide were women and girls, and the majority of women and girl victims continue to be trafficked for sexual exploitation (UNODC 2024).

The African continent constitutes the principal basin of traffic and migration related to sex work. Moreover, Nigeria has been consistently identified as one of the principal countries of origin, not only in Africa, but in global human trafficking flows and for cross-border sex work migration.

The destinations for Nigerian women and girls include various European states – Italy, France, and Spain, among others – and African countries such as Mali, Benin, Algeria, and Libya. Academic research and practical activities in the field of international protection reveal that Edo State in Nigeria and the metropolitan Benin City, the ancestral home of the indigenous Binis people and the capital of Edo State, are considered a particularly significant origin market (Aghatise 2002).

A critical examination of the literature highlights that human trafficking and women's sex work migration is the outcome of interconnected socio-economic, cultural, and political processes: globalisation, gender inequality, the feminisation of poverty, and entrenched patriarchal structures.

Taking such complexity into account when analysing these migratory processes is essential in order to move beyond the dominant narrative, which conveys a monolithic, simplified, paternalistic, and colonialist image of the non-Western migrant woman,<sup>1</sup> involved in trafficking.

Within these simplified narratives, the Nigerian woman is either portrayed as a victim – vulnerable, deceived, and coerced into prostitution – or, conversely, as a woman who consciously chooses to migrate for the purpose of engaging in sex work. As will become clear in the course of this essay, this opposition is a fallacious one.<sup>2</sup>

A central aspect of such narratives concerns the significance attributed to practices and rituals, particularly the oaths taken before departure, imposed by those who have “organized” the journey. The women are subjected to a traditional ceremony conducted by a figure called a *juju priest*. During this ritual, items of intimate clothing are removed,

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<sup>1</sup> Feminist and Migration Studies produced critical perspectives to deconstruct gender images in the context of ‘migrant othering’. See, in the vast literature, the classics Chandra Talpade Mohanty, *Under Western Eyes: Feminist Scholarship and Colonial Discourses*, 1984; Ratna Kapur, *Gender, Alterity and Human Rights in a Fishbowl*, 2018.

<sup>2</sup> An interesting literature on the subject, often supported by field research, argues against this reading. With reference to Nigerian migrant women and human trafficking in Europe see, for example, Françoise Guillemaut's researches (2004, 2006), or the most recent study conducted by Estefanía Acién González (2024).

and bodily materials, fragments, and fluids are taken from the women (for instance, pubic hair, hair, nails, and menstrual blood), which are subsequently placed in a sacred location. The woman swears to repay her debts and to obey her *Madam* or her *Oga*<sup>3</sup> under all circumstances.

The terror-inducing rituals lead to a situation in which the women will not run away when traveling on their own, out of fear for themselves or their family being hurt by witchcraft.

These rituals undoubtedly represent an essential dimension of the analysis. Nevertheless, even in relation to them, stereotypes and misrepresentations are common. The Nigerian woman is constructed as the “other”, as a victim, a vulnerable subject, insofar as she is portrayed as subjugated by culturally rooted forms of violence, stemming from customary norms that are particularly effective precisely because they are socially legitimized. The risk, however, is that such practices become a scapegoat, obscuring other dimensions of these migratory processes. At the same time, their perceived “otherness” relegates the women’s suffering to a world so distant as to relieve citizens of the Global North of any sense of responsibility (Brivio 2021).

In this essay, I attempt to move beyond such narratives by focusing on the socio-cultural dynamics that shape this form of migration, with particular reference to female migration from Edo State.<sup>4</sup>

Consent and coercion are central concepts in this analysis and are analysed.

The fundamental reason lies in the fact that examining the relationship between socio-cultural dynamics rooted in the Nigerian society and in customary norms and trafficking necessarily entails asking how the former intersect with the “freedom to choose” or the obligation to comply with the decision to migrate, as well as whether, and to what extent, the pervasiveness of these migratory processes produces a transformation within the Nigerian context in relation to customary norms that derive from deeply patriarchal social structures and norms.

These concepts are once again fundamental to restituting complexity to these migrations, going beyond political narratives and also beyond legal labels that suffer from the tendency to box women into two already mentioned, mutually exclusive figures: the woman who is a victim of forced migration – the victim of trafficking – and the woman who migrates voluntarily. Such labels fail to encompass the concrete experiences of women, who live different forms of violence, but who are not always and solely unwitting victims of the migration of which they are protagonists. Concept and coercion are, first of all, drawing on feminist legal literature and on relevant normative references on human trafficking, and then take up in relation to female migration from Nigeria linked to trafficking and sex work.

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<sup>3</sup> “Madam” (female) and “Oga” (male) are terms often used as a form of respect for class/status/age when referring to people in some parts of Africa. Victims often use those terms for their traffickers, as boss (Ikeora 2016).

<sup>4</sup> For my analysis of the Nigerian context and Nigerian female migration, I draw primarily on African literature. African literature on the subject – often based on accurate field research – is, in fact, by far the most in-depth and comprehensive and, moreover, allows for a postcolonial and critical point of view.

The analysis of the Nigerian context focuses, first of all, on the ethnic and legal pluralism that characterizes it and on those structural socio-cultural aspects of Nigerian society – particularly within Edo State – that have been identified as factors potentially conducive to migration for sex work.

In this context, attention is placed on how gender roles within the country of origin influence migration and how migration could be perceived as a legitimate path to personal and, more often, collective upward mobility.

Focusing on socio-cultural aspects does not in any way mean disregarding the role played by economic factors – poverty is a core driver of the mobility of migrants – which compel women to migrate. These and other elements must always be situated within an intersectional perspective<sup>5</sup>.

