

Fluid Boundaries: The Morphology of Informal Access to Oil and Rents in the Niger Delta

TUBODENYEFA ZIBIMA¹

Abstract

A thread running through conflicts in the Niger Delta is the struggle for oil rent ownership and access. This paper explores the dynamic and contested processes through which informal access to crude oil and its associated rents is negotiated in the Niger Delta. It contends that in the informal oil economy, access to oil and related rents is fluid, changing as a result mutable social and power relations. Informal access is shaped by the local power dynamics, and is shaped by linkage to industry actors and state-capture networks. The study is qualitative and historical, and it draws from political ecology and access theory to operationalise how informal practices and state-capture actors collaborate to undermine formal legal frameworks of resource governance. It shows how informal access is necessitated by exclusionary regulatory regime, and mediated through complex local power structures, fluid network linkages, and transnational relationships of patronage, which connect the community, subnational and federal levels. The analysis also reveals the link between structural and symbolic aspects of access, and how narratives of dispossession, resistance and survival, alongside symbolic displays of resistance, help legitimise informal appropriation morally and ideologically, while at the same time concealing its hierarchical nature. The conclusion reached is that the mutability of access arrangements is the primary driver of the informal oil economy's resilience and persistence, and that policy responses premised on static conceptions of access are structurally inadequate to address it. The paper, thus, recommends that policy interventions target root causes of the turn to informal economy such as legal dispossession, revenue exclusion, environmental destruction, and the failure to translate oil wealth into local development. This will mark a shift from symptom-focused interventions that target informal economic operations, which in turn, mutate and continue to survive.

Keywords: *Informal economy, Niger Delta, petro-violence, access, rentier politics, political ecology, morpho*

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¹ Department of Political Science, Niger Delta University, Wilberforce Island, Nigeria
tubozibima@ndu.edu.ng, ORCID: 0000-0002-4412-1731

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Introduction

The Niger Delta sits at the centre of one of the world's most intractable resource governance crises. Nigeria produces approximately 1.5 million barrels of crude oil per day (Asiegbu, 2024). This figure falls short of its OPEC quota of 1.8 million barrels per day, and oil theft identified as a primary cause of the shortfall (Asiegbu, 2024). According to the government estimates, daily loss to oil theft was more than 400,000 barrels as of 2022 (Umoru, 2023), and the economic impacts have been enormous. Citing NOSDRA, Ibrahim (2023) reported that oil companies operating in Nigeria lost ₦803 billion worth of crude oil to spills suspected to emanate from sabotaged pipelines and operational issues in 2022. Yet the persistence of the informal oil economy cannot be explained by financial opportunity alone. It is rooted within the same political and legal frameworks as formal oil access, and is perpetuated by the same logic of dispossession that has been the basis of conflict in the Delta for over six decades.

The legal basis for the dispossession of the resources in the Niger Delta was laid at independence. The Land Use Act of 1978 transferred ownership all land in Nigeria to the state. This effectively eliminated customary land rights and host communities of all rights to resources underneath the ground. The Petroleum Act of 1969 provided for the transfer of ownership and control of all petroleum in, under or upon any lands in Nigeria to the state. These instruments, when combined, established a legal structure that allow the federal government to collect rents on resources that are removed from communities without providing them with either ownership or a fair price. As Obi (2014) puts it, this is the paradox of the Nigeria petro-state, where ownership of oil and gas resources resides formally with the federal government, while the environmental and social impacts of oil exploration and exploitation are borne overwhelmingly at the local level. This formal dispossession helps to create, legitimise and sustain the informal economy, which takes the form of bunkering, informal refining and negotiation of oil rents by local actors.

Extant theoretical literature has been inadequate in capturing the whole range of this dynamic. Collier and Hoeffler's (2004) famous greed versus grievance theory proved to be a powerful yet limited explanation of conflict over resources. Their model saw rebellion as a function of material feasibility of predation, thus rationalising the actions of informal actors in the Niger Delta. Keen (2012) critiqued the greed and grievance thinking in his position that its proxies for greed and grievance were empirically questionable as it obscured the political

and historical contexts within which resource conflicts emerge. Zalik (2004) took it further in his concept of petro-violence by suggesting that petro-capitalism, state power and social unrest are co-constitutive in the Delta. His framework captures the point overlooked by the greed-grievance model, that violence and informal economic activity in the Delta are not departures from the normal order of things but expressions of it.

