

Human Trafficking and Trajectories of Neo-Slavery: The Nigerian Experience and a Political Economy Outline

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ABSTRACT

This paper is a qualitative exploration of human trafficking as a form of modern day slavery from the theoretical stand-point of Marxian political economy. Drawing insights from the Nigerian experience, the paper posits that by its nature, motive and modality, human trafficking depicts an instance of neo-slavery with strong materialist underpinnings. The paper recommends among other things, the enactment of a self-standing international law against human trafficking as a panacea to the phenomenon in view of its increasingly trans-national character. Information drawn from relevant extant literature constituted the substance of analysis for the paper.

Keywords: Human trafficking; neo-slavery; sexual exploitation; domestic slavery; baby factory.

1. Introduction

Human trafficking is a veritable instance of international criminal enterprise in the contemporary world. According to the United States Department of Health and Human Services (2011), “After drug trafficking, trafficking in human ties with the illegal arms industry as the second largest criminal industry in the world today; it is the fastest growing criminal industry” (Exodus-Cry, 2012, para. 3).

Scholarly thinking on the subject matter recognises human trafficking as a crime against human persons (Huntley, 2013) or a crime against humanity (Obokata, 2005; Duru and Ogbonnaya 2012). Also, there has been a scholarly motion to consider raising the crime to the status of “self-standing international crime” (Huntley, 2013:7, 9). In any case, human trafficking constitutes a typical case of international crime under various international laws. Human trafficking has been aptly described as a new or contemporary form of slavery (Exodus-Cry 2012; UNODC, 2012). According to Hassan (2012:para.1), “It is a modern day slavery done for the purpose of sexual and human exploitation”. Thus, human trafficking violates the dignity of man and dehumanizes same by way of commodification, exploitation and sundry abuse.

Africa has been recognised as an important player in the global human trafficking industry (UNODC, 2012). The experience of countries in the Continent in respect of human trafficking, however, varies in terms of degree and dynamics of flows, level of trans-border syndication, and the like. In the case

of Nigeria, the country has been acknowledged as a prominent origin (source), transit (route) and destination of human trafficking (Dave-Odigie, 2008; Huntley, 2013). In the views of Duru and Ogbonnaya:

Though Nigeria is not the only country where human trafficking activities take place, nor is it the only country suffering from its effects, yet it has acquired a reputation for being one of the leading African countries in human trafficking with cross-border and internal trafficking (2012:161).

Contemporary manifestations of human trafficking in Nigeria, bears out some core elements of the defunct international slave dealing. This observation tends to support the assumption to the effect that human trafficking is a new form of slavery, largely driven by economic motive. Incidentally, there is no serious research to analytically situate and interrogate this assumption; hence the need for this work. This paper, therefore, seeks to examine the phenomenon of human trafficking as a new form of slavery with particular reference to the Nigerian experience. The study will also attempt to sketch a political economy outline of the problematique in the light of its analytical standpoint.

2. Theoretical Framework: The Marxian Political Economy

This paper makes use of the Marxian political economy approach as its theoretical premise. This theory was originally inspired by the seminal work of Karl Marx and Fredrick Engels, '*The Communist Manifesto*' (1948). The basic assumptions of the theory can be summarized thus:

- i. It emphasizes the primacy and paramountcy of material (economic) conditions in determining the general complexion of society.
- ii. It takes the economic (material) factor as a point of departure in an attempt to come to terms with social realities.
- iii. It considers social phenomena organically, dialectically and holistically
- iv. It recognizes the organic inter-connectedness and/or inter-relationship of social realities.
- v. It underscores the 'economic determinism' of social actions, occurrences, and dynamics (Ake, 1981, McLean and McMillan, 2003; Okoli, 2009).

Applied to the present discourse, the Marxian political economy approach would enable us to properly appreciate and situate the economic basis of the phenomenon under review. In this regard, it is to be noted human trafficking has its essence and substance in economic accumulation. The perpetrators and the victims of the demand-driven venture are equally motivated by the quest for material fortune and their dealings bear out some fundamental trappings of 'economic determinism'. More elucidation on the applicability of this theory will be given in subsequent sections of this work.