“Intersectional perspectives focus on the interconnectedness, interdependencies and mutual co-construction of key social marking and positioning categories, also called axes of difference/inequality: race, class and gender” (Lutz and Amelina 2013, 56).

For many Nigerian women, the intersection of poverty, ethnicity, and gender contributes to directing economically disadvantaged girls and women toward prostitution. It represents the principal factor that complicates their exit from such a condition. More broadly, intersectionality constitutes a crucial interpretive framework for understanding the postcolonial African context and the migrations that characterise it.

With Sylvia Tamale’s words:

In the neoliberal geopolitical order, the continent of Africa itself is positioned at the assemblage point of multiple structural inequalities and erasures, relative to other continents. Operating simultaneously, the push-pull of multiple forms of power thrust Africa to the bottom via the overlapping hegemonies of race, civilization, markets, nation, gender, White supremacy, sexuality, language, culture, and so forth. In sum, Africa ‘experiences’ its subordination intersectionally. Moreover, an intersectional approach to the continent’s decolonization/ decolonial efforts is crucial. (Tamale 2020, 67)

After analysing the cultural and social dynamics in Nigerian society and the connection with sex trafficking, I turn my attention to specific norms and practices – most notably the rituals and the oaths performed before departure – which bind migrant women to sex work in order to repay the debt contracted with those who have “made possible” their journey to other African countries or to Europe.

From a lexical point of view, the awareness of the different forms and dimensions of physical and sexual violence that these women and girls experience during their migration trajectories towards the hope of a better life in Europe, where violence manifests in many ways and amplifies the violation of their fundamental rights,

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<sup>5</sup> The concept of intersectionality, now central to critical migration studies, is owed to the African-American jurist and activist Kimberlé W. Crenshaw, who, by analysing case law on labour discrimination and domestic violence, effectively demonstrated how the intersection of being a woman and being black gave rise to particularly complex forms of discrimination, qualitatively different from those experienced by both black men and white women. By K. Crenshaw, see the essays *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine* (1989) and *Mapping the Margins: Intersectionality, Identity Politics and Violence against Women of Color* (1991).

regardless of the consensual element of migration, leads me to use predominantly, in this essay, the term *sex trafficking* rather than the “more neutral” *sex work* migration.

## **2. Consent, between critical legal theories and regulation of Sex Trafficking under International and European Law**

The processes of migration, human smuggling, and human trafficking are closely interrelated. Human smuggling is generally defined as facilitating unauthorized entry into a country, contravening its immigration laws and regulations. Although human smuggling does not inherently entail exploitation, it is evident that smugglers occupy a position of power that can easily lead to forms of blackmail, exploitation, and violence against migrants. Increasingly complex and diversified migratory processes challenge any classificatory logic or attempt to distinguish migrants into mutually exclusive labels; the fluid nature of migratory experiences, and thus of the applicable legal status for people on the move, is incompatible with the static categorizations of international law and political and humanitarian discourses.<sup>6</sup>

Within the framework of the strongly restrictive migration policies adopted by European countries, over the years, organizations managing the irregular transport of migrants (smuggling) across the Mediterranean developed and consolidated criminal networks that offer women and girls lacking the necessary resources the possibility to reach the destination country, promising them work upon arrival. These women are bound to repay a very high debt or are subjected to various forms of direct exploitation.

Consent is fundamental in the normative concerning migration, smuggling, and human trafficking.

According to research conducted in Nigeria and various European countries, as well as based on the experiences of legal professionals assisting women asylum seekers, a huge number of women involved in sex work in European countries are victims of trafficking. In these cases, speaking of consent in the migration process is impossible. In cases where women migrate aware of what their working life in Europe will be, the space for freedom, when it exists, can only be minimal.<sup>7</sup>

Critical legal theories, and feminist scholars in particular, have long argued that women’s consent cannot be understood outside the social, economic, and cultural contexts that shape and constrain their choices. This tension between agency and structural inequality becomes particularly evident in the legal definitions of trafficking, which often rely on a binary opposition between “free choice” and “coercion.” By examining feminist theories of consent in light of international and European norms – especially the foundational international instrument addressing trafficking – the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), supplementing the United Nations Convention against Transnational Organized Crime – known as the Palermo Protocol, the *Council of Europe Convention on*

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<sup>6</sup> See Meyer and Boll 2018 and, widely, the entire Special Issue *Irregular Migrants, Refugees or Trafficked Persons?*, in *Anti-Trafficking Review*, 1, 2018, dedicated to the distance between categories and classifications in law and the concrete, real experiences of migrants.

<sup>7</sup> There is no country that issues residence permits for sex work, even where prostitution is legal, and indeed in many countries working in the sex industry, although not illegal, can be a reason to lose one’s residence permit or work for study, marriage or other work. See, on this topic, Jahnsen and Wagenaar 2018.

*Action against Trafficking in Human Beings* (2005), and the EU Directive 2011/36/EU it is interesting to reflect how the law both reflects and limits feminist understandings of consent, agency, and constraint.

Within feminist theory, consent is not a purely individual act but a social practice embedded in power relations. The context in which actions occur always produces interferences and pressures that affect individuals' choices and autonomy. Some resources facilitate this condition, including economic resources, social status, and education, which Marta Nussbaum identifies as significant for creating capabilities (Nussbaum 2000).

Catharine MacKinnon argues that the pervasive subordination of women in patriarchal societies collapses the distinction between consent and coercion: what the law calls "consent" may, in fact, be the product of systemic inequality and a lack of alternatives (MacKinnon 1989). Likewise, Carole Pateman, in *The Sexual Contract* (1988), highlights that the very concept of contractual freedom in liberal theory rests on patriarchal assumptions that obscure women's structural dependence.

