The Informal Economy and the Criminalization of Livelihoods in Nigeria: Law, Urban Governance and Everyday Survival

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Abstract

The Nigerian informal economy provides employment, income, and essential goods and services to a large proportion of the population, yet many informal workers operate within prohibitive regulatory environments that expose their livelihoods to punitive enforcement. This article examines the relationship between the informal economy and the criminalization of livelihoods in Nigeria, highlighting how law and urban governance shape the everyday survival of informal workers. Drawing on a critical review of literature, the article argues that informality should not be treated as synonymous with illegality or criminality, rather, criminalization occurs through processes by which particular livelihood practices are defined, represented, and enforced as unlawful or undesirable. The Nigerian experience shows that these processes are shaped by urban modernization projects, public-space regulation, institutional discretion, political interests and unequal access to decision-making. The article examines how the criminalization of informal livelihoods affects workers' economic security and everyday survival, and the resistance and adaptive strategies workers employ to sustain their livelihoods despite restrictive laws and enforcement practices. It concludes that the governance of informality requires a shift from punitive exclusion toward proportionate regulation, negotiated access to urban space, social protection, and institutional arrangements that recognize informal livelihoods without overlooking legitimate public interests.

Keywords: Informal Economy; Criminalization; Informal Livelihoods; Street trading; Urban Governance in Nigeria

Introduction

The informal economy occupies a central position in Nigeria's labour market and urban life as it provides income and livelihood opportunities for millions of people who face limited access to formal employment. Nigeria's informal economy includes a wide range of activities from petty trading and street vending to artisanal work, waste recovery, and domestic work. The National Bureau of Statistics reported that informal employment accounted for 92.7% of total employment in the first quarter of 2024, with the rate reaching 89.0% in urban areas and 96.4% among women (National Bureau of Statistics [NBS], 2024). The figures indicate that informality is not a marginal feature of the Nigerian economy, but is however, a major means through which people secure livelihoods. Despite this importance, informal workers are often seen operating within conditions of legal uncertainties and restrictions. The absence of formal registration, licences, secure premises, employment contracts, and social protection measures can make informal workers vulnerable to crac-down regulations and enforcement. More importantly, some livelihood practices that are economically productive and socially tolerated are directly prohibited in particular spaces or under particular laws. For instance, in Lagos, street trading has been regulated through legislation and enforcement practices that have treated the occupation as a public-order, environmental, and security problem. Lawanson's (2014) study of street vendors in Lagos found that traders were engaged in the activity largely because of unemployment and the high costs of formal market stalls, while institutionalized harassment by enforcement officials constituted a major challenge to their livelihoods. In Abuja, Adama (2021) similarly highlighted how street vending has been framed as incompatible with

the image of a modern capital and traders subjected to harassment and evictions, while informal market structures are subjected to demolitions.

However, recent scholarship has demonstrated that punitive regulation does not necessarily eliminate informal livelihoods. In Lagos, Igudia, Ackrill and Machokoto (2022) found that street vending persists despite legal restrictions because consumers value the accessibility, affordability, and convenience benefits associated with informal vending. Omoegun (2023) similarly show that repeated displacement of street traders in Lagos has been embedded in a longer history of urban governance, from the War Against Indiscipline (WAI) to the Kick Against Indiscipline (KAI) task force established to enforce the state's zero-tolerance approach to street trading and other informal economic activities, and more recent efforts to reshape public space. Adisa, Ayobade and Shittu (2023) further demonstrate that the criminalization of street trading can create conditions in which traders encounter bribery and extortion by task-force officials. Against this background, this article examines how informal livelihoods become criminalized in Nigeria and what this process means for workers, urban governance and the regulation of public space. The article addresses five questions. What is the relationship between informality and illegality? Through what processes are informal livelihoods criminalized? What institutional and urban conditions encourage criminalization? What are the consequences for informal workers? And what forms of resistance, adaptation and negotiation emerge in response?

Theoretical Perspectives on the Criminalization of Livelihoods

Labelling and the construction of deviance

Labelling Theory, associated particularly with Becker (1963), holds that deviance is not an inherent quality of an act but is produced through social definitions and reactions to behaviour. A central tenet of the theory is that social groups create rules that distinguish acceptable from unacceptable behaviour, and individuals may be labelled deviant when they are perceived to violate these rules. The theory therefore places emphasis on social reaction, examining how behaviours come to be defined, identified and treated as deviant. Another important tenet is the role of power in the labelling process, as individuals and groups with greater social or institutional authority have greater capacity to establish rules, impose labels and determine which behaviours are regarded as deviant. Labelling Theory also holds that labels can influence how individuals are perceived and treated by others and may subsequently affect their social identity and behaviour. The theory thus, views deviance as relative, since what is considered deviant can vary across social groups, contexts, and societies.

