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From Tradition to Trafficking: Sex Work, Stereotypes, and Legal Challenges in Nigeria and India

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Abstract: Commercial sex work is among the oldest professions globally, governed by a patchwork of laws ranging from full legality in some parts of Europe to outright prohibition elsewhere. This study investigates the legal dimensions and ethical considerations surrounding prostitution, focusing on factors driving individuals into sex work in India and Nigeria and examining the unique contexts within these countries. Adopting a doctrinal approach, this study involves a comprehensive examination of secondary sources. Findings reveal that legal responses to prostitution vary greatly across nations, from the death penalty to total legality. Contributing factors to female trafficking include poverty, unemployment, and societal norms, with cultural and religious customs emerging as significant influences, particularly in India. In Nigeria, while the constitution prohibits gender-based discrimination and the National Gender Policy promotes women's empowerment, there remains an urgent need to evaluate whether these frameworks adequately protect the human rights of vulnerable women. Despite these legal safeguards, deeply rooted patriarchal values, traditions that subordinate women, high illiteracy rates,

feminized poverty, and the low social status of women leave many Nigerian women susceptible to violence.

Keywords: Sex, Poverty, Law, Education, State, Prostitution

Introduction

Commercial sex work is often regarded as one of the oldest professions, with historical mentions dating back as early as 2400 BCE (Bhat et al., 2022). This enduring profession has evolved alongside society, becoming embedded in the social fabric of nearly every continent. However, sex work is governed by a complex patchwork of laws worldwide, with legal statuses ranging from full legality in parts of Europe to outright prohibition in regions like the Middle East, parts of Asia, and Africa. This study investigates the intricate social and legal environments surrounding commercial sex work, examining its varied legal dimensions and ethical considerations across diverse contexts. Specifically, this research aims to explore the factors driving individuals into sex work in India and Nigeria, two countries with contrasting cultural and legal landscapes that offer a unique opportunity for comparative analysis.

A wide range of geographic, economic, and cultural factors influences the realities of sex workers globally. In sub-Saharan Africa, for instance, economic inequality often drives individuals toward the sex industry, while in South Asia, deeply ingrained

social stigma has a pervasive impact on the lives of those engaged in this field. This research adopts a doctrinal approach, relying on secondary sources to evaluate how the legal framework for sex work varies across continents and to assess its impact on individuals involved in this profession (Crowhurst et al., 2012). The complex mosaic of elements that shape the experiences of sex workers underscores the significance of this study. By comparing Nigeria and India—two nations that share a colonial history yet approach sex work through markedly different legislative lenses—this research highlights the disparities and intersections in legal frameworks that affect sex workers' lives.

This study addresses key research questions: What factors motivate individuals to enter sex work in India and Nigeria? Is there a global rise in the prevalence of sex work, particularly in these two countries, and if so, what factors may be contributing to this trend? How do cultural and religious beliefs shape societal responses to sex work, especially given the moral emphasis placed on concepts such as marriage, family honour, and bodily sanctity in many regions? Furthermore, how do India and Nigeria address the

health and safety risks associated with sex work, and what protections are afforded to those within the industry?

Both India and Nigeria encounter significant social and legal challenges regarding the protection of sex workers, but each country's approach is shaped by distinct cultural, religious, and legislative frameworks. In Nigeria, while the constitution explicitly prohibits discrimination and exploitation based on gender, and the National Gender Policy advocates for women's empowerment, pervasive patriarchal norms, high illiteracy rates, the feminization of poverty, and the subordinate societal status of women expose sex workers to heightened risks of violence and exploitation. Similarly, in India, cultural and religious norms, coupled with economic necessity, lead many individuals into the sex industry, where they encounter significant societal stigma and vulnerabilities, particularly concerning trafficking.