Intersectional and postcolonial feminists have expanded this critique, showing how race, class, global inequality, and other axes of oppression further shape the conditions of women's liberty and agency (Crenshaw 1989, 1991). For many women in the Global South or economically marginalized regions, decisions to migrate for work are not simply voluntary acts but responses to constrained socio-economic realities. Feminists thus argue that freedom of choice, in this case, freedom to choose to migrate for sex work, cannot be abstracted from material and social context: consent is always situated. All those studies highlight the influence of neoliberalism<sup>8</sup> on the idea of freedom (Giolo 2017). As is known, in the neoliberal framework, freedom of choice is conceived as an individual prerogative, detached from any social or material condition. Freedom is equated with the subject's "ability to choose". This seemingly emancipatory vision hides a paradox: it assumes that all subjects start from equal positions, ignoring the structural inequalities of gender, class, and race that shape real possibilities for choice. As Nancy Fraser (2013) argues, the neoliberal discourse of self-realization and autonomy has replaced the struggle for social justice, turning autonomy into an imperative to adapt to market logic. Among several authors, bell hooks (2000), Silvia Federici (2004), Facchi and Giolo (2020) insist that freedom is not an abstract property but a relational and situated condition: the person is free only to the extent that one has the material means, time, and recognition necessary to exercise choice. For Nigerian migrant women, for example, speaking of "freedom of choice" only makes sense when we consider the economic, legal, and social constraints that limit or deny the possibility of choosing. From this perspective, freedom is not the absence of constraints but rather the presence of conditions that make choice effective – a freedom not of the market, but of existence.

The Palermo Protocol, at Article 3(a), defines trafficking as involving recruitment, transportation, transfer, harbouring, or receipt of persons through means such as coercion, abduction, fraud, deception, or abuse of vulnerability for exploitation. Crucially, Article 3(b) declares that the consent of a *victim* "shall be irrelevant" where

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<sup>8</sup> For our discussion, see the texts by Dardot and Laval (2009) and Brown (2015) in the vast literature on neoliberalism.



any of these means have been used. The Protocol distinguishes between human trafficking and migrant smuggling but provides limited guidance on how to define consent. The latter is nullified when caused by the abuse of power or a position of vulnerability, two concepts that are far from clear and lack a univocal interpretation. Moreover, conditions can change, and migrants who initially consented to a smuggling agreement may subsequently find themselves – often indeed – exposed to degrees of violence, coercion, abuse, and exploitation, both during the journey and once they arrive in Europe.

At the regional level, the Council of Europe Convention on Action against Trafficking in Human Beings (2005) expands on the Palermo framework by emphasizing human rights and victim protection. Article 4(a) adopts a similar definition of trafficking but provides greater detail regarding victim support, while Article 4(c) defines a “position of vulnerability” as a situation in which a person “has no real or acceptable alternative but to submit to the abuse involved.” This broader understanding aligns more closely with feminist critiques, recognizing that limited alternatives – due to economic necessity or social exclusion – can undermine genuine consent.

The European Union Directive 2011/36/EU on preventing and combating trafficking further consolidates this approach. It reiterates that consent is irrelevant where coercion or vulnerability are present and calls for gender-sensitive measures. Yet, feminist scholars observe that these instruments operate primarily through a criminal justice lens, prioritizing prosecution and border control over structural justice (Phillips and Piper 2013).

Feminist legal scholarship reveals persistent tensions between feminist understandings of consent and how it is codified in international and European law. Although these instruments recognize that consent is invalid under coercion or vulnerability, they frame agency in individualistic terms. As Julia O’Connell Davidson argues, this dichotomy between *innocent victim* and *voluntary actor* obscures the realities of constrained choice (O’Connell Davidson 2015).

The persistence of the “innocent victim/voluntary actor divide” is closely related to what Nils Christie (1986) described as the notion of the “ideal victim”. This expression refers to an archetypal figure embodying subjects perceived as weak, respectable, innocent, and harmed by an unequivocally evil stranger, making them more easily recognizable as victims than those with less linear and more complex experiences. According to Christie, societies tend to recognize as legitimate victims only those who are perceived as weak, morally pure, and entirely blameless for their victimization. In the context of human trafficking, the “ideal victim” is often imagined as a naïve young woman, deceived and forcibly exploited, whose experience fits neatly within legal and moral expectations of passivity and purity. Feminist scholars argue that this construction marginalizes those who do not conform to this stereotype – for instance, women who consented to migrate, or who work in the sex industry but later encounter coercion or abuse. These women are often denied recognition and protection because their agency disqualifies them from the category of the “ideal victim”. The legal emphasis on purity and helplessness thus reproduces patriarchal notions of femininity and obscures the structural inequalities that limit women’s real choices. Incorporating feminist critiques of the “ideal victim” challenges legal frameworks to adopt a more inclusive

understanding of vulnerability – one that recognizes complexity, agency, and constraint as coexisting dimensions of women’s lived realities.

International and European legal frameworks often prioritize such ideal narratives, granting protection and recognition only to those who conform to them. Jo Dozema (2010) develops a theoretical critique of the way the phenomenon of human trafficking, particularly trafficking for sexual exploitation, is constructed and narrated in political, legal, and humanitarian discourses. According to Dozema, trafficking is not simply a “fact” but a discursive construction. The figure of the *sex slave* is used as a symbol within national policies, mobilized to legitimize regulatory, moral, or security interventions. This discourse tends to reproduce dichotomies (women/victims vs. men/abusers, civilised West vs. primitive “other”) that end up reinforcing stereotypes and power relations. Trafficking is constructed through dominant narratives that do not always correspond to the real experiences of migrant women, and these narratives risk serving more to regulate female mobility and sexuality than to concretely defend the rights of trafficked persons.