Urban governance and the right to the city

The right to the city concept submits that the urban space goes beyond being a physical environment but is also a social, political, and economic space in which different groups within the city make claims and exercise rights. Lefebvre (1968) argues that urban inhabitants should have a right to participate in the production and use of urban space, a submission that emphasizes participation, access and inclusion in decisions concerning the organisation and transformation of the city. A central tenet is that urban space is socially produced and its organisation reflects decisions about how land, infrastructure and public spaces are allocated and whose activities are considered appropriate within them. The right to the city therefore involves not only access to urban resources but also the ability for urban city dwellers to to participate in decisions that affect the spaces in which they live and work. This challenges approaches to urban governance in which authorities determine the use and transformation of urban space without meaningful participation from affected groups. The perspective also emphasises the right to appropriation, referring to the ability of urban inhabitants to use and occupy urban spaces for their social and economic activities. Urban space is therefore understood as something that inhabitants actively use and shape, rather than merely a resource controlled by formal authorities. Drawing attention to unequal power

relations over urban space, Harvey (2008) extends the concept by emphasising the collective capacity of urban inhabitants to shape the processes through which cities are produced and transformed. The central concern is therefore who has the power to determine how urban space is produced, used and regulated, and whose claims to the city are recognised or excluded.

Conceptualizing the Informal Economy in Nigeria

The informal economy refers to economic activities, enterprises and employment arrangements that operate outside or are insufficiently covered by formal institutional arrangements. Bromley and Wilson (2018) explain that the informal economy encompasses self-employed workers, employees in informal enterprises, workers informally employed in formal firms, domestic workers, and unpaid family workers. This broad understanding shows that informality is not limited to particular occupations or small businesses but can occur across different forms of employment and economic organisation. Dell'Anno and Adu (2020) further distinguish the informal economy from the informal sector and informal employment, noting that the informal economy is a broader concept encompassing different dimensions of informality. Etim and Daramola (2020) similarly show that informal economic activity constitutes an important part of employment and economic life in Nigeria and other sub-Saharan African countries. The concept, thus, encompasses a wide range of economic relationships and activities that may exist alongside, interact with, or form part of the wider formal economy and is consequently better understood as a heterogeneous economic sphere rather than as a single sector with uniform characteristics.

An important feature of informality is that it should not automatically be equated with criminality. Bromley and Wilson (2018) note that informal enterprises and employment arrangements may lack permits, operate outside some official requirements or fall outside formal labour protections without necessarily being inherently criminal. Ndawana (2022) similarly demonstrates that the boundary between formal and informal activity can be shaped by state decisions about what is permitted, what is regulated or what is prohibited. This means that the distinction between formal and informal activity is not always fixed, as the same type of economic activity may be tolerated in one context but restricted or prohibited in another. The status of an activity or enterprise is thus dependent partly on the regulatory environment within which it operates. The informal economy can therefore be understood as a broad and heterogeneous sphere of economic activity that overlaps with the formal economy, while differing in the extent to which workers and enterprises are covered by formal regulatory, legal and social protection arrangements.

The Nigerian Informal Economy and the Production of Vulnerability

The scale of informality in Nigeria suggests that the criminalization of livelihoods cannot be treated as a minor urban-management issue. According to the NBS (2024), 92.7% of employment in Nigeria was informal in the first quarter of 2024, demonstrating the centrality of informal work to the country's labour market. The informal economy is also heterogeneous, encompassing petty traders, street vendors, artisans, transport operators, waste workers and small-scale businesses operating under very different economic conditions. Etim and Daramola (2020) identify unemployment, inadequate social protection, bureaucratic constraints and survival considerations among the factors associated with informality in Nigeria, while also noting challenges such as limited access to finance, infrastructure and supportive government policies. The vulnerability of informal workers is partly rooted in the conditions under which informal employment is undertaken in Nigeria. According to Nwosu (2025), informal employment is often associated with low productivity, poor working conditions, inconsistent working hours, low pay and inadequate institutional support, while workers may have limited access to legal and social protection and weak bargaining power.