3. Conceptualizing and Contextualizing Human Trafficking

Simply put, human trafficking is the acquisition of people by improper means such as force, fraud, or deception, with the aim of exploiting them (UNODC, n.d). More elaborately, human trafficking implies:

The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or the use of force or other means of coercion, of fraud, of deception, of abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of having control over another person, for the purpose of exploitation (*Palermo Protocol as cited in Dave-Odigie, 2008:63*).

There are a number of core elements implicit in the above definitions. These elements can be identified thus:

Table 1: Core Elements in the Human Trafficking Conception

ELEMENT	SUBSTANCE
The Act	Recruitment, transportation, transfer, harbouring, or receipt of persons (victims).
The Means	Threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving of payments or benefits to achieve the consent of a person having control over another person.
The Purpose	At a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Source: Compiled from Huntley (2013:4)

The three afore-stated elements must be proven in order to establish criminal liability for human trafficking, except in the case of child trafficking wherein the issue of the means is considered to be immaterial (Huntley, 2013:5).

Human trafficking can be national (internal) or trans-national (international), depending on its operational orientation (Dave-Odigie, 2008; Duru and Ogonnaya, 2012; UNODC 2012). Internal human trafficking takes place within a country while transnational human trafficking occurs across international boundaries. Internal trafficking falls within the jurisdiction of states while transnational trafficking falls within the ambit of the international law (Huntley, 2013).

The grand motivation for human trafficking is, by and large, socio-economic. Perpetrators see it as a means of economic accumulation while the victims are lured by promises of better livelihood. In this regard, UNODC rightly observes:

While many cases of trafficking in persons start as an attempt to improve the conditions of life, sometimes, circumstances transform these attempts into incidences of exploitation and abuse.

There is an unresolved debate as to whether human trafficking should be raised to the threshold of a self-standing international crime and 'criminalized' as a felony against humanity (Obokota, 2005; Huntley, 2013). Hence, some observers have hesitated to describe human trafficking as a typical example of international crime against humanity. Be that as it may, human trafficking is duly recognized in prominent extant international legal instruments as a trans-national crime. So, in addition to being a national crime, human trafficking is transnational when:

- i. It is committed in more than one state;
- ii. It is prepared, planned, directed or controlled in one state, but its commission takes place in another state;
- iii. Trafficking was carried out by an organized criminal group/ network that is engaged in a criminal activity in more than one state (transnational syndication); or
- iv. It was committed in one state, but has a substantial effect in another state (Huntley, 2013:4).

Important dimensions of human trafficking include domestic servitude, bonded commercial prostitution, sex slavery, child trafficking, to mention but the prominent examples. Trafficked persons are usually exploited by way of forced or bonded labour and other forms of slavery-like designs. Perpetrators of human trafficking exploit the relative vulnerability of their victims in service of their illegitimate machinations. The

victim's vulnerability may arise from psycho-emotional or socio-economic disadvantage. For instance, a child victim is often deceived and exploited owing to his immaturity and economic dependence.

Many factors account for the prevalence of human trafficking in the contemporary world. Prominent among these factors are;

- i. Criminal intent to acquire wealth at all hazards.
- ii. High rate of illiteracy, which makes people vulnerable.
- iii. High incidence of poverty and livelihood crises which predisposes people to vulnerability.
- iv. The demand for child labour and child soldiering.
- v. Gender discrimination and inequality.
- vi. Demand for irregular child adoption.
- vii. Stigmatization of teenage pregnancy and unwanted pregnancy, etc.

4. Global Prevalence of Human Trafficking: An Overview

According to the United Nations Office for Drug and Crime (UNODC, 2012), human trafficking is a serious crime and a global phenomenon involving millions of victims of at least 136 different nationalities from around 118 countries worldwide. The International Labour Organization (ILO) in its second global estimate of forced labour (slavery) and trafficking in persons reveals that there were 20.9 million victims of the crime as at June, 2012 (Exodus-Cry, 2012: para 3).

Human trafficking is a flourishing, lucrative global enterprise. In 2005, the ILO estimated that the industry made profits of over USD31.6 billion (Freedom4 Innocence, n.d: para 6). According to Jeremy Haken as cited in Wikipedia (2014: para 1), "trafficking is a lucrative industry, representing an estimated USD 32 billion per year in international trade, compared to the estimated annual USD 65 billion for all illegal international trade Circa 2010". This revelation points to the fact that human trafficking is a burgeoning and flourishing illegal business.