This paper argues that, given the boundaries of the current frameworks, a morphological approach to informal oil access is needed. It builds on Ribot and Peluso's (2003) access theory and the political ecology tradition to suggest that informal access to oil and oil rent is a fluid and relational phenomenon, produced and reproduced through shifting configurations of power at the local, subnational, and federal levels. The form informal access takes at any particular time is shaped by the social hierarchy, the structure of community governance as well as the connections that local actors have with state-capture networks. The morphology of access changes as these configurations change. Understanding this mutability is the key to understanding why the informal oil economy has survived six decades of militarisation, amnesty programmes, surveillance contracts, and regulatory interventions.

Conceptual Clarification

This study uses several related but analytically distinct concepts that require clarification. These concepts, forming the analytical pillars of this study include distinctions between the informal oil economy and illegal bunkering, the difference between access and property, the notion of the morphology of access, and the relationship between petro-violence and rentier politics.

The informal oil economy refers to the broad set of economic activities through which individuals, communities, and networks derive benefits from petroleum resources outside formal state-controlled channels. These activities include artisanal refining, informal fuel markets, small-scale crude diversion, and other livelihood practices that have emerged within conditions of environmental degradation, economic exclusion, and limited access to formal opportunities (Onuh et al., 2021; Ugwueze et al., 2024). Illegal bunkering represents a narrower and more organised subset of this economy, involving the unauthorised extraction, transportation, and commercial sale of crude oil (Dan-Woniwei & Paki, 2024; Ozogu et al., 2023). It is important, however, to distinguish between small-scale community-based practices and syndicated operations. While artisanal refining and minor forms of crude diversion may be framed by local actors as survival mechanisms or forms of resource

reclamation in communities dispossessed from petroleum wealth, large-scale bunkering networks often involve extensive logistical systems, maritime export channels, and connections with political, commercial, and security actors (Samuel & Agbai, 2022a; Obenade & Amangabara, 2014). The analytical distinction is therefore based not simply on legality, but on differences in scale, organisation, and the configuration of actors involved (Boris, 2015; Egele-Godswill, 2026).

This distinction is further grounded in Ribot and Peluso's (2003) theory of access, which provides the conceptual basis for understanding how actors benefit from resources without necessarily possessing formal ownership rights. Property refers to legally recognised claims over resources, backed by state institutions. In Nigeria, the Land Use Act and the Petroleum Act established a formal property regime in which petroleum resources are vested in the state. Access, by contrast, refers to the "ability to benefit from things" and is shaped by a range of relational and structural mechanisms, including political connections, social identity, capital, technology, authority, and coercive capacity (Ribot & Peluso, 2003; Frederiksen & Himley, 2019). Thus, while communities and local actors in the Niger Delta have largely been excluded from formal petroleum ownership, they may still obtain access to oil rents through their position within social networks, community institutions, security arrangements, and political relationships (Ayodele, 2025; Asiegbu et al., 2024).

The concept of the morphology of access extends this framework by explaining how these mechanisms of access transform over time. Rather than viewing the informal oil economy as a fixed collection of illegal practices, the morphological approach examines how its organisational forms, actors, networks, and legitimising narratives change in response to shifting political and institutional conditions (Frederiksen & Himley, 2019; Nygren et al., 2022). The core logic of rent appropriation remains relatively stable, but the structures through which access is achieved continuously evolve. Early forms of local resource appropriation, militant bunkering networks, post-amnesty surveillance arrangements, and contemporary forms of symbolic legitimacy-building therefore represent different configurations of the same underlying struggle over access to oil rents (Ross, 2013; Brooks & Kurtz, 2022).

Finally, this study situates petro-violence within the broader dynamics of Nigeria's rentier political economy. Petro-violence is not treated as an external disruption of an otherwise functioning petroleum order, but as a structural expression of the relationships created by oil

dependence. As Zalik (2004) argues, oil extraction, state authority, environmental harm, and social conflict are mutually constitutive in the Niger Delta. Within a rentier system where political power and economic accumulation are strongly tied to externally generated resource revenues, struggles over oil become struggles over recognition, survival, and control of institutional opportunities. Violence and coercion therefore emerge not merely as criminal deviations from the petroleum system, but as manifestations of the unequal arrangements through which access to oil wealth is organised and contested.