This research article contributes to the broader understanding of commercial sex work by critically examining the influence of different legal frameworks on the lived experiences of sex workers. By using a comparative lens to analyse the commercial sex industries in India and Nigeria, this study seeks to bridge a crucial knowledge gap in comparative legal research, specifically concerning the criminalization and decriminalization of sex work, regulation of the sex industry, and the legal protections available to sex workers. The study's ultimate goal is to provide evidence-based policy recommendations that prioritize the safety, autonomy, and fundamental rights of sex workers in both Nigeria and India. Additionally, the insights gained from this research could

serve as a model for other countries confronting similar issues, offering valuable lessons on effective and ineffective legal approaches that inform global policymaking efforts.

In summary, this paper offers an in-depth exploration of the unique cultural and socioeconomic realities of sex workers in Nigeria and India. Through a comparative legal analysis of these two distinct environments, the study aims to highlight the potential contradictions within existing legal frameworks and assess whether recent reforms adequately address the challenges faced by sex workers. By emphasizing the need for legal measures that safeguard the rights and agency of individuals engaged in sex work, this research ultimately seeks to contribute to the development of policies that better protect vulnerable populations and ensure equitable treatment under the law. In the end, the findings of this study provide a critical resource for policymakers, advocates, and scholars aiming to enhance the global understanding of commercial sex work and its impact on the individuals involved.

Review of Literature

With the growing body of study on customs and the modern legal issues surrounding sex employment worldwide, Shashi (2021) provides a quantitative summary of the massive issue of forced sexual exploitation while highlighting the alarming number of individuals and children affected by this practice. It also emphasizes the global estimate of modern slavery. More allusions were made to the historic ruling in the Bachpan Bachao Andolan case, as well as the frameworks and pertinent rules that led to the battle against human trafficking. While criticizing the

legalization of the sex industry and its acceptance by the public and the legal system, by drawing attention to the ongoing difficulties in ending child prostitution and trafficking, the discussion ends. There is, however, a gap in the existing knowledge regarding the working environment and conditions for sex workers in a comparative analysis of countries like Nigeria and India. Further research exploring and comparing factors like regulation, safety measures, healthcare access, and client behaviour in these contexts would be crucial for understanding the impact of different legal approaches on sex work.

In the research that Tameshnie Deane (2022) concluded, The Devdasi Tradition, sometimes called Devar Adigalar, is practiced in India. This essay examines the philosophical underpinnings of the highly cherished idea that has been a part of Indian culture from ancient times. As customs changed over time, women and children became susceptible to sexual exploitation in the name of God. This research aims to examine the reasons behind the challenge of addressing this issue by first examining its practices from a historical perspective. The study found that there has been a noticeable shift in the meaning of the Devdasi system, leading to the sexual exploitation of women and children under the pretext of religion, leaving them open to trafficking and further exploitation. Despite this, the subject matter has changed significantly, and this needs to be addressed immediately and resolutely. Additionally, it was suggested that the government take the essential actions to eliminate the devadasi system in effect, such as enforcing state-specific regulations consistently. However, a key gap in

Deane's (2022) analysis is the limited exploration of the experiences of women and girls who are currently caught within the Devdasi system. Further research that delves into their perspectives on exploitation, access to support services, and potential pathways out of the system would be crucial for informing effective interventions.

In the continuation, Shriya Patnaik (2023) discusses the agency and tenacity of India's sex workers, who actively oppose patriarchal systems and thwart government initiatives to reform and rehabilitate them. This opposition is further demonstrated by a significant 2022 Supreme Court ruling acknowledging their rights and establishing guidelines for their protection. They refute the misconception that prostitution itself is illegal in India, emphasizing that only associated activities are criminalized. However, a crucial gap in knowledge for comparing India and Nigeria lies in the under-researched area of sex worker collectives in India. Studying their impact on working conditions, safety, and healthcare access could be invaluable. Comparative research with similar efforts in Nigeria would illuminate the most successful strategies for empowering sex workers in both nations. India's sex workers leverage their agency to fight for their rights, challenge societal stigma, and advocate for a more inclusive and empowering industry. Legal changes promote decriminalization and combat prejudice, while sex worker collectives, as Patnaik suggests, can further address financial insecurity and historical oppression.