Recognizing the diversity of women’s experiences – rather than measuring them against an idealized standard – would enable anti-trafficking law to protect all those affected by structural inequalities, not only those who appear most “deserving of sympathy”.

In fact, it is not always about women being forced to leave against their will, unaware of their final destination, or recruited through deception or force. Many young Nigerian women consent to the idea of departure, mainly driven by the desire to escape poverty. They often come from villages around Benin City, where particularly difficult living conditions for women compound severe economic deprivation. In the Niger Delta, girls also face intense discrimination and have limited access to education. In this context, many may be attracted by traffickers with promises of employment alternatives to prostitution; however, for several years, there has been a growing awareness among these young women regarding the real nature of the activities awaiting them in Europe.

As Françoise Guillemaut (2004) stated, the recognition of agency – as the capacity for self-determination and to shape one’s own destiny – cannot obscure the violence present in some sectors of the sex markets nor the global processes of inequality reproduction that generate disparities even within those same markets.

It is therefore essential to be aware that distinguishing between voluntary migration and forced migration certainly leads to a simplistic and misleading view of the immigration experience of many Nigerian women.

### 3. The Nigerian pluralistic context

Pluralism is a defining characteristic of Nigeria as a nation. Before colonial intervention, the territory that would later become Nigeria comprised more than 250 nation-states; most of them functioned as autonomous political entities, encompassing hundreds of ethnic groups<sup>9</sup> and, therefore, hundreds of languages, traditional laws, and religions.

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<sup>9</sup> The concept of ethnicity, and consequently that of “ethnic group,” is influenced by classifications, if not outright inventions, primarily made by colonial administrations and ethnologists. See, for example, J. Amselle and E. M’Bokolo (1985). In anthropology, the concept of “ethnic group” indicates the sharing of elements such as language, religion, customs, historical memory, and shared traditions; an entity recognized

These groups were distributed across the country's three principal geographical regions: the North, the West, and the East. The North was predominantly inhabited by the Hausa-Fulani and Kanuri peoples, the West by Yoruba-speaking communities, and the East by the Igbo (Oba 2002, Awogbade 2004).

Following the amalgamation carried out by Lord Lugard in 1914, Nigeria was constituted as a single administrative unit. This arrangement continued until 1954, when federalism was introduced by establishing regions aligned with the three major geographical divisions. After independence, the regional structure was reorganised in 1963 by creating twelve states. Subsequent phases of state formation have progressively redefined the political landscape, and today the Federal Republic of Nigeria consists of thirty-six states and a Federal Capital Territory. Edo State is one of the 36 states of the Federal Republic of Nigeria. It is located in southern Nigeria and has four major ethnic groups: Edo (Bini), Esan, Owan, and Esatko.

Like many other African countries colonized by Britain, Nigeria inherited the common law system from the British colonial experience, which attempted to prevail over Islam and customary law. Despite the prominence of common law, Nigeria is a classic example of legal pluralism. With varying configurations depending on the context, it is characterized by common law, Sharia law – particularly in the North – and customary law.

Customary laws are not uniform across ethnic groups. Variations can be attributed to differences in language, geographical location, origin, historical experiences, social structures, and economies. For instance, the customary law of one community may differ significantly from that of a neighbouring group – even where both speak the same language. Customary law continues to regulate the lives of around 80% of Nigerians.

Customary law significantly impacts personal law, including matters such as marriage, inheritance, and traditional authority. These rules are not only socially legitimate and therefore often more binding than official legal rules, but they are also recognised by the latter to a certain extent. In this sense, legal pluralism, as described, is not only intended as “empirical legal pluralism”.<sup>10</sup>

The Nigerian Supreme Court defined customary law as any system of law that is not common law and not enacted by any competent legislature in Nigeria but which is enforceable and binding within Nigeria as between the parties subject to its sway (*Kharie Zaidan v Fatima Mohsen* (1971) UILR (Pt. II) 283 at 292).

Although customary laws are largely unwritten, increasing efforts are now being made to codify them, and, in general, customary law can be formally recognized. The Supreme Court Ordinance No. 4 of 1876 was the first significant statute to provide clear guidelines on when and how a particular custom could be applied. This principle later became known as the Repugnancy Test. The Ordinance stipulated that: “Nothing in this

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as based on cultural and symbolic boundaries rather than objective and immutable characteristics. It is a relational and processual concept, not a fixed *essence*, as argued by Ugo Fabietti (2017). In this essay, I adhere to this definition.

<sup>10</sup> In the sense described by J. Griffiths, ‘empirical’ legal pluralism refers “to a social state of affairs in which the behaviour of an actor is subject to different and possibly conflicting behavioural expectations” (Griffiths 2015).

Ordinance shall deprive (...) any person of the benefit of any law or custom existing in the said Colony and Territories subject to its jurisdiction, such law or custom not being repugnant to natural justice, equity and good conscience, nor incompatible either directly or by necessary implication with any enactment of the colonial Legislature existing at the commencement of the Ordinance, or which may afterwards come into operation" (Eze 2022).

In fact, the repugnancy test, which has been applied in many cases, is a term without definite contours, making it subjective and open to the understanding and values of different courts (Nwauche 2008, Oba 2008). The formal recognition of customary law evidently increases its legitimacy and application.

Within customary norms, religious rules hold a particularly significant place. Religion represents a notably important aspect of Nigerian society. In Edo State, Christianity is the predominant religion, which has given rise to minor sects derived from the fusion of Christian rites and animist traditional practices. About 10% of the population follows traditional and animist religions, but animism permeates society transversally, beyond Christianity and Islam. The significance of animism is connected to the importance attributed within communities to ancestral spirits who protect the land and the well-being of individuals and the group.