Theoretical Roots of Morphology of Access and benefit Grabbing in the Niger Delta

Ribot and Peluso's (2003) theory of access provides the foundational conceptual tool for the analysis contained in this article. They define access as the ability to benefit from things, including material objects, persons, institutions, and symbols. The theory distinguishes between access and property, the claim to benefit enforced by law and social relations. The difference is analytically useful for understanding the Niger Delta context. Formal legal frameworks (Land Use Act, Petroleum Act, the derivation formula) create a property regime of ownership of oil in the hands of the federal state. However, there are other mechanisms that determine access, including market access, labour relations, capital, technology, social identity, authority, and violence. In the Niger Delta, the last three most directly determine who is able to appropriate a share of oil rents at the informal level.

Ribot and Peluso (2003) distinguishes access as a right from access as a structural position and relational mechanisms. Rights-based access is the terrain of formal governance while structural and relational access is most visible in the informal oil economy. The bunkerer who taps a pipeline, the artisanal refiner who converts stolen crude into marketable products, and the community leader who negotiates a rent-sharing arrangement with an oil company surveillance contractors are all exercising forms of structural or relational access. Though this structural and relational pathways to access exist outside the formal property regime, they are no less real in their material consequences. What changes over time, and what this article calls the morphology of access, is the combination of structural locations and relational means by which access is secured. As power relations change and evolve, so does the morphology of access.

This article distinguishes between structural and symbolic dimension of informal access as two analytically distinct, but empirically connected: The first, structural, is the physical network of power, communication, protection, and alliance that appropriate oil and oil rents.

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These are the logistics of bunkering, the relationship of community leaders to the surveillance companies and the state, the presence of the security forces as both controllers and actors in the informal economy and the physical infrastructure of artisanal refining camps. These structures are relatively easy to see, although not so easy to reach, and are the main target of the state's enforcement efforts.

The second dimension is symbolic, entailing discourses, identities, and legitimising regimes that are employed to justify, contest and obscure informal access. These symbolic resources constitute active forms of political practice that mediate informal access to resources. Bunkering is presented as a community self-help project or resource reclamation exercise, while the language of environmental justice and dispossession combine with the performance of activism by former militants to attract surveillance contracts and NGO funding. These are all symbolic strategies that shape access, and terms of access. As Zalik (2004) argued, symbolic dimension of petro-violence cannot be divorced from the material dimension. Rhetorics of representing a community, embodying its grievances, and safeguarding its interests against outside predation are, simultaneously, claims to a share of the rents that flow through or around that community.

The concept of morphology, borrowed from the biological sciences and applied here to political economy, captures the idea that the informal oil economy takes different forms at different moments without losing its underlying functional logic. Like an organism that adapts to a changing environment, the informal oil economy adjusts to its environment by modifying its structures and symbols in response to shifts in the political, regulatory and security environment. What remains constant is the drive to capture a share of the rents generated by oil extraction in the Delta. What changes is the configuration of actors, networks, and narratives through which that capture is achieved.

This morphological perspective has a direct implication for the analysis of policy failure. Most state responses to the informal oil economy are based on a static understanding of access, such as militarisation, pipeline surveillance contracts and amnesty programmes. They address a particular set of actors, a particular set of practices and a particular institutional configuration. When morphology of access changes as a result of these interventions, the interventions become ineffective. Informal roles mutate in relation to the dynamics of access, but the informal oil economy does not cease to exist.

Methods

This study adopts a qualitative historical and political economy approach to examine the changing morphology of informal access to oil and oil rents in the Niger Delta. It combines a review of relevant theoretical literature with historical analysis of the evolution of resource access from the pre-oil era to the contemporary period, focusing on how legal regimes, state institutions, community governance structures, security networks, and symbolic claims shape opportunities for appropriation. Drawing on Ribot and Peluso's access theory and the political ecology tradition, the analysis treats informal oil access not as a fixed set of illegal practices but as a dynamic process produced through changing configurations of power, relationships, and legitimacy. The study therefore traces successive configurations of access across key periods, including the emergence of the petro-state, the era of militancy, the post-amnesty surveillance economy, and contemporary forms of digital and reputational management, to explain how informal oil networks adapt, reorganise, and persist despite regulatory and security interventions.

Historical Morphology of Informal Access to Oil and Oil Rent

Pre-Oil and Early Oil: Customary Access and Lineage Governance

Prior to the commercial discovery of oil in 1956 at Oloibiri in the Niger Delta, natural resources in the region were managed under customary land and water rights, embedded in lineage and chieftaincy structures. Community governance institutions overseen by traditional rulers and lineage elders facilitated access to fishing grounds, farmland, and forest resources. Ownership was, for the most part, not personal but collective, and rights to the use of resources could not be divorced from being a member of a lineage group. This pre-oil political economy created a specific social hierarchy, with authority coming from the control of the shared productive resources, instead of from the appropriation of rents created outside of the social system.