Arun Kumar Acharya (2011) delves into the complex link between India's cultural and religious practices and the trafficking of women for sex

work. His study highlights the exploitative devadasi system, where young girls are forced into prostitution under the guise of religious devotion, perpetuating the objectification of women. Social stigma against sex workers fuels their vulnerability to trafficking, while societal views of immorality exacerbate exploitation. Religious rituals further inflate demand for commercial sex and subsequent trafficking, especially during festivals like Kumbh Mela. This weakens faith in religious institutions when leaders participate in such activities. However, a crucial gap in knowledge for comparing India and Nigeria lies in understanding how these cultural and religious factors specifically interact with sex work environments in each country. Acharya's (2011) work sheds light on India, but further research is needed to explore how religious practices, social stigma, and trafficking dynamics operate within Nigeria's sex industry. Comparative analysis can illuminate potential similarities and differences, informing more effective interventions in both nations. Despite Acharya's insightful findings, knowledge gaps remain regarding the precise mechanisms connecting cultural and religious activities to human trafficking. Further investigation into how these behaviors intersect with socioeconomic factors and the effectiveness of current interventions are crucial first steps in developing evidence-based solutions to tackle this complex issue.

Prabha Kotiswaran (2017) examines India's laws governing sex work, highlighting the detrimental effects of criminalization. Kotiswaran argues it impedes sex workers' access to basic rights and protections, exacerbating violence, exploitation, and

stigma. They propose alternative legal frameworks, such as decriminalization or legalization with regulation, citing successful models from Germany and New Zealand. The review acknowledges the need for further research, including recognizing sex workers' agency and the impact of regulations on public health. However, a key gap in knowledge for comparing India and Nigeria lies in understanding how social and cultural factors influence attitudes towards sex work. In-depth studies comparing these factors in both countries would be crucial, as they can inform the selection of the most effective legal frameworks. The review also identifies knowledge gaps regarding the correlation between regulations and sex trafficking, and the long-term effects of different regulatory approaches. Future research addressing these areas would be essential for evidence-based policy decisions in both India and Nigeria.

In Kaur's (2023) comprehensive sociological analysis of India's path towards legalizing prostitution, the complexities of the issue are highlighted. The review underscores the need for a deeper understanding to inform effective policy, pointing out inadequacies in India's social discourse surrounding sex work. Exploring the socioeconomic impact, Kaur suggests potential benefits of legalization, including access to social welfare, healthcare, and legal protections for sex workers, potentially leading to significant development. However, the review acknowledges challenges like exploitation and trafficking, emphasizing the need for robust laws and enforcement to safeguard sex worker rights. Crucially, Kaur identifies key knowledge gaps for a comparative analysis with Nigeria. These include the long-term socioeconomic effects of

legalization, the effectiveness of regulations, the influence of social attitudes and cultural norms on the discourse, and most importantly, the perspectives and experiences of sex workers themselves within a legalized framework. Addressing these gaps is crucial for evidence-based policymaking and a more comprehensive understanding of the societal ramifications of legalizing sex work in both India and Nigeria.

This extensive literature review, applying a socio-political lens, delves into the complexities of forced prostitution and human trafficking within brothels through the analysis of films like “Lakshmi” (2014) and “Gangubai Kathiawadi” (2022). It methodically explores the multifaceted issue, highlighting the brutal violence against women, the harsh socio-economic consequences, legal ramifications, and widespread health risks faced by Indian sex workers. It further emphasizes the social exclusion and limited opportunities for sex workers and their children, exposing the cascading effects on families. However, a crucial gap in knowledge exists regarding the effectiveness of legal frameworks and the long-term impacts of prostitution. Further research that prioritizes sex workers’ voices, evaluates legal interventions, and examines these long-term effects would be vital. The review ultimately advocates for a comprehensive approach that tackles societal attitudes, improves healthcare access, addresses economic vulnerabilities, and fiercely protects the human rights of those trapped in forced prostitution and human trafficking.