Various studies have highlighted how mistrust of and the general "distance" from the State constitute key reasons why customary norms and oracle deities continue to hold significant power. They are believed capable of sealing agreements and punishing those who break them, acting in ways often seen as more effective than corrupt courts (Baarda 2016, Brivio 2021).

Despite the Nigerian Constitution, other legislations, and Nigeria's adherence to regional and international charters such as the Maputo Protocol, which enshrine women's freedom and rights, the condition of women is still strongly influenced by norms based on a deeply patriarchal system.

#### **4. Cultural and social dynamics and sex trafficking**

Many African scholars describe Nigeria and Edo State as contexts characterised by strongly patriarchal structures (Aderinto 2001, Osezua and Agholor 2019, Asiyabola 2005, Durojaye *et al.* 2014), and have focused particular attention on the connection between social structures marked by asymmetric roles and power imbalances, customary norms that disadvantage women in family relations, access to education, and the labour market, as well as the widespread exposure to gender-based violence and trafficking for sexual exploitation.

Particular socio-cultural dynamics and customary norms have produced deep gender imbalances, reinforced gender inequality, perpetuated systemic subordination, and increased susceptibility to trafficking.

While no nation, as Osezua stated, "functions in isolation of macro forces like the political economy, globalization, liberalization policies, insufficient attention has been given to socio-cultural factors within the Benin Society [...] these factors have continued to precipitate gender inequality, which engenders systemic inequality and vulnerability to trafficking incidences" (Osezua 2016, 38).

Some of the critical indicators include the institution of primogeniture, according to which descent and inheritance are transmitted only through males, the prevalence of early marriage of girls and young women, the disproportion between male and female schooling, widowhood rites, polygyny as a marker of wealth and prestige, and the pervasiveness of female genital mutilations.<sup>11</sup>

Women are subjected to oaths of fidelity taken before family shrines and are bound by strict sexual codes considered sacred. Violations of these rules typically require sanctions by affinal kin and appeasement of the ancestors.

Ancestral worship remains central in regulating social behaviour in Nigeria, particularly in Edo State. Nwokeoma Bonaventure Ngozi, Osadebe Nnabuike, Amadi Kingsley Chinedu, and Nebechukwu Henry Ugwu, in research conducted in Benin City, showed the incidence of the exclusion of women in inheritance rights and the traditional belief in witchcraft, deities, and spirits that create a favourable substratum for trafficking, fostering the latter, compliance of victims, and the secrecy of the practice (Ngozi *et al.* 2019).

Women's rights and duties in Nigeria are thus strongly influenced by patriarchal structures that are still particularly incisive and tend to assign to women the typical responsibilities of reproduction, care, and male sexual pleasure.<sup>12</sup>

The lack of priority given to girls' education, the high percentage of girls married at an age below fifteen, are particularly significant indicators and reinforce the entrenched belief that culturally and socially appropriate roles for women belong within the private sphere – as wives, mothers, and daughters engaged in domestic responsibilities.

Such structures perpetuate discrimination and bias against women and girls, shaping their opportunities and compelling them to make life choices constrained by familial obligations or relative deprivation (Sagay 2021, 97).

Familiar norms, structures, expectations, and power relations often influence the migration to Europe.

Several studies, such as those conducted by Adeyinka, Lietaert, and Derluyn (Adeyinka *et al.* 2023) and Aparad, Diagboya, and Simoni (Aparad *et al.* 2025), highlight how family networks not only influence women's decisions to migrate but also actively participate in shaping the trajectories that often lead to exploitation and human trafficking. In this context, migration is rarely an individual decision; rather, it constitutes a collective family project embedded within socio-economic hardship, gender hierarchies, and cultural expectations of filial duty.

In many Nigerian households, particularly Edo State, sending a daughter abroad is perceived as an investment strategy and a potential means of collective social

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<sup>11</sup> Nigeria has one of the highest numbers of FGM in the world, accounting for about one-quarter of the estimated 115-130 million circumcised women worldwide. See National Population Commission (NPC) [Nigeria] and ICF 2019.

<sup>12</sup> In contemporary feminist legal thought, care and reproduction represent two central issues for understanding how patriarchy has historically attributed to women a set of responsibilities instrumental to maintaining the social and legal order. Feminist reflection on law has shown how these dimensions – apparently natural or private – are political constructs, reflecting and reproducing gender power relations. See, *ex multis*, the classics Pateman 1988, MacKinnon 1989.

advancement. Despite the moral stigma attached to prostitution, families often prioritize the anticipated remittances and social prestige associated with migration. Apard, Diagboya, and Simoni (Apard *et al.* 2025) describe this as a form of “social climbing project”, in which families justify or rationalize the departure of their daughters as a sacrifice for the household’s economic improvement. This sacrificial logic is especially evident in the case of firstborn daughters, who are frequently expected to assume financial responsibility for their younger siblings and aging parents.

Adeyinka, Lietaert, and Derluyn (Adeyinka *et al.* 2023) demonstrate that family involvement in women’s migration may take different forms, ranging from active complicity and moral persuasion to passive approval or ignorance of the exploitative conditions awaiting the women abroad. Parents’ authority, particularly mothers’, plays a decisive role in these processes. In a patriarchal and communal society where obedience to elders is deeply ingrained, daughters often perceive compliance with parental decisions as a moral obligation.

Once in Europe, women’s enduring emotional and financial attachment to their families sustains a transnational network of dependence that traffickers often exploit. Trafficking networks frequently contact families in Nigeria to reinforce control through coercion, threats, or financial pressure (Apard *et al.* 2025).