The arrival of the oil industry fractured this order without replacing it with anything coherent. Shell-BP's first exploration and production operations in the late 1950s and 1960s imposed an extraction logic that saw the Delta as a resource frontier, and not an inhabited social landscape. The material base of the customary governance order was compromised by environmental damage to their fishing grounds and farmland, while offering no meaningful compensation or alternative livelihoods to host communities. The stage was set for the Delta's

long-term struggle over access that has subsisted since the emergence of the post-independence Nigerian state.

Post-Independence: The Petro-State and the Emergence of State-Connected Elites

Nigerian independence in 1960, and especially the Petroleum Act of 1969 and the Land Use Act of 1978, instituted a new rentier political economy, with formal ownership of the oil resources being vested in the federal state. Who could gain legal access to the benefits of oil production was now largely determined by: how close one was to the federal state, the formula for sharing oil revenues, and by one's ability to access the political and bureaucratic processes that disbursed oil rents. A new class of state-connected elites, the petro-bourgeoisie in the analytical vocabulary of the period, emerged as the primary beneficiaries of oil wealth. Host communities, on their part, received a declining share of derivation revenues and continued to suffer the cost of environmental degradation.

This change created the structural conditions for the informal oil economy. Communities that had lost their customary rights to resources and their fair share of the oil money had strong incentives to develop informal mechanisms of appropriation. Early bunkering, in the form of small-scale diversion of crude from pipelines, was already documented by the 1980s (Oduniyi, 2003, as cited in Ikelegbe, 2005). Though small and somewhat haphazard in scale, these early practices set the normative and practical foundations for more advanced informal economies to emerge in the region.

The Era of Militancy: Violence, Symbolic Power, and the Formalisation of Bunkering Networks

The period from the late 1990s to the 2009 amnesty programme represents the most visible and violent phase of the informal oil economy. The execution of Ken Saro-Wiwa and eight other Ogoni activists in 1995 was a crystallising moment for the politics of Delta resistance. This period tilted the scales of resistance in the region from peaceful resistance towards violence, and precipitated the uptake of arms by youths across the region. Zalik (2004) followed the evolution of this era, and documented the rise of various militant groups and a well-developed bunkering operation. The Movement for the Emancipation of the Niger Delta (MEND), which was formed in 2006, was the most organised manifestation of this fusion.

Bunkering networks of the militancy era were structurally complex. Crude oil obtained from the pipelines and loading facilities was transported across the Delta's network of creeks and sold locally and on the high seas at highly concessional prices to international buyers. It was common for security personnel and military personnel to be involved in the provision of protection for bunkering activities. The structural character of this collusion was captured in the report that some security personnel either connive with or actually escort bunkerers' barges and vessels to the high seas (Alsawalqa & Venter, 2021). The artisanal refining of crude oil (kpo-fire) gained considerable momentum in the period as communities gained indigenous expertise on how to refine crude into finished petroleum

The symbolic dimension of the militancy era was equally significant. Militants framed their activities within a discourse of resource control and environmental justice. This resonated with deep-rooted societal sentiments emerging from decades of grievance over oil spills, gas flaring, and the failure of derivation revenues to reach communities. This framing gave bunkering and sabotage a legitimacy within communities, and state efforts to deligitmise bunkering remained unsuccessful even where force apparatus successfully dislodged operators. The ability to act simultaneously as armed militant and community spokesperson, criminal and advocate, was a source of symbolic power that translated directly into material access to rents.

Post-Amnesty: Surveillance Contracts, Network Realignment, and the Commodification of Community Authority

The introduction of the Presidential Amnesty Programme of 2009 by President Umaru Musa Yar'Adua has changed the nature of informal access without eradicating the logic that underlies it. The programme disarmed more than 30,000 militants and offered them monthly stipends, vocational training and, most important, contracts to monitor the pipelines. It recorded some degree of success in suppressing large-scale attacks against oil installations and improving oil production. Between mid-2009 and 2011, crude oil output reportedly recovered from approximately 700,000 barrels per day to between 2.2 and 2.4 million barrels per day (Premium Times, 2015, citing official figures). But amnesty did not represent a genuine transition out of the informal oil economy.