This thorough analysis of the literature explores the many issues surrounding the divisive legalization of

prostitution, focusing on its potential effects on human trafficking and the sex industry’s growth. Research by Cho et al. (2012) highlights the “scale effect,” where legalization is linked to increased trafficking. However, a counterargument suggests legalization could empower legal sex workers, reducing demand for trafficked individuals. Gong et al. (2016) add that legalization can expand the market, potentially improving safety and health conditions for sex workers, but also raising concerns about industry growth. Studies on legal solutions, like Bruckert and Hannem’s (2013) on demand-response schemes, reveal privacy issues. However, a key gap exists for comparing India and Nigeria: understanding how legalization interacts with each country’s specific social and legal contexts. While the reviewed studies explore potential effects, further research is needed to see how these dynamics play out in Nigeria’s sex work environment. Comparative analysis considering these social and legal differences can illuminate the potential benefits and drawbacks of legalization in both countries. The review concludes by recommending a comprehensive approach to future research, considering the complex social, legal, and ethical ramifications of legalization, and developing plans to prevent human trafficking and protect sex worker rights and welfare.

This review of the literature offers valuable insights into the challenges faced by female commercial sex workers (CSWs) in India and the complexities surrounding the legalization of prostitution. One study, a qualitative inquiry by the Indian Journal of Gender Studies, explores the experiences of CSWs in Puducherry, India. It identifies significant problems

like health risks with limited healthcare access, discrimination, lack of legal protections, and economic hardship. However, a key gap in knowledge for comparing India and Nigeria lies in understanding how these challenges and the potential effects of legalization interact within each country's specific social and legal contexts. Further research on both fronts is crucial. In Puducherry, studies exploring the intersectionality of CSW identities and client perspectives, alongside the effectiveness of legal reforms and support programs, are needed. Research on legalization should delve into how it interacts with Nigeria's context, considering the potential benefits and drawbacks compared to India. Both reviews emphasize the need for a comprehensive approach. The Puducherry study calls for research on interventions to improve CSW well-being, while the legalization analysis recommends considering social, legal, and ethical ramifications alongside anti-trafficking efforts and sex worker protections. Closing these knowledge gaps is essential for developing evidence-based policies that improve the rights and well-being of CSWs in India and beyond (Swathisha et al 2022).

In order to record the prevalence, correlates, and repercussions of violence against female sex workers (FSWs) in Abuja, Nigeria, this thorough literature review explores this urgent subject. The startling 52.5% prevalence rate emphasizes how urgently initiatives are needed to protect the rights and general wellbeing of FSWs. The several forms of violence that FSWs encounter—sexual (41.9%), economic (37.7%), physical (35.7%), and psychological (31.9%)—highlight the complexity of the difficulties they face

and call for all-encompassing treatments that address every dimension. Sexual abuse victims, who are primarily clients (63.8%) and brothel managers (18.7%), stress how critical it is to address power relations in the sex industry and hold offenders accountable. Age, knowledge, smoking, and educational attainment are a few examples of correlates of violence that highlight complex risk variables in need of focused interventions. HIV (8.0%) and STDs (20%) are among the consequences that highlight the short- and long-term health effects of violence against FSWs. It is imperative that steps be taken immediately to protect FSWs, empower them economically and educationally, and inform them of their rights. Though insightful observations have been made, there are still information gaps that need for more research to examine the causes, the effects on mental health, the efficacy of interventions, and long-term results in order to influence evidence-based policies and interventions. Additionally, a key knowledge gap for comparing Nigeria and India exists understanding the root causes of violence against FSWs in the Nigerian context. Further research is needed to explore how social, cultural, and economic factors contribute to violence in Nigeria compared to India. Comparative analysis can inform more effective interventions to tackle root causes in both countries (Fawole, 2014).