Nwosu (2025) however notes that although

poverty is more prevalent among informal workers, informality does not automatically mean poverty. This distinction is important because vulnerability in the informal economy is better understood in terms of workers' exposure to economic and institutional insecurity rather than simply their income level. In Lagos, Olajide, Agunbiade and Bishi (2018) found a disconnection between urban development policies and the livelihood realities of the urban poor. Their study shows that the city's pursuit of urban transformation and modernity occurred alongside the dependence of a large proportion of residents on informal settlements and informal economic activities. The implementation of some urban development policies and projects consequently reduced livelihood opportunities and resulted in the complete loss of livelihoods. Urban planning in this context therefore becomes significant to the production of vulnerability because decisions concerning land, infrastructure, markets, and public space can either support or constrain the economic activities through which poor urban residents sustain themselves. Olajide *et al.* (2018) further argue that the exclusion of the urban poor from urban development processes can increase socioeconomic exclusion and spatial inequality. Similarly, Omoegun (2023), in examining street trader displacement in Oshodi, Lagos, shows how the state's long-standing efforts to remove informal economic activities from public spaces produced large-scale displacement.

Omoegun (2023) traces the regulation of street trading in Lagos from the earlier establishment of the War Against Indiscipline (WAI) task force to the establishment of the Kick Against Indiscipline (KAI) task force in 2003. These efforts intensified the enforcement of restrictions on street trading and eventually led to the displacement of street traders around Oshodi Market in 2009. Thus, vulnerability may arise not simply because traders operate informally, but because their access to the urban spaces on which their livelihoods depend remains insecure and subject to changing government priorities. Onyishi *et al.* (2021) also examine the experiences of waste workers in Nigeria, describing them as facing occupational insecurity, health challenges, housing problems, inadequate social protection, stigmatization and harassment by government agencies. Despite evidence of organization among waste workers, they remain excluded from important aspects of urban governance and decision-making processes. Onyishi *et al.* (2021) further show that the COVID-19 response in Nigeria largely failed to recognize or adequately involve informal-sector actors in urban governance. Informal workers who depended on daily income were particularly vulnerable to restrictions on movement and economic activity, while many were inadequately reached by government relief measures, desmonstrating how vulnerability is intensified in the face of policies that are designed without sufficient recognition of the conditions under which informal livelihoods operate. The challenge also extends to the physical conditions of informal work. Onyinye *et al.* (2025), in a review of working conditions in the informal sector further highlight factors like inadequate infrastructure, weak regulatory oversight, and limited access to protective equipment among the challenges faced by informal workers. They note that traders and street vendors may work under poor sanitary conditions and extreme weather. Oyinye *et al.* (2025) also highlight the limited integration of informal activities into urban planning, which can leave workers without adequate spaces and facilities for their livelihoods.

How Informal Livelihoods Become Criminalized in Nigeria

Prohibitory laws and regulatory enforcement

One of the main ways informal livelihoods become criminalized is through laws and regulations that prohibit particular activities or restrict where they can take place. Adama (2021) demonstrates this clearly in Abuja, where street vending is regulated through environmental legislation. The Abuja Environmental Protection Board (AEPB) Act provides the legal basis for regulating activities in public spaces, while enforcement is supported by task-force operations and mobile courts. Vendors can therefore become subject to fines, prosecution, eviction, and other forms of enforcement because of how and where they conduct their livelihoods.

Adama (2021) however, submits that the legal status of street vending is consequently more complicated than a simple distinction between legality and illegality as vendors may be treated as illegal while simultaneously negotiating with officials or paying fees to retain access to trading spaces. According to Omoegun (2023), street trading in Lagos has also been subject to successive laws and enforcement measures aimed at controlling activities in public spaces. Instead of eliminating street trading, however, these measures have produced an ongoing struggle between traders and the authorities responsible for enforcing the regulations.