The programme merely reduced violence and institutionalised networks that supported informal extraction while simultaneously discouraging overt militant rebellion. The pipeline surveillance contract awarded to Tantita Security Services Nigeria Limited, owned by former

militant commander Government Ekpemupolo, known as Tompolo, illustrates this dynamic with particular clarity. The contract, which was formalised publicly by the Buhari government in 2022, was initially valued at N48 billion per annum and placed Tompolo at the heart of the most politically charged deal in Nigeria's oil infrastructure security architecture (Asiegbu, 2024). Tantita recorded tangible results such as the detection and destruction of illegal pipeline facilities, as well as the apprehension of vessels carrying stolen crude (Umoru, 2023). However, the contract also became a basis of contestation between the former militant leaders, who all wanted to benefit from the rents through the surveillance mechanisms. The contract was awarded to three individuals from Delta State without competitive bidding, concentrating surveillance rents in a single network while excluding others (Ukeame & Chiosome, 2026). The surveillance economy had become an extension of the bunkering economy it was it was officially supposed to curtail.

Structure and Symbol in the Contemporary Morphology of Access

From Insurgency to Syndicated Operations

The bunkering network of the post-amnesty period bears structural continuity with the militancy era while adopting new organisational forms. The supply chain, from the tapping or illegal siphoning of crude from pipelines and loading terminals, transportation through creek networks by barge and vessel, and sale to international buyers, has been widely documented. What has changed is the extent to which the institution is embedded. The illegal oil business in the region involves a complicated web of militant, private-sector and state actors described in Hudson Institute's investigative fieldwork in 2022 and 2023 (Hudson Institute, 2023). The network that sustains the informal oil economy interpenetrates the formal one at multiple levels.

The collusion of security actors was documented as early as 2003, and has not been resolved. The Hudson Institute investigation uncovered that military and naval personnel continued to be involved in bunkering. The Nigerian Army's raid on Tompolo's Camp Five in Oporoza, in which a soldier was killed in an effort to apprehend a vessel full of stolen crude, illustrated that the boundaries between surveillance and theft remained permeable even within organisations formally contracted to prevent theft (Ukeame & Chiosome, 2026; Adibe *et al.*, 2018). This permeability stems from the institutional characteristic of a security structure, where those who control access to the waterways of the Niger Delta also possess the most direct means of profiting from the waters.

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The framing of bunkering in the Niger Delta is widely contested. Oil companies and the state label it as a crime that robs Nigeria of its revenues. Community members and many traditional leaders frame artisanal refining and small-scale crude diversion as acts of self-help in the face of chronic underdevelopment and environmental injustice. During the 2024 Oloibiri Conversations organised by the Institute for Niger Delta Studies, the chairman of the Bayelsa State Traditional Rulers Council, King Bubaraye Dakolo distinguished between community members (who he described as victims rather than thieves) using jerrycans to access refined products, and the real oil thieves who use ships and sea-faring vessels to export stolen crude (Oduma, 2024). This symbolic delineation reproduces the legitimacy, even when unintended, for small-scale informal access and delegitimises large-scale syndicated extraction.

Local Leadership and the Fragmentation of Traditional Authority

Community governance institutions, including traditional rulers, Community Development Committees, youth bodies, and chieftaincy councils, are nodal points in the informal oil economy rather than passive victims of it. Their authority is simultaneously a resource to be deployed and a target to be captured. The ability to speak in the name of a community, to mediate between oil companies and local populations, and to control the distribution of community development funds and oil company compensation payments gives community leaders structural access to oil rents that bypasses both formal property rights and the bunkering supply chain. Ebiede and Nyiayaana (2022) documented how these governance roles were actively contested, with rival claimants to traditional authority using their positions to broker access and distribute or withhold rents as a mechanism for consolidating political power.

The post-amnesty period intensified this contest. Former militants integrated into community leadership structures, or usurped them, bringing with them both the networks and the coercive capacity accumulated during the militancy era. The result was a fragmentation of traditional authority in which multiple actors competed to represent the same community to different external interlocutors, each extracting a different stream of rent in the process. A CDC chairman might negotiate a community development agreement with Shell. A traditional ruler might receive appeasement payments from an oil company seeking to prevent pipeline interference. A youth group leader with militant connections might control access to surveillance sub-contracts. These streams are not coordinated. They compete, and

their competition produces the intra-community conflicts that have become a defining feature of post-amnesty Niger Delta politics.