Methodology

The research methodology used in this study combines doctrinal analysis with qualitative research to provide a more robust examination of the issues. This study relies on a broad range of literature, including academic articles, legal documents, and other scholarly publications, analysing their insights into the global legal status of prostitution,

policy frameworks in India and Nigeria, and the ethical implications surrounding sex work. Utilizing a doctrinal methodology, this research critically assesses existing laws, regulations, and policies, exploring their impacts on sex workers' rights and well-being. Additionally, qualitative analysis allows for a comparative understanding of socioeconomic conditions affecting sex workers in varied contexts, particularly regarding human rights considerations. Together, the secondary source analysis and the diversified methodological approach offer a comprehensive exploration of the complex global discourse on prostitution.

Theoretical Perspectives

Sex work, understood as the exchange of sexual services for payment, has historically been both a tolerated and stigmatized profession. The figure of the sex worker is marked by ambiguity, being both desired and despised. Beyond sexual ethics, the sex trade raises various ethical and societal concerns. Studies from multiple countries reveal that sex workers frequently face violence, rape, and health risks, including diseases and physical harm. This work also considers how state legislation and law enforcement shape the ethical landscape of prostitution (Bird et al., 1997, p. 197-218).

Several factors often lead individuals into sex work, such as poverty, homelessness, drug addiction, and coercion. This group may include vulnerable populations like children, highlighting complex moral and legal considerations. From a biblical perspective, texts consistently view prostitution as ethically problematic, underpinned by the belief that sexual relations should be confined to marriage. While the Bible discourages the use of

prostitution, it simultaneously avoids condemning individuals who have engaged in sex work, underscoring a nuanced perspective on forgiveness and moral redemption (A.M., 2005).

Challenges and Global Initiatives in Addressing Violence Against Female Sex Workers

There is growing recognition globally that violence against women represents a fundamental human rights violation. The Millennium Development Goal three prioritizes gender equality and women's empowerment (UNFPA/UNIFEM/ OSAGI, 2005). Initiatives like the African Plan of Action for the Advancement of Women (1999) and the Protocol to the African Charter on Human and Peoples Rights (2003) underscore the commitment of African nations to advance women's rights, with numerous countries signing international treaties on these matters. Female sex work (FSW) has a vast presence worldwide, with over 40 million estimated participants (Population Council, 2008).

In sub-Saharan Africa, FSW prevalence ranges from 0.7% to 4.3% in capital cities and from 0.4% to 3.9% in other urban areas as of 2010 (Vandepitte, 2006, p. 18-25). Despite their numbers, sex workers often experience rejection and marginalization. Instances of verbal abuse, discrimination, and human rights abuses have been documented, as well as extreme cases of violence, such as those faced by sex workers in Pakistan. (Mayhew et al., 2009) In India, FSWs encounter high levels of physical and sexual violence from clients, brothel managers, and law enforcement (George et al., 2011). Sex workers also experience violence within personal

relationships, often from intimate partners (Bhattacharjee et al., 2013).

Violence is a common experience for many FSWs worldwide. In India, 70% of sex workers report police brutality, with over 80% subjected to arrests without evidence. In Bangladesh, 52%-60% of street-based sex workers report rapes by uniformed men, while 41%-51% experience similar assaults by local criminals. In Canada, 57% of FSWs in Vancouver reported gender-based violence over 18 months. In southern India, 50%-77% of FSWs reported work-related violence (George et al., 2011).

The implications of engaging in commercial sex work extend to health and social consequences, including increased HIV/AIDS risk, unintended pregnancies, and mental health issues like depression, anxiety, and PTSD. In Nigeria, over one-third of sex workers are HIV-positive. Social stigma and discrimination further compound these challenges, creating barriers to healthcare and social support (Omorondion, 2000).