A fundamental and dual role is occupied by *Madame*. She is not merely a trafficker in the criminal sense but also a social actor who embodies aspirations for mobility, status, and empowerment in the transnational space between Edo State, Nigeria, and Europe. The *Madame* plays a central role as both facilitator and example: a woman who has transformed her experience of prostitution into wealth and prestige: “in Benin City, *Madames* have a monopoly on the local means of enrichment: foreign connections and control of women who work for them in Europe” (Apard *et al.* 2025, 21).

*Madame*’s economic success has become a form of cultural capital that has redefined social hierarchies within Edo communities. As Osezua states, “In many instances, where young girls are trafficked successfully and they begin to send remittances to their families, they are viewed as economic liberators and their roles are perceived as “messianic” (Osezua 2013, 25).

While *Madame* embodies material success, her power is grounded in complex systems of control and coercion. She occupies a maternal position – addressed as Mama or Iye, meaning “mother” in Edo – through which she exercises both emotional and spiritual dominance (Apard *et al.* 2025, 26). This maternal framing is not symbolic alone: it reproduces the hierarchical relationships of authority and obedience familiar within Nigerian kinship structures. The *Madame*’s authority is sanctified through ritual practices, notably *juju* or oath-taking ceremonies in traditional temples, that will be analysed in the following paragraph. During these ceremonies, often young women swear allegiance to their *Madame*, promising to repay debts under threat of supernatural punishment (Taliani 2012). The *Madame* becomes the guarantor of both debt and honour. Violence and threats – often mediated through cults or religious institutions in Edo State – reinforce this cycle of submission. The *Madame*’s domain often extends across continents, binding mothers, daughters, and traffickers in a shared network of obligations. This process, along with intergenerational dynamics of obligation, economic

necessity, and gender expectations, sustains a system in which migration and exploitation are normalised.

Among the effects these migrations can produce is a shifting trajectory in wealth creation within Nigerian society, with women who, at least apparently, now play increasingly central roles in processes historically dominated by men during the colonial and early postcolonial periods.

In his research, Osezua shows that women who are trafficked abroad and succeed in remitting money to their families are celebrated as “economic saviors.” Their remittances allow families to build houses, pay school fees, and achieve social recognition. These women – often called “successful victims” – gain respect and authority that Nigerian society had historically denied them (Osezua 2013).

Through migration, some women assume the role of primary providers, previously reserved for men. Osezua observes that such success stories have inspired other women, especially those from lower socio-economic classes, to perceive migration – even for sexual labour – as a viable route to autonomy and social respectability.

Can this “success” and empowerment be linked with choice and consent in migration? Moreover, how can this “success” liberate women from the patriarchal structures and norms that, as I have written, permeate Edo State society?

Osezua consistently argues that this empowerment is profoundly ambiguous and paradoxical. It is achieved through participation in a system that commodifies women’s bodies and reinforces gendered hierarchies. The same patriarchal structures that exclude women from legitimate economic opportunities at home make them vulnerable to trafficking networks that profit from their exploitation abroad. Thus, empowerment is both real and illusory: real in its material consequences, illusory in its dependence on structural violence. At the same time, empirical evidence narrates that, facing economic marginalization and the persistence of male dominance, many women view migration as a strategy for survival. Osezua (2016) states that the root cause of the phenomenon is deeply rooted in the cultural fabric of the Nigerian people, which encourages gender inequality. In this sense, trafficking and migration become both a symptom of women’s subordination and a form of resistance to it.

There is no doubt that the empowerment and the economic centrality of some women are realized through a work that reproduces “in the public sphere” one of the typical roles assigned to women under patriarchy: that of male sexual pleasure.<sup>13</sup>

This fact is essential for reflecting on women’s freedom and consent. As discussed before, feminist legal literature suggests that the mere absence of direct physical or psychological coercion is not sufficient to speak of freedom of choice. One of the fundamental conditions for a choice to be considered free “is to look at the effective

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<sup>13</sup> In the same way, it is possible to interpret care work that involves many migrant women. Feminist and critical migration studies have extensively discussed the relationship between female migration and the reproduction of social roles. This topic is too broad and complex to be discussed in depth, but is briefly mentioned in the conclusions. Here, I would like to underline its importance, insofar as the reproduction of gender roles is closely linked to the margin of autonomous freedom of the women protagonists of migration. For a more in-depth study of the topic see, in the extensive literature: Sassen 2000, Kempadoo 2005, Federici 2012, Andrijasevic 2013, Oso and Ribas-Mateos 2013.

conditions of freedom that allow qualifying a choice as free, which must be made in the presence of viable alternatives and, more generally, at the actual conditions" (Facchi and Giolo 2020, 55).

Women are considered to contribute to the maintenance of the family, using their sexualised bodies as commodities or tools of exchange for the benefit of the household - again embodying their socially attributed roles as caregivers. In the words of one woman interviewed: "I am the one who has to make that trip to Italy to work as a domestic worker or as a sex worker so I can make money for my family because I am a woman, it is my job to care for my family by any means possible because [...] only I can".<sup>14</sup>

## 5. The oath and the rite of *juju*

Alongside examining the socio-cultural dynamics, specific norms and practices must also be considered, tied to the strength of customary rules and the significance of traditional religions. I refer here to the institution of the oath and the rituals within which these oaths are taken, binding women involved in sex trafficking.

Central to this understanding is the institution of the oath and the *juju* ritual, which serve as powerful psychological and spiritual instruments of coercion.

The oath is profoundly crucial in Nigerian customary practices and appears in numerous contexts, including marriages, business agreements, and dispute settlements. Understanding the weight of oaths in Nigerian culture is crucial to comprehending the psychological hold that *juju* rituals exert on the population, irrespective of individual religious affiliation.