The symbolic dimension of traditional authority that serves as the mechanism through which these competing claims are legitimated and contested. Customary authority, the claim to represent lineage, community, and ancestral territory, retains powerful symbolic capital in Delta communities. It is precisely for this reason that it is so intensively commodified. The traditional leader serving a bridge between an oil company and community is not just acting as a governance agent but investing symbolic capital (legitimacy from customary authority) in order to generate a stream of material rents. If a rival claimant succeeds in competing for the status of the traditional ruler, the rent stream shifts accordingly. The struggle for symbolic control over oil rents is simultaneously, one over material control of oil rents.

The Digital Frontier: Social Media, Image Management, and the Performance of Accountability

A third and newer aspect of the current morphology of access is the use of digital media platforms by actors in the informal oil economy for image management and the construction of legitimacy. Media-friendly activism, and social media presence have been heavily used by former militants and surveillance contractors to project themselves as advocates against oil theft. This is a symbolic move with material consequences.

Money flows to actors who can purport themselves as legitimate community representatives, development advocates or security professionals, through surveillance contracts, community development funds, NGO partnerships and corporate social responsibility arrangements. Performative accountability, in the form of press releases, social media posts, and public statements against bunkering, the reputational currency is created to compete for this rents. The public image of successful surveillance operations as a national security triumph helped to secure Tompolo's standing in the contract renewal process and also protected him from facing much scrutiny of the more contested aspects of his network's activities. The digital economy of reputation management is therefore, integral to, and necessary for guaranteeing access.

The Morphology of Access and the Persistence of the Informal Oil Economy

The informal oil economy in the Niger Delta involves continuous reorganisation of access relations in response to changing political and institutional context. Rather than representing

a fixed set of illegal activities, informal oil practices persist because the actors, networks, and strategies through which access is negotiated continually adapt to new conditions. With changing access and appropriation of oil rents, the conditions of possibility of actors' relationships, practices and strategies change as well (Tantua, 2018; Austine, 2025). This has led to the reconfiguration of the informal practices without eradicating them (Esiere, 2026; Boris, 2015; Dan-Woniowei, 2024), as informal actors modify their strategies based on the evolving institutional opportunities and constraints (Ayodele, 2025; Adunbi, 2020).

A morphological perspective helps explain this process by shifting attention from whether particular activities disappear to how interventions reshape the conditions within which access is negotiated. Interventions do not obliterate informal activities, but reconfigure the actors, incentives and opportunities in the oil economy. When the established modes of access are blocked, new modes of access are likely to be found where actors are able to pursue similar economic objectives (Odalonu, 2016; Okwelum, 2021). As a consequence, informal activity continues, not immutable, but in its reorganization to form new institutional, social, and political structures (Samuel & Agbai, 2022b; Austine, 2025; Adunbi, 2020).

An important mechanism through which this reorganisation takes place is displacement through spatial and organisational changes as suggested by Odalonu (2016) and Ajayi and Adesote (2013). Enforcement campaigns often affect specific extraction sites, but leave many networks, knowledge systems, markets and relationships that enable the informal access to continue unaltered (Dan-Woniowei, 2024; Adunbi, 2020). For instance, military attacks on artisanal refining camps have led to the destruction of artisanal refining sites in the Niger Delta several times (Samuel & Agbai, 2022a). Security assessments, however, show that the network of sponsors and actor relationships still facilitate the revival of refining operations despite the continuous counter-operations (Samuel & Agbai, 2022a). Such operations have been repeated, suggesting that physical disruption does not automatically disrupt the broader patterns of economic relations that informally reproduce that refining process (Samuel, 2022; Esiere, 2026; Boris, 2015). In fact, the destruction of refining sites is sometimes accompanied by the structural conditions that facilitate the reopening of the sites (Nwozor, 2023; Odalonu, 2016; Adesanya *et al.*, 2023).

This pattern reflects the separation of function from form, as a key characteristic of the informal economy. While the places, people, and in some cases, even tools with which informal extraction is conducted may vary over time, the economic logic driving the

extraction of value through informal regulatory frameworks is fairly consistent (Ayodele, 2025; Samuel & Agbai, 2022b; Adunbi, 2020). Actors continue to benefit from oil tapping of pipelines, artisanal refining, crude transportation, informal fuel markets, and rent negotiation (Boris, 2015; Dimkpa, 2023), which are interconnected processes. Interventions targeting specific aspects of informal use of oil produce short-term gains but fail to secure long-term changes in the systems of access (Kayode, 2023; Ajayi & Adesote, 2013).