Regrettably, sex workers frequently encounter difficulties accessing assistance from conventional channels available to other women, despite their heightened vulnerability and increased exposure to various health risks and problems. Discriminatory attitudes among healthcare providers often lead to a lack of information or insufficient services for this marginalized group. Even when healthcare is accessible, the stigma associated with sex work is perceived as a hindrance, prompting sex workers to opt for care from their peers, who, unfortunately, may lack adequate knowledge (Rushing, 2005). This lack of information renders them more

uninformed and consequently more susceptible to experiencing violence.

Legal Dimensions and Ethical Considerations in the Global Landscape of Prostitution: A Comparative Analysis

The legal status of prostitution varies widely across countries, ranging from capital punishment to complete legality. Globally, nations can be categorized into three groups concerning prostitution regulations. Some countries, such as Kenya, Morocco, Nepal, Sri Lanka, Afghanistan, strictly prohibit sex work. Others, like New Zealand, Australia, Austria, and the Netherlands, have legalized and regulated sex work through specific laws. There are also countries, including India, Canada, and France, where sex work is legal but subject to certain limitations and restrictions (Arunachalam et al., 2012).

In the context of India, sex work is not explicitly illegal or punishable under The Suppression of Immoral Traffic in Women and Girls Act, enacted in 1956 and enforced in 1958 following the United Nations' declaration in 1950 in New York on the suppression of trafficking. However, related activities such as pimping, running brothels, soliciting, and trafficking are considered punishable offenses under this act (SITA).

Before examining the current policy landscape regarding sex work in India, it is crucial to clarify the four regulatory stances commonly adopted by states in relation to sex work. The first is complete criminalization, where all aspects of sex work, including sex workers, are deemed illegal. The second is complete decriminalization, which involves repealing any specific anti-sex work criminal laws, leaving sex work to be regulated by laws applicable to all

citizens, such as general criminal codes. The third approach is partial decriminalization, where all elements of sex work, including customers, are criminalized, except for the sex workers themselves. The fourth stance is legalization, where regulations specific to sex work replace any anti-sex work criminal laws. Traditional legalization typically includes zoning, registration, and mandatory testing of sex workers for public health reasons (Halley et al., 2006).

Female sex workers (FSWs), like individuals in other professions, possess rights that warrant protection and enforcement. Unfortunately, there is limited understanding of their experiences and the perpetrators of violence against FSWs in Nigeria (Popoola, 2013). Consequently, there is a pressing need for studies that document the violence faced by this marginalized group.

The debate on whether legalizing prostitution would bring about positive or negative outcomes is a significant question. Some scholars argue that the legalization of prostitution could act as a safeguard against the sexual exploitation of children, a dire issue affecting around 10 million globally, particularly prevalent in Asia and South America (Lamba, 2024). Stringent regulations within the industry could ensure the exclusion of minors from the system. Routine health examinations for sex workers could lead to a decrease in sexually transmitted diseases, including AIDS, which is highly prevalent among prostitutes. Effective birth control measures would prevent unwanted pregnancies and address other health risks. Regular health check-ups and strict regulations would guarantee cleaner and more hygienic

working conditions. Mandatory condom distribution would benefit both clients and prostitutes. The legalization of prostitution is seen as a pathway to improving and advancing the system by eliminating intermediaries and pimps. Prostitutes would have the potential to earn more money, and criminal and exploitative elements would be nearly non-existent. As individuals opt for a more convenient and legal option to fulfil their sexual desires, it could contribute to a reduction in sexual violence, rapes, and other forms of sexual assault. Upholding the rights of workers is a crucial aspect, emphasizing that prostitutes should enjoy the same rights as citizens and workers, even if they are not covered by standard labour regulations.

The term “legalize” does not imply that a prostitute is free to establish their services anywhere and openly advertise. The acceptance of legalized prostitution by society is unlikely, as it would impede their social lives. Treating prostitutes with the same level of respect as other professionals is considered inappropriate. The Supreme Court has instructed the government to create a framework enabling prostitutes to lead respectable lives, emphasizing the need for conditions that allow sex workers to continue their profession with dignity (Mishra et al., 2022).