Omoegun (2023) traces this pattern from the 1984 War Against Indiscipline (WAI) policy to the establishment of the Kick Against Indiscipline (KAI) task force by the Lagos State Government in 2003. The KAI task force formed part of the state's zero-tolerance approach to street trading and the wider informal economy, eventually contributing to the large-scale displacement of street traders around Oshodi Market in 2009. The enforcement of these laws can also create conditions in which formal regulation and informal practices exist side by side. Adisa *et al.* (2023) found that street traders in Lagos encountered bribery and extortion by task-force officials. Their study further showed that poverty, gender, location, employment status, family pressure and remittance obligations were associated with traders' willingness to pay bribes suggesting that enforcement does not always result in straightforward compliance or removal, but, traders may make informal payments in an attempt to continue operating despite restrictions. Onodugo *et al.* (2016) examined street vending in Enugu, and discovered repeated attempts to remove vendors from public spaces had not eliminated the activity. Their study highlighted how the persistence of street trading reflects the limitations of treating prohibition as a complete solution, particularly where street trading is connected to wider economic and urban conditions. Igudia *et al.* (2022) also corroborate this stance in their study.

According to them, street vending continued in Lagos despite its criminalization because consumers valued vendors' accessibility, convenience, and affordability benefits provided by informal vendors revealing that the informal practice of street trading is not only sustained by traders' need for income but also by the everyday needs of consumers (Igudia *et al.,* 2022). They posit that urban policies intended to control street vending could sometimes reproduce the very conditions that sustain it, suggesting how enforcement may suppress informal activity temporarily without addressing the reasons people enter and remain in it (Igudia *et al.,* 2022). Olajide *et al.* (2018) also reveal how state efforts to transform Lagos into a modern and globally competitive city have sometimes conflicted with the livelihood needs of the urban poor. According to them, there exists a disconnection between urban development policies and the realities of poor residents, with some projects reducing or eliminating livelihood and survival opportunities (Olajide *et al.,* 2018).

The Consequences of Criminalizing Livelihoods

Economic insecurity

The immediate consequence of criminalizing informal livelihoods is often economic insecurity as enforcement measures such as confiscation, fines, eviction and displacement can interrupt access to the goods, spaces and customers on which informal workers depend on for survival. For traders operating on small margins and relying on daily sales, the loss of merchandise or a trading location can quickly translate into lost income and difficulties meeting household expenses. For instance, displacement and restrictions on street trading have disrupted traders' access to customers and trading spaces, while interruptions to market access and restrictions on movement affect the income of informal workers' and their household welfare (Omoegun *et al*., 2019; Onyishi *et al.,* 2021; Omoegun, 2023). Restrictions on informal work affects people's ability to meet basic needs, due to loss of income, deteriorating businesses and difficulties maintaining household livelihoods when access to markets are disrupted. (Olajide *et al.,* 2018; Onyishi *et al*., 2021).

Stigma and the social construction of the "criminal" worker

The repeated association of informal livelihoods with disorder, nuisance, indiscipline or threats to urban order produces a form of social stigma for informal workers, a challenge particularly evident in cities pursuing modernization. Adama (2021) in his study on street traders in Abuja, highlights how the ideal of the modern and orderly city has contributed to the portrayal of street vendors as being incompatible with the desired image of a model city. Similarly, Omoegun (2023) demonstrates how the language of indiscipline and urban cleansing shaped the treatment of street traders in Oshodi submitting that street traders were portrayed as disorderly, undisciplined, and harmful to the desired image of Lagos, with concerns about congestion, hygiene and aesthetics used to justify sanitation and "cleansing" efforts. According to Nzeadibe *et al.* (2015) waste pickers in Aba also experienced poor social acceptance and weak integration into formal policies despite the significant economic and environmental contributions of their jobs to the urban environment. Onyishi *et al.* (2021) likewise identify stigmatization and harassment among the challenges faced by informal waste workers in Nigeria.

Displacement and spatial precarity

Criminalization can also produce spatial precarity for workers across the informal economy. Informal workers often depend on particular locations, routes, networks and public spaces to sustain their livelihoods, yet these spaces may be subject to changing regulations, redevelopment, eviction or enforcement. With disrupted access to urban spaces, informal workers are forced to seek alternative spaces through existing social and economic networks and adjust how and when they operate. . Omoegun *et al*. (2019), for example, found that following eviction in Lagos, street traders used individual and collective strategies to find and secure alternative trading spaces, although maintaining access remained difficult. Roberts and Okanya (2018) similarly show that forced eviction in Lagos can disrupt the livelihoods of informal communities and contribute to the emergence of new informal settlements. Beyond street trading, Onyishi *et al.* (2021) demonstrate how informal waste workers experienced restrictions on access to work sites, harassment and exclusion from urban governance. In their study, they discovered that waste pickers experienced additional insecurities as restrictions on access to their usual work locations made it increasingly difficult for them to sustain their livelihoods (Onyishi *et al.*, 2021).