A recent report by the United Nations Office of Drugs and Crime (UNODC, 2012) indicates that human trafficking is on the rise globally. The crime has been ranked the second largest illegal industry in the world, following the lead of drug trafficking (Exodus-Cry, 2012: para 3). Table 2 and Box 1 highlight important facts and indicators of the global prevalence of human trafficking over the recent years.

Table 2: Some Indicators of Global Incidence of Human Trafficking

FACT	SOURCE
Global estimate of forced labour and trafficking in persons as at June 2012 was 20.9 million victims.	International Labour Organization (ILO), June 1, 2012
Approximately 600,000 to 800,000 human trafficking victims are trafficked across international borders worldwide every year.	United States Department, Trafficking in Persons Report, 2011
Human trafficking is the second largest criminal industry alongside illegal arms dealing	United States Department of Health and Human Services, 2011
Human trafficking is the world's fastest growing criminal industry	United States Department of Health and Human Services, 2011
At least 15,000 people are trafficked in the United States annually.	United States Department, Trafficking in Persons Report, 2011.

Source: Exodus-Cry (2012); <http://www.nefariousdocumentary.com/wp-content/uploads/2010/12/human-trafficking-statistics-sheet.pdf>

Box 1: 2012 UNODC Report on Human Trafficking: Highlights

- 162 countries were covered/surveyed in the report.
- Women constitute 50-60% of the victims.
- Women and girls constitute 75% of the victims.
- Girls constitute 27% of the victims.
- 2/3 of the victims are girls.
- Approximately 460 different flows of human trafficking were dictated between 2007 and 2010.
- Domestic trafficking account for 27% of the cases.
- 134 countries have criminalized human trafficking by August, 2012.
- 16% of the countries have records of conviction by 2010.
- 70% of the recorded cases occurred in the Middle East.
- Sexual exploitation accounted for 58% of the recorded cases.
- Forced labour accounted for 36% of the recorded cases.
- 68% of the victims were children while 32% were adults between 2007 and 2010.

Source: UNODC (2012: 7, 74, 82).

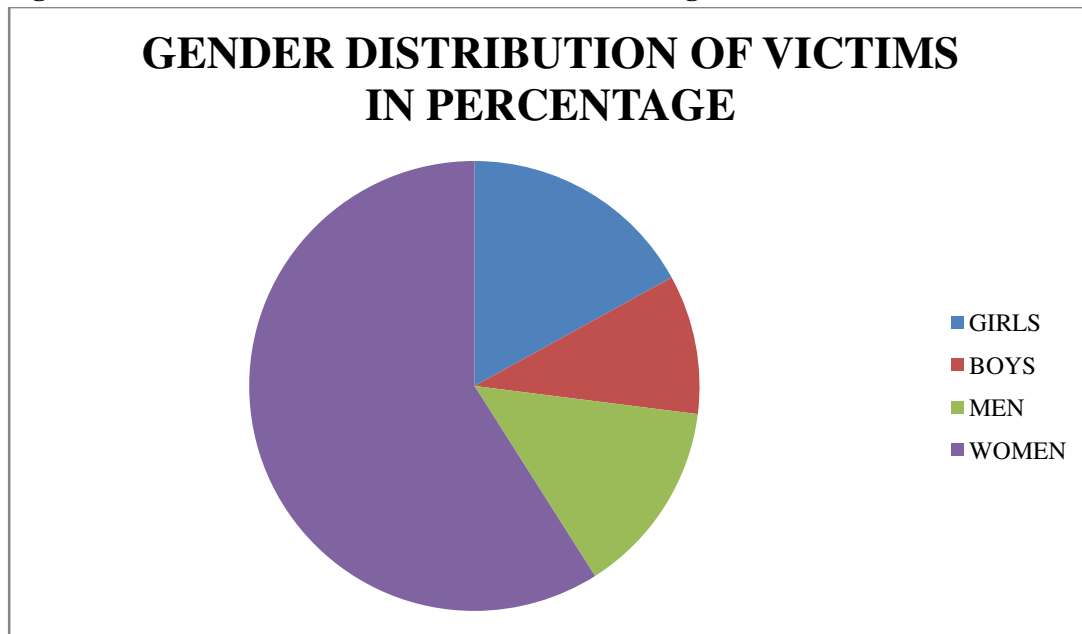
The facts and figures reflected in the above illustrations, among other things, underscore the significance of human trafficking as a global scourge. In terms of regional and gender specifics, the UNODC report also revealed vital information which has been reproduced in the illustration that follows (Box 2 and figure 1).