Everyone possesses the right to define their sexuality according to their own understanding, hence advocating for the notion that romance and sexuality should be interconnected is not inappropriate. The problem arises when a dominant institution imposes its sexual model on a marginalized one, turning sexual ideology into sexual oppression. Homophobia is a common example of this phenomenon. Recognizing the

interconnected persecution of sex workers and other sexual minorities, it is not surprising that gay, lesbian, bisexual, and transgender individuals have historically faced persecution alongside prostitutes in what are known as “vice sweeps.” It’s noteworthy that during the Nazi era, lesbians and female sex workers were often grouped together and labelled as “sinful ladies,” leading to their internment.

Reasons for emerging in sex work: an Indian and Nigerian perspective

The trafficking of women is a consequence of factors such as poverty, unemployment, and societal norms. However, this research reveals that a significant cause of women trafficking in India is rooted in the cultural and religious traditions associated with prostitution. Evidence indicates that approximately 20,000 women are trafficked within India each year, and nearly half of them come from states where cultural and religious practices of prostitution are prevalent (Bullough, 1987). Despite India’s substantial economic growth over the past few decades, certain practices, attitudes, and behaviours persist, perpetuating the subordination and oppression of women. Particularly noteworthy is the cultural and religious endorsement of prostitution in certain Indian communities.

While the Nigerian constitution explicitly forbids discrimination and exploitation based on gender, and the National Gender Policy actively advocates for women’s empowerment, there is a crucial need to assess whether these measures effectively safeguard the human rights of women, especially those belonging to vulnerable groups. Despite the existence of these legal and policy frameworks, deeply ingrained patriarchal

values, the perpetuation of traditions that position women as inferior to men, high illiteracy rates, the feminization of poverty, and the low societal status of women persistently render many African women susceptible to acts of violence.

Engaging in female sex work (FSW) is an ancient and prevalent profession, with an estimated global workforce exceeding 40 million individuals. In sub-Saharan Africa, the presence of FSWs varies, ranging from 0.7% to 4.3% in capital cities and from 0.4% to 3.9% in other urban areas as of 2010. Despite their significant numbers, sex workers often face societal rejection, experiencing ostracism, marginalization, and discrimination within the communities where they operate.

According to the survey, individuals cited various reasons for entering sex work, with the majority attributing it to “lack of money” (53.6%). Other factors included “lack of financial support from parents, relatives, or partner” (16.5%), seeking sexual satisfaction (9.4%), and the death of a spouse (5.4%). In-depth interviews further underscored the significant role of economic factors in the decision-making process of female sex workers (FSWs). For instance, one respondent, who works as a waitress, explained, “Whenever I am broke, I change my uniform to casual wear and call my ‘sugar daddy’ because I have many mouths to feed. At the end of the day, I must definitely go home with something.” Another participant, a graduate who struggled to find employment for over two years, shared, “When the suffering became unbearable, a friend introduced me to this ‘never short’ business, and since then, I have no reason to regret because I can meet my needs.”

Comparative analysis: Sex work contexts in India and Nigeria

In examining the contexts of Sex work in India and Nigeria, it becomes apparent that while there are certain similarities, the unique cultural, religious, and socio-economic landscapes of each country contribute to distinct nuances in the experiences of sex workers. Both nations grapple with the pervasive societal stigma associated with prostitution, leading to the rejection and discrimination of sex workers within their respective communities. Economic factors, particularly poverty and unemployment, serve as common drivers pushing individuals into sex work in both India and Nigeria. Moreover, legal frameworks in each country play a role in shaping the context of prostitution, with varying degrees of criminalization and regulation.