Coexisting with displacement as a tool for mutation is institutional absorption, the integratinon of informal networks into formal political, economic and security structures. This process reflects the permeable nature of the formal/informal economies in the Niger Delta. The two are not necessarily distinct, and often overlap, with actors shifting their localizations in new institutional configurations (Samuel & Agbai, 2022a; 2022b; Dan-Woniowei, 2024). The post-amnesty era serves as a good example of this metamorphosis as former militant fighters and leaders shifted grounds from their original role as confrontational agitators to key players in security provision, political representation, and oil infrastructure protection (Tantua, 2018; Austine, 2025; Okwelum, 2021). The formalisation of pipeline surveillance contracts, especially, opened the door for those that had previously been involved in the informal oil trade to engage in officially recognised economic activity (Austine, 2025; Okwelum, 2021).

With institutional aborption, formal and informal settings work together to allow actors to perform multiple roles at a time. Depending on the institutional setting in which access is negotiated, individuals and networks can be security providers, community representatives, political intermediaries and beneficiaries of oil rents (Samuel & Agbai, 2022a; Boris, 2015; Austine, 2025). This cross-over enables them to shift positions when circumstances shift either politically or economically.

Absorption, especially by formal institutional structures, is largely linked to symbolic aspects of access. The ability to control the narrative of community representation, environmental protection and accountability has become an important resource in struggles over opportunities from oil. (Tantua, 2018; Agwu, 2021). The successful actors who position themselves as true representatives of communities or as partners in the protection of oil infrastructures may be able to access the economic opportunit Thus, public protests against oil theft, environmental justice and community safeguarding can be tools for actors to remain politically relevant and attain economic advantages (Boris, 2015; Austine, 2025). Access in

the current Niger Delta oil economy is therefore not just about who controls certain physical infrastructures, but also about who has the power to influence a narrative of authority and legitimacy.ies associated with the petroleum industry (Okwelum, 2021; Adunbi, 2020).

The third mode of persistence is functional substitution, which allows actors to find alternative modalities to achieve similar economic goals when original ways of participating are limited (Austine, 2025; Odalonu, 2016; Okwelum, 2021). In this context, informal changes in the oil economy can mean that the access to the oil is shifted from one group to another, rather than that they are removed from competition for oil. For instance, after the amnesty programme, those who lost their lives in these protests were no longer fighting over oil-related benefits, but for other reasons such as security contracts, community representation, development negotiations, and the claims of political legitimacy (Adibe, 2018; Austine, 2025; Agwu, 2021). It is worth noting that institutional absorption is not unidirectional; even informal actors absorb formal ones, especially security actors through bribes and other incentives to look the other way.

Informal systems persist in the making of new organisational forms, networks and legitimising storylines as old ones come under constraints and are reorganised (Ayodele, 2025; Adunbi, 2020). What makes them resilient is the ability of actors to adapt their approaches and strategies, forge new ties and reconfigure routes of access in the face of changing political and economic circumstances. This adaptive capacity explains why decades of interventions has not obliterated concerns over informal oil activity, and conditions that recreate informal oil activity remains unsolved (Boris, 2015; Odalonu, 2016; Adesanya *et al.*, 2023). The informal oil economy is a part of broader conflict over resources, authority, recognition and institutional control, and its continuous evolution is a characteristic of Niger Delta political economy.

Why Static Policy Responses Fail

The analytical implication of the morphological framework for policy is extensive, and at the same time, unsettling. A majority of state and international interventions in the informal oil economy have been conceived of in a static sense of access. The Joint Task Force is aimed at certain groups of actors in specific locations. When those refineries are destroyed, the operators relocate and rebuild. The Tantita surveillance contract targets a specific bunkering corridor with a specific configuration of threat actors. Theft moves to other corridors when there is a greater surveillance presence in the first one. As captured in a media report, the

Nigerian Navy's intensified efforts against offshore crude theft in 2022 resulted in greater kpo-fire operations onshore as the actors adapted to the new risk environment (Godwin, 2022). With severe militaristic intervention, the informal oil economy responds by morphing.