Box 2: Region-specific Data for Africa and Middle East

- More than 80% of the recorded cases occurred in Africa and Middle East, with Middle East accounting for 70% of the total cases.
- 2/3 of the victims are children.
- Almost 50% of the victims are trafficked for forced labour.
- 36% are trafficked for sexual exploitation.
- 14% are trafficked for other reasons namely: child soldiering, ritual, illegal adoption and surrogacy, etc.

Source: Compiled from UNODC (2012:13).

The preponderance of human trafficking cases in Africa and Middle must have arisen from the high incidence of conflict, social unrest, illiteracy, poverty, and socio-economic malaise in these areas. By and large, these conditions account for the vulnerability of people vis-à-vis human trafficking. For instance, armed conflict displaces people, results in refugee crisis and thereby predisposes people to being vulnerable to human trafficking.

Figure 1: Gender Distribution of Victims in Percentage

Source: UNODC (2012:10)

By aggregation, the above data indicate that women and girls are the most vulnerable gender group in terms of human trafficking. They account for well over 80% of the victims (59% + 17% = 86%). This is followed by children (17% for girls and 10% for boys = 27%). The vulnerability of these gender groups arises from the disadvantaged position in societal socio-economic relations, conflict situations, as well as psycho-emotional standing. For instance, the mental immaturity of the child, much as the emotional frailty of the woman, makes them vulnerable alike.

5. Human Trafficking in Nigeria: The Trajectory of Neo-Slavery

Nigeria is a prominent player in the global human trafficking industry. Hence, ‘in Nigeria, human trafficking ranks the third most common crime after financial fraud and drug trafficking’ (Uduma, 2011: para. 1). According to UNODC (b):

Human trafficking remains a topic of concern with Nigeria as a source, destination and transit country. Mainly young women and girls are trafficked to Europe and other destinations, and there is a growing evidence for the involvement of Nigerian criminal networks (2013: para. 1).

Statistics on human trafficking in Nigeria are crude and scanty. In 2010, the Nigerian National Agency for Prohibition of Traffic in Persons and other related matters (NAPTIP) recorded 5,000 victims, provided care for 1,109 victims and prosecuted over hundred (100) cases of human trafficking (Hassan, 2012:5). Recent information from NAPTIP indicates that the organization has secured two hundred and twenty six (226) convictions of human trafficking since its establishment (NAPTIP, 2013: News Briefing).

The foregoing indications confirm the position of the United Nations Organization for Education Science, Culture (UNESCO) that Nigeria is one of the leaders in human trafficking among African countries (Huntley, 2013:1). In Nigeria, persons are usually trafficked for purposes like prostitution, begging, domestic servitude and other types of under-paid and exploited forced labour (Huntley 2013:1).

The fact-patterns of human trafficking in contemporary Nigeria bear out fundamental attributes of the slave dealing of old. This is vividly demonstrated by the logic and modalities of the practice as could be evidenced from the cases considered here-under.

5.1 The Case of Domestic Servitude: This largely takes the form of internal trafficking whereby children and young women are taken to cities to serve as household helps: house-boys/girls, nannies, farm attendants, etc. In connection with this form of trafficking, Duru and Ogbonnaya (2012:162) observe:

An increased number of people are trafficked from rural communities in Oyo, Osun, Ogun, Akwa Ibom, Cross River, Bayelsa, Ebonyi, Imo, Benue, Niger, and Kwara States to cities such as Lagos, Abeokuta, Ibadan, Kano, Kaduna, Calabar and Port Harcourt. Trafficking to these regions is predominantly for exploitative domestic work...

The victims of this form of trafficking are recruited from rural areas through local middlemen who promise the victims and their parents of good fortunes in order to persuade them. The victims are then taken to cities where they are held to work under slave-like conditions in their various homes of bond-service. In some extreme cases, the victims are kept out of school, dressed in rags, and fed of scraps and residues. Typically, they are used as 'beasts of burden' in carrying out tedious and menial domestic and torture and assault.