One of the striking similarities lies in the societal attitudes toward sex work, where individuals engaged in prostitution often find themselves marginalized. This shared stigma contributes to the challenges faced by sex workers in accessing healthcare, social services, and legal protection. Additionally, economic vulnerabilities, driven by poverty and a lack of alternative opportunities, are catalysts for the entry of individuals into the sex trade in both nations.

However, divergent cultural and religious influences significantly shape the contexts of prostitution in India and Nigeria. In India, the trafficking of women is rooted in cultural and religious traditions associated with prostitution, contributing to a distinct pattern of exploitation. This stands in contrast to Nigeria, where the cultural dynamics surrounding sex work may differ, and other factors, such as trafficking patterns

influenced by economic disparities or regional dynamics, may play a more pronounced role.

The legal approaches to prostitution also diverge between the two countries. India exhibits a complex legal landscape where certain aspects of sex work are legally permissible, but related activities may be criminalized. In Nigeria, the legal framework and enforcement strategies may differ, influencing the lived experiences of sex workers. Moreover, the economic opportunities available to individuals outside of sex work may vary in each country, influencing the decision-making process for engaging in prostitution. Government policies and initiatives designed to address the challenges faced by sex workers also exhibit distinct characteristics in India and Nigeria, reflecting the unique socio-political contexts.

On the whole, cultural attitudes toward sex work and the broader role of women in society constitute another realm of divergence. The level of acceptance and support available to sex workers is shaped by these cultural attitudes, impacting the overall environment within which prostitution occurs.

Conclusion

This study explored the legal and ethical dimensions of prostitution in India and Nigeria, examining the socio-economic factors, cultural beliefs, and religious norms that influence the prevalence of sex work and human trafficking in each country. While poverty, unemployment, and societal standards drive individuals into sex work, cultural and religious customs in India, for example, exacerbate vulnerabilities, especially among women. In contrast, Nigeria's

constitutional framework explicitly prohibits gender-based discrimination and exploitation, though significant challenges remain.

Despite shared issues such as discrimination, violence, and limited access to healthcare, the unique interplay of cultural, economic, and legal factors in each country necessitates tailored policy interventions. Effective legislative improvements could include targeted anti-trafficking measures, legal protections that recognize sex workers' rights to safety and health, and community-based support systems. In both India and Nigeria, culturally sensitive education programs and strengthened enforcement against trafficking and abuse could also support sex workers' rights. Recognizing these contextual complexities is essential for developing effective strategies that safeguard the well-being and rights of sex workers while addressing broader social and legal challenges.

Recommendations

From a legal perspective, examining the complexity of prostitution, it is clear that extensive reforms are required to alleviate the difficulties experienced by sex workers. Starting with the legislative improvements are essential. With an emphasis on preserving the safety and rights of sex workers, we should think about decriminalizing or partially decriminalizing some areas of the industry. Current legislation, like India's The Suppression of Immoral Traffic in Women and Girls Act, needs to be amended to target practices that injure or exploit sex workers while also giving them sufficient legal protection.

Second, social services and assistance are essential. It is imperative that sex workers have better access to

healthcare treatments that are catered to their needs, including sexual and reproductive health. Alternative livelihood initiatives should be created to address the economic factors that push people into sex work, and legal aid services should be established to help sex workers navigate legal hurdles.

Changes in culture are also required. Programs for community outreach should be put in place to increase knowledge, debunk misconceptions, and lessen stigma associated with sex workers. Religious and cultural leaders must to be enlisted to confront detrimental behaviours and ideas, and law enforcement personnel should receive instruction on how to deal tactfully with prostitutes and in the end, international cooperation is essential. India ought to engage in initiatives aimed at exchanging knowledge and push for the acknowledgment and defence of sex worker's human rights in international opportunities. We can give sex workers in India a more equitable and encouraging atmosphere by putting these suggestions into practice. By means of comparison analysis with nations such as Nigeria, we may draw insights from worldwide experiences and customize interventions to our particular setting, with the aim of achieving a fairer society for all those engaged in the sex trade.

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