Oaths invoke the supernatural dimension, which plays a fundamental role in customary law. Despite the influence of Western legal systems, the oath has endured as a legitimate judicial method that people believe to be one of the most reliable ways of achieving absolute justice. In many communities, they are regarded as the most reliable means of uncovering the truth. They also function as a strong deterrent against false claims and fabricated evidence. Their effectiveness largely rests on the widespread cultural belief that false oaths invoke supernatural sanctions and consequences. For this reason, the psychological dimension of oath-taking cannot be ignored. It is generally believed that the gods will immediately or eventually punish anyone who falsely swears (Oba 2008).

Oath-taking is intrinsically linked to the concept of *juju* and becomes an integral component of the trafficking process. Traffickers use these rituals to psychologically bind victims and maintain control within trafficking networks, ensuring obedience and silence (Nagle and Owasanoye 2015, Ikeora 2016, Olufade 2019).

*Juju*, often referred to as black magic, witchcraft, or improperly as voodoo, is a widespread ritual practice throughout West African countries. The term derives from the French word meaning "doll" or "toy", and it can be defined as a fetish or charm that West Africans believe possesses magical or supernatural powers (Awolalu 1976). *Juju* is based on the invocation of spirits and deities to intervene in human affairs, either in a beneficent or malefic sense. This dual nature gives rise to the expressions "good *juju*"

<sup>14</sup> Interview Extracts as reported by Christiana Essie Sagay (2021, 137).



and “bad *juju*”, emphasizing how the practice can be directed toward both positive and negative ends.

Among its primary functions, *juju* serves as an instrument of social regulation. The practice involves invoking deities or spirits to grant requests, often through appeals to ancestral gods such as Ayelala, the punisher of crimes and revealer of secrets; Sango, the god of thunder; or Ogun, the god of iron. Rituals performed in the temple of Ayelala enjoy strong social legitimacy in Benin City and represent a powerful and recognized norm (Ikeora 2016).

The applications of *juju* are diverse. Some people use it as protection against malevolent spirits, to unmask a traitor, or to punish an injustice. Others view it as a means to attract personal or commercial fortune, often through amulets or talismans. An individual might entrust their clothing to a *juju* priest to be consecrated and imbued with good luck, but might also provide a personal object belonging to an *enemy* – such as their shoes – for the opposite purpose, to be cursed.

It is therefore evident that *juju* does not possess an inherently positive or negative value. Rather, it is the intentionality of its use that determines its function. Unlike voodoo, which is a religion, *juju* should be considered a practice or ritual. It is primarily carried out through the mediation of native doctors, also known as *juju* doctors or sorcerers, who are entrusted with personal objects belonging to the involved subject. These objects become symbolic instruments of spiritual manipulation, capable of producing both beneficial and harmful effects.

A central feature of *juju* is its malleability: it can serve protective or beneficial purposes, such as healing and prosperity, or destructive ones, such as curses or coercion.

This malleability has been appropriated by human traffickers, who exploit *juju* as a sophisticated tool of control. By subjecting women and girls to oath-taking rituals, traffickers secure obedience and ensure the continuity of their profits. Simultaneously, *juju* is sometimes presented as a form of spiritual protection for those undertaking dangerous migratory journeys, particularly across the desert or when facing immigration authorities. In this sense, *juju* becomes both a mechanism of coercion and a means of perceived empowerment within the trafficking process.

The ritual typically involves a *juju* priest collecting personal items from the victim, slaughtering animals, and administering solemn vows to honour the repayment agreement and maintain secrecy. The collected items are assembled into packets and entrusted to the *juju* priest for safekeeping. These often include hair from intimate parts of the body, such as pubic and armpit hair, strands of head hair, and pieces of intimate clothing. In the minds of the women and girls who take the oath, the compulsion to abide by the traffickers’ dictates becomes extremely powerful.

Following a precise protocol, during the ceremony, a *juju* object is created: a small fetish composed of the girl’s hair, body hair, nails, and sometimes menstrual blood. After this phase, the girl is stripped, washed, and wrapped in a white sheet. Scarifications may also be performed, symbolizing her entry into communion with the spirit that will accompany her on the journey and, if necessary, remind her of her duties. Finally, the young woman pronounces her commitments: to work, to obey, to pay the debt, and to remain silent. The violation of the oath is believed to be punished not solely by material

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reprisals but by the *juju* itself, which is thought to bring madness, illness, sterility, or death to the girl or her family members.

This ritual process formalizes the pact between women seeking to migrate to Europe and the traffickers who finance their journeys. Under this arrangement, traffickers commit to covering all travel expenses. At the same time, the women pledge to repay the debt, show deference to the traffickers, and refrain from disclosing their identities to the police.

The boundary between consent and coercion in these rituals is extremely thin and fragile (Adeyinka *et al.* 2023). Some girls voluntarily accept the ritual as a form of protection before a long and dangerous journey. Others undergo it involuntarily. Still others respect the oath despite not believing in the curse. However, whether they believe or not, the ritual draws its power from deeply internalized cultural norms: respect for elders, the value of one's word, and the culture of sacrifice. In Nigeria, it is not uncommon for an apprentice to work without pay and even pay their master for providing them with an opportunity. Prostitution networks exploit this entrenched cultural practice.

Fear of the consequences of breaking the oath is not mere superstition: it intertwines with depression, physical and psychological malaise, pain, insomnia, and anxiety, which are often interpreted as signs of the curse manifesting. This interpretation reinforces fears and makes them more difficult to overcome (Nagle and Owasanoye 2015). European institutions assisting these young women testify that belief in *juju* continues even after their inclusion in aid programs. This persistent belief sometimes pushes victims to voluntarily return to exploitation networks to escape the fear of betrayal and spiritual punishment. Many do not see themselves as victims but as guilty parties who have broken their word, adding another layer of psychological complexity to their exploitation.