Resistance, Adaptation and Everyday Negotiation

Informal workers respond to criminalization through a combination of resistance, adaptation and everyday negotiations. According to Omoegun *et al.* (2019), traders displaced from Oshodi utilised individual and collective strategies to re-establish access to trading spaces, even though collective action was weakened by the political co-option of trader associations. Similarly, Nzeadibe *et al.* (2015) found that waste pickers in Aba continued to pursue their livelihoods despite harassment, extortion, displacement and limited influence over the policies and institutions governing their work. According to them, waste pickers responded to these challenges by increasing their working days to recover and sell more recyclable materials and generate more income while some combined waste picking with other occupations. In addition to individual adaptation, informal workers may rely on collective organization and social networks to navigate prohibitive conditions. Onyishi *et al.* (2021) show that waste workers in Nigerian cities continued to organize despite restrictions and exclusion from urban governance, using collective organization to seek recognition and support. Meagher (2018) similarly demonstrates that informal associations and networks can support economic survival and provide channels for engagement with authorities, although economic hardship and political clientelism can weaken their capacity for collective action. Everyday negotiation also forms part of these responses. According to Adisa *et al.* (2023), some Lagos street traders made informal payments to task-force officials in order to avoid enforcement and continue trading despite restrictions. while Ayobade, *et al.* (2021) examine the coping mechanisms developed by traders and buyers in response to the Lagos State Street

Trading Law. Literature thus reveals that informal workers possess agency, but their ability to resist or adapt remains constrained by the wider institutional and political conditions under which informal livelihoods are governed.

8. Beyond Criminalization: Rethinking the Governance of Informal Livelihoods

The study establishes that the central policy challenge is shifted from informality itself but how informal livelihoods are governed in urban spaces. Informal activities provide employment, income and essential urban services, yet workers often face weak legal protection and exclusion from planning processes (Olaniran & Atanda, 2025; Shadare, 2026). Regulatory policies should therefore be formulated and enforced, distinguishing between activities that create genuine public harm and those considered problematic simply because they are informal. Orkpeh and Adedire (2024) emphasize that informality is diverse, adaptive and embedded within African urban development, suggesting that blanket restrictions may overlook the realities of informal communities.

There is also a need for transparent and accountable enforcement. Where officials exercise considerable discretion, informal workers may become vulnerable to harassment, extortion, and arbitrary displacements. Clear procedures, complaint mechanisms, and monitoring can therefore help ensure that regulation does not become another source of livelihood insecurity (Olaniran *et al.*, 2025). Informal workers should also participate meaningfully in decisions concerning licensing, market locations, redevelopment and enforcement. Shadare (2026) and Orkpeh *et al.* (2024) emphasize participation, collaboration and adaptive planning as important elements of inclusive urban governance. Government and relevant urban-planning authorities should therefore ensure that urban redevelopment addresses not only physical improvements but also the livelihood needs of informal workers.

Conclusion

The informal economy is a central component of Nigeria's labour market, however, its workers are frequently faced with challenges such as insecure legal status, weak social protection, and exposure to crack-down regulations. This article argues that the criminalization of livelihoods should be understood as a process through which particular economic practices are defined and treated as unlawful, undesirable or incompatible with preferred visions of urban order. Furthermore, criminalization produces consequences that extend beyond mere legal sanctions. It can produce livelihood insecurities, displacement, extortive practices, stigma, and distrust of public authorities. Interestingly, criminalization of informal livelihoods can reproduce the very informality that governments seek to eliminate by pushing workers into more hidden, mobile or negotiated forms of economic activity. A more effective policy approach therefore, requires recognition that formalization cannot be achieved simply through punishment and prohibition. Informal workers need accessible regulatory pathways, affordable workspaces, social protection, representation in urban planning and protection from abusive enforcement. Governments also need to address the structural conditions that sustain informality, particularly unemployment, poverty, inadequate trading infrastructure, and the high costs of formalizing businesses. Ultimately, the governance of informal livelihoods in Nigeria raises a broader question about who has the right to work and participate in the city. If urban development is pursued through the removal of economically vulnerable groups without viable alternatives, regulation can become a mechanism of exclusion and marginalisation. A more inclusive approach would recognize informal workers as significant economic actors and citizens while still retaining the legitimate regulatory functions of the state.

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