When there is a static target, it will always be surpassed by a dynamic system, and that is why policy responses need to be designed around it. This implies that the appropriate policy response should engage with the mutability of the system itself. This will necessitate an engagement with the structural conditions which make informal access essential, and incentivising for a majority of Niger Delta inhabitants. Factors like the formal legal dispossession of communities, the failure of derivation revenues to reach host populations, the chronic underdevelopment of the Delta's oil-producing communities, and the exclusion of young men from legitimate economic opportunity, have been the subject of policy discussion for decades but they remain unaddressed. As the 2024 Oloibiri Conversations concluded, the resolution of the shadow oil economy requires not military responses but an all-inclusive development policy that prioritises the wellbeing of local communities (Oduma, 2024).

Conclusion

Informal access to oil and oil rent in the Niger Delta is adaptive, and emerges from changing social relations of production. Access, as earlier sections of this paper show, is not exclusively conferred by formal property rights (which belong to the federal state) or on any stable informal property regime. It is on the power configuration at the local, subnational and federal levels. As that configuration shifts, so does the morphology of access. The bunkering militias of the early 2000s, the post-amnesty surveillance contractors of the 2010s, and the digital-era reputation managers of the present day are not different phenomena. They are successive morphological expressions of the same tendency of appropriating a fraction of the oil rent in a region that communities were formally dispossessed of.

The structural and symbolic aspects of informal access are intertwined and evolve in tandem with the shifting social hierarchy, patronage and community governance configurations. Structural access mechanisms, the logistics of bunkering, the control of community governance institutions, the possession of surveillance contracts, determine who can physically appropriate oil rents. Symbolic access mechanisms, the narrative of dispossession and resistance, the performance of community authority, the deployment of digital image management, determine who can do so legitimately and sustainably. Both of these

dimensions are required for sustainable access as access secured solely through structural means can be fleeting, necessitating symbolic legitimisation.

The persistence of the informal oil economy is the most visible consequence of this morphological character. Policy responses based on a static view of access can not eradicate an economy whose defining feature is its ability to transform itself. Militarisation of the Delta, amnesty programme, and the surveillance contract system have each been effective at curbing certain types of informal access, but have created new ones.

Understanding the mutations through which informal access is negotiated is not merely an academic exercise. It is a precondition for any policy intervention capable of addressing the structural drivers of the informal oil economy rather than its current surface expression. Those structural drivers, legal dispossession, revenue exclusion, environmental destruction, and the failure to translate oil wealth into local development, remain as potent today as they were when the first commercial well was drilled at Oloibiri in 1956. The way forward for the Nigerian state, and other states faced with a similar challenge of containing informal resource access, is to address the issue from its roots.

Specific recommendations emerge from the insight offered in this paper. First, the Federal Government and National Assembly should reform resource governance by strengthening the derivation principle and improving local control over development benefits. This should involve a review of the existing 13 per cent derivation allocation, with consideration of the fiscal allocation of the independence era, which allowed producing regions to keep 50 per cent of natural resource revenues within their areas. However, increased transfers alone will not address exclusion, unless mechanisms are put in place to ensure that the transfers are distributed to the affected communities. There should, therefore, be linkage between derivation revenues and transparently managed and independently audited host-community development funds overseen by representatives of host communities, local governments, civil society and relevant state agencies, in order to prevent oil revenues from capture by political elites or local gatekeepers.

A second recommendation is that the Federal Government, State Governments, and oil-producing communities should create effective and responsible community benefit-sharing arrangements that help narrow the gap between extraction and local economic inclusion. These arrangements should feature legally secure community development allocations, transparent employment and procurement opportunities for the host populations. There

should also be publicly monitored agreements between oil companies, government institutions and Community Development Committees (CDCs). This would also diminish the need for informal rent negotiations, and help address exclusion.

Lastly, government agencies such as the Nigerian Upstream Petroleum Regulatory Commission (NUPRC) should not only enforce regulations, but also seek to formalise viable aspects of the informal oil economy. Artisanal refining represents both an environmental challenge and an expression of local technical capacity. The transition pathway could include enabling appropriate local refining facilities or community-based modular refineries, under strict conditions of traceability for crude supplies, environmental protection, operational safety and regulatory compliance. This would shift existing local knowledge and local economy networks to productive activity, and decrease the incentives which encourage illegal extraction.

Informal access is an offshoot of the formal regime of exclusion and the resultant effort of people to survive and benefit from the resources within their region. Interventions target informal access without obliterating the issues of deprivation and exclusion that necessitate the turn to informality. Until they are addressed, the morphology of informal access will continue, and the informal oil economy will continue to persist.

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