A fundamental aspect of the oath is the vow of silence (Olufade 2019). The trafficking network relies on these oaths and on the transnational silence they generate to ensure the victims' obedience to the status quo. The culture of producing and maintaining various forms of silence constitutes a determining factor that complements the oaths and guarantees their success. The "transnationalization of silence" (Olufade 2019) operated by the network is as effective as the oaths themselves for the survival of the sex work industry in Edo State. For this reason, silence is actively encouraged and included in the ritual formulas of the oaths.

An abstract quality established through oaths pronounced in the temples of Benin City develops into concrete forms of silence that accompany the victims' mobility. It is a force strong enough to keep them under control even when circumstances do not unfold as planned. These forms of silence manifest themselves in various ways, beginning at the moment of recruitment. They persist even in the face of deportation, accompanying victims upon their return home and becoming a significant obstacle for anti-trafficking authorities seeking to prosecute network members.

The awareness that the effectiveness of the oaths translates into silence maintained even in the face of deportation or other serious consequences makes the "transnationalization of silence" an operational priority for trafficking networks.

The analysed oath ritual reveals multiple strategic aspects. From collecting and packaging objects bearing the victim's identity to animal sacrifice and formulas pronounced, each phase assures the network that it can operate with impunity and demand obedience.

On March 9, 2018, Oba Ewuare II, King of the Benin Kingdom, who is considered both a traditional and spiritual leader in Edo State, Nigeria, made an unprecedented public declaration against Nigerian human traffickers and annulled the curses that traffickers had imposed on their victims. As reported by Adeyinka, Lietaert, and Derluyn. The Oba proclaimed:

You native doctors whose business is to subject people to the oath of secrecy and encourage this evil act on the land, you have to repent, stop doing it. This is not a joking matter; if you do not repent, you must wait for the repercussions. The palace is not against those practicing the act of native doctors, but those who use it to perpetrate evil in the land through aiding and abetting human trafficking in the state. We want to use this medium to tell those under any oaths of secrecy that they are now free. We revoke the oath today. I want to use this medium to tell you that the act of using charms to aid trafficking, the palace seriously frowns at it. We want us to join hands together to fight against human trafficking in the land. (Adeyinka *et al.* 2023, 1-2)

Despite this significant intervention from the highest traditional authority, the oath continues to be performed through this ritual.

The force of the oath continues to bind hundreds of Nigerian women and girls. The persistence of *juju*-based control mechanisms underscores how deeply cultural and spiritual practices are woven into the fabric of trafficking operations, making them particularly challenging to dismantle through conventional law enforcement or social intervention alone.

Overall, the complexity of the phenomenon of sex trafficking, the multiplicity of actors and dynamics at play, their high adaptability, and the profound economic impact of this business on Edo society make the entire system extremely solid and resistant to intervention.

## **6. Final considerations**

The subject of this essay is the highly complex phenomenon of trafficking for sexual exploitation, increasingly involving women and girls from the African continent, particularly Nigeria, and, in particular, the analysis of the socio-cultural dynamics that may affect this type of migration.

The main aim is to highlight the complexity of these migrations and move beyond simplified narratives. The aspects examined represent only a small part of a much larger phenomenon. In this phenomenon, the rights of girls and women who migrate – most often compelled to do so, always subjected to violence, and, from the perspective adopted, never fully free – must remain at the center.

Patriarchal norms play a decisive role in shaping the migratory trajectories of Nigerian women. These movements often reproduce, rather than dismantle, entrenched social and gender hierarchies across national borders. The remittances sent home by Nigerian women sustain households and even bolster national economies, thereby reinforcing

patriarchal logics that equate femininity with care and self-sacrifice. Simultaneously, these women become embedded within global circuits of labour and sexuality that underpin neoliberal globalization itself.

When examined through the lens of global capitalism, gender hierarchies, and the political economy of reproduction, the phenomenon of sexual migration from Nigeria exposes the intricate intersections between structural inequality, gendered power relations, and global economic processes. It makes evident how patriarchal and neoliberal systems operate in tandem to curtail women's agency while simultaneously capitalizing on their labour and sexuality as sources of both survival and profit. Migration frequently occurs in contexts marked by poverty, unemployment, and intense social obligations, where women's economic responsibilities toward their families coexist with rigid gender ideologies that naturalize subordination and commodify female bodies as both social and economic assets.

Within this framework, a critical feminist interrogation of consent becomes indispensable. Women's consent to migrate or engage in sex work often arises within precisely such constrained circumstances. Their transnational movement functions as a vital strategy for household and community survival, yet it simultaneously unfolds within exploitative systems that commodify their labour and bodies. This reflects, quoting Saskia Sassen, the structural logic of the "alternative economic circuits or counter-geographies of globalization – transnational spaces where marginalized actors, particularly women, sustain economies from below; and the feminization of survival – a global condition in which women's endurance and labour compensate for the systemic failures of states and markets to ensure welfare and stability (Sassen 2000).

Silvia Federici's (2012) theorization of reproductive labour complements this perspective. In *Revolution at Point Zero*, the scholar contends that capitalism depends on the unpaid or underpaid work that reproduces life, for example, domestic labour or caregiving tasks overwhelmingly performed by women. Applied to the case of Nigerian sexual migration, her analysis reveals how the global reorganization of reproductive labour displaces its burdens onto women in the Global South, who sustain both their own families and the global economy through their embodied labour.

In this sense, sexual migration constitutes part of a broader system that privatizes survival and feminizes global reproduction.

Addressing this phenomenon demands not only policies against exploitation and trafficking but a structural transformation of the patriarchal and economic logics that continuously reproduce the conditions for their migration.

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