5.2 The Case of Bonded Forced labour: This takes similar pattern of recruitment to domestic servitude. However, trafficked victims in this case are engaged in menial money-making ventures, such as hawking (street or road vending), begging, and commercialized prostitution. They are compelled undertake these ventures at the instance of their 'masters' or 'mistresses'. The returns from these ventures are expropriated by the 'masters/mistresses' who use both natural and diabolical means to keep the victims bonded and subjugated. This pattern of human trafficking can also be trans-national, more or less. Accordingly, Nigerian women and children are taken to other West and Central African countries for the same purposes (US Department of State, 2010). Similarly, Nigerian women and girls are taken to Europe, especially to Italy and Russia, and to the Middle East and North Africa, for forced commercialized prostitution (US Department of State, 2010).

To ensure that victims are effectively exploited, extra-cosmic designs are employed by traffickers to condition them for maximum exploitation. As noted by *Awake*;

Women taken from Nigeria to Europe by human traffickers are made to take ritual oaths of secrecy at juju witchcraft shrines. To dominate the women and ensure their obedience as sex slaves, traffickers exploit deep-seated fear of punishment from the spirit world (December 2013:3).

Usually, victims of bonded labour and prostitution are restricted and held against their will through sundry acts of coercion and intimidation. It is a case of enslavement and bondage.

5.3 The Case of 'Baby Factory': The phenomenon of 'baby factory' is an emerging trend in human trafficking in Nigeria (Dave-Odigie, 2008; Huntley, 2013). The first cases of 'baby factory' were reported in Nigeria in 2006 UNESCO Policy Paper titled 'Human Trafficking in Nigeria: Root Causes and Recommendations' (Huntley, 2013:1). This form of human trafficking takes an arcane pattern wherein:

...teenage girls and young women are brought by traffickers to the so-called 'baby factories' with false promises of jobs or safe abortions. As a result, they are confined and forced to give birth. Some of the victims are trafficked while being pregnant; others are later impregnated by

men specially hired for such purposes. Allegedly, their babies are sold for international or domestic adoption, rituals, slave labour or sexual exploitation (Huntley, 2013:1)

In the case of the ‘baby factory’ phenomenon, both the baby and her mother may become objects of confinement and exploitation. In some rare instances, victims are held captive by their traffickers for extended periods in order to ‘harvest’ more babies for sale.

The common denominator in the aforementioned cases of human trafficking is enslavement or bondage. Victims of human trafficking are held bond against their will, restricted, oppressed, exploited and dehumanised. In dire instances, they are even maimed or killed. This brings the practice close to the pre-18th century slavery “which resulted in the sale of millions of black African able-bodied men as commodity of trade to be ferried across the sea and Sahara to work in tea and sugar plantations in Europe and America” (Agusiobo, 2007:1).

Indeed, human trafficking is a new form of slavery (Haruna, 2005; Amugo, 2007; Agusiobo, 2007). But whereas the pre-18th century slavery was driven by the demand for cheap labour, human trafficking is principally being driven by quest for ‘cheap fortune’ on the part of the traffickers, the trafficked and go-betweens. In any case, the commodification of the human person is at issue.

Table 3: Destination Points for Nigerian Human Trafficking Victims

REGION	COUNTRIES
Africa	Cote d’Ivoire, Equatorial Guinea, Mali, Cameroun, Gabon, Libya, Morocco, Algeria, Burkina Faso, etc.
Europe	Italy, Belgium, Spain, Germany, United Kingdom, etc.
Middle East	Saudi Arabia, United Arab Emirates (Dubai) etc.
South America	Venezuela, Brazil, etc.
Asia	Russia, Malaysia, etc.
North America	United States, Canada, etc.

Source: Adapted from Dave-Odigie (2008:64). Authors’ modification applies.

6. Re-thinking the Human Trafficking Phenomenon: A Political Economy Outline

The phenomenon of human trafficking creditably lends itself to political economy interpretation and apprehension. Since this paper is not intended to make an in-depth analysis in this regard, a few remarks may suffice to introduce and stimulate the discourse to further studies.

1. Human trafficking is a demand-driven phenomenon. The demand comes largely from the rising demand for domestic servitude, forced labour and bonded commercialized prostitution, which has created a large market for the business.
2. Human trafficking is essentially motivated by economic interest. For the traffickers, it is a lucrative business that is worth good investment in spite of the obvious hazards. For the trafficked victims, it is perceptively a means of socio-economic empowerment.
3. The relationship between the traffickers and their victims are characteristically exploitative, with the former expropriating the bulk of the proceeds accruable from their ‘joint venture’.
4. The relationship between the traffickers and their victims is a power relationship. The traffickers occupy a position of advantage in that context while the victims operate from a rather disadvantaged position of vulnerability. The exploitation of the victim’s vulnerability by the traffickers equates an abuse of power on the part of the traffickers and defines the essence of the skewed relationship.

5. Human trafficking is a kind of commercial dealing on humans; the commodification of human beings which typifies sort of illicit or illegitimate capitalism.
6. Transnational human trafficking has been promoted by globalization whereof internationalization of the market and marketization of the society have been consummated.

If the afore-stated observations could help in stimulating intellectual inquiries and conversation on political economy substantiation of human trafficking, the purpose of this paper would have been quite significantly realized.

7. Extant Frameworks for Combating Human Trafficking

For Nigeria, efforts at combating human trafficking have been two-dimensional. At the national level, the 1999 constitution of Nigeria (section 34) prohibits slavery, servitude, inhuman or degrading treatment, and forced labour. Besides, Nigeria has ratified a number of international instruments on human trafficking and related matters, as shown in Table 4.

Table 4: Human Trafficking-related International Instruments Ratified to by Nigeria.

YEAR	INSTRUMENT
1979	Convention on the Elimination of all Forms of Discrimination against Women.
1982	The African Charter on Human and People's Rights.
1989	The United Nations Convention on the Rights of the Child.
1990	The African Charter on Rights and Welfare of the Child.
1999	The International Labour Organization Convention No.182 on the Worst Forms of Child Labour.
2000	The United Nations Convention against Transnational Organized Crime.
2002	The International Criminal Court (ICC) Statute.
2003	The Protocol to the African Charter on Human and People's Right and the Rights of Women.

Source: Compiled from the readings from Agusiobo (2007) and Huntley (2013).

In keeping with the above instruments, Nigeria has criminalized human trafficking and come up with requisite legislative frameworks to ensure its eradication. The creation of NAPTIP in 2003 points to Nigeria's steadfast commitment in this regard. By its underlying mission and mandate;

NAPTIP is fully committed to the prevention of all forms of human degradation and exploitation through the coordinated use of the nation's crime prevention and law enforcement resources; to stamp out human trafficking and to liberate and uplift the vulnerable, especially women and children, from dehumanising and exploitative employment and usage; and to ensure their rehabilitation and effective re-integration into society (NAPTIP Act, 2003:1).

NAPTIP has been in the forefront of the fight against human trafficking in Nigeria. Its activities over the years have been fraught with a myriad of operational cum legal impediments. For instance, it has failed to address the nagging issue of 'baby harvesting' in view of the fact that it falls outside the purview of its mandate. This makes a review of the NAPTIP Act an imperative.

Generally, Nigeria's fight against human trafficking has been ambitious and appreciable at the national level. However, in view of the manifest transnational scope and orientation of the crime, as well as its growing internationalization, a self-standing international law is needed to tackle the practice. This would compliment and reinforce the efforts of the states in addressing the menace.

8. Conclusion and Recommendations

Human trafficking is a demand-driven transnational phenomenon. As an organized crime, it thrives on international syndication and patronage. Human trafficking is a burgeoning illegitimate enterprise in Africa and in other parts of the world where it obtains. It manifests in the form of sex slavery, child labour, bonded commercial prostitution, domestic servitude, 'child harvesting', to mention but the prominent few.

In Nigeria, the prevalence of human trafficking has been on the rise over the years, with the country serving as a prominent point of origination, transition, and destination of trafficked persons. The Nigerian experience of human trafficking reveals a pattern reminiscent of the slave dealing of old. This informs the thinking behind this paper to the effect that human trafficking is an instance of neo-slavery with political economy trappings and underpinnings.

So far, extant national and international laws have not been able to efficiently tackle the problem in view of certain technical and jurisdictional impediments. The prospect of a lasting breakthrough in this regard rest with the criminalization of human trafficking as a self-standing crime by the international community. This would significantly complement the efforts of individual member states in addressing the scourge.

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