

A STUDY OF LABOUR UNREST IN GHANA

(1900 TO 2008)

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A Thesis submitted to the Department of History and Political Studies,

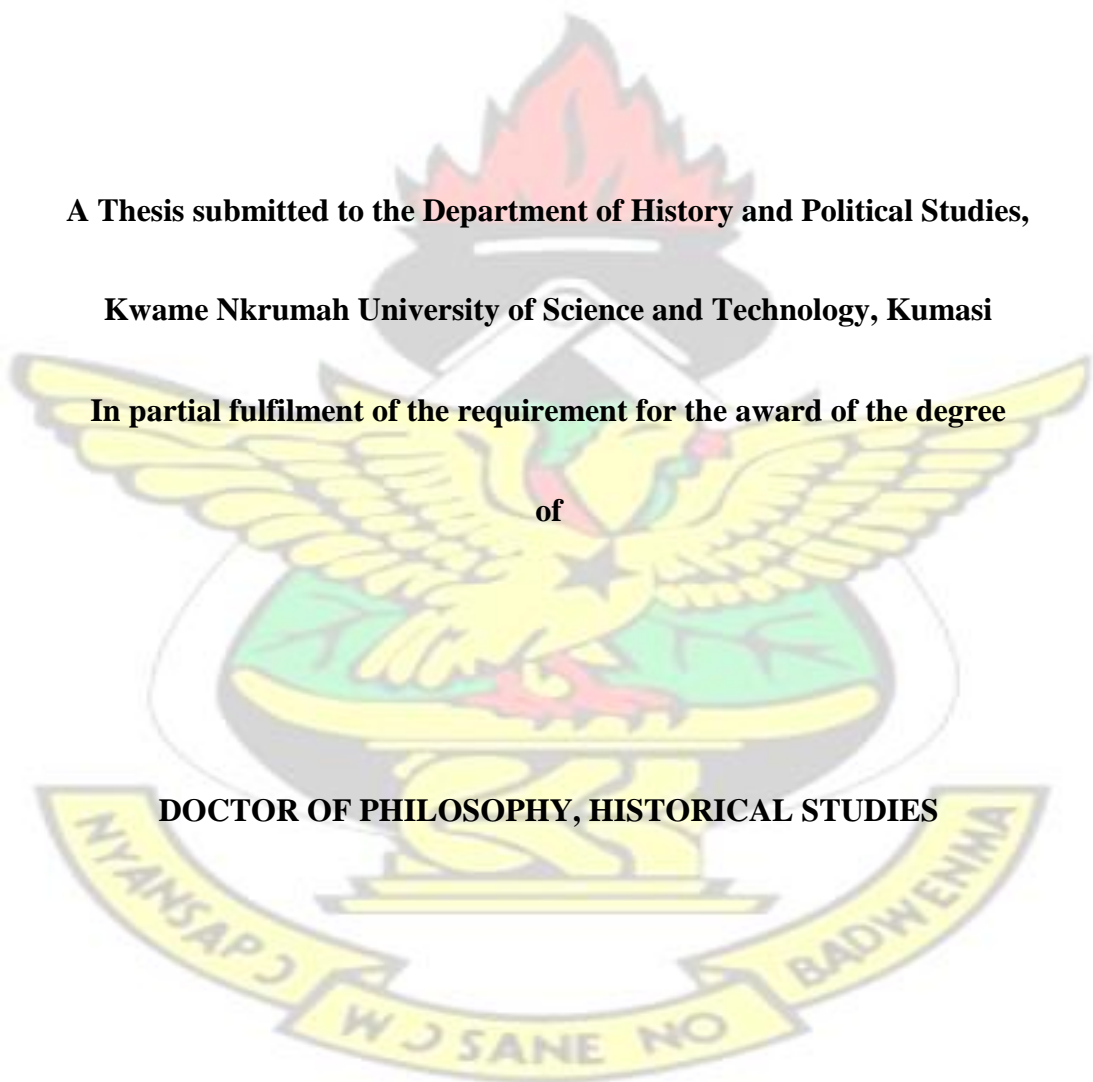
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of

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October, 2015



DECLARATION

I hereby declare that this submission is my own work towards the PhD and that, to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the university, except where due acknowledgement has been made in the text.

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ABSTRACT

The choice of this theme of research arose out of persistent calls by workers and civil society groups for the government to institute measures aimed at ending the labour agitations in Ghana in 2008. The study assesses labour unrest in the country from 1900.

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The study examines the culture of protest among workers in Ghana. It examines how worker associations were formed to protect the interest of workers in the colonial and post-colonial period. It further traces the development of trade unionism in the country. Also, it examines the role of the British Colonial authority in the development of industrial relations in the country. A major issue that was examined was the use of Industrial Relations Acts and the security forces by the British authorities to disband strikes.

Ghana which before independence on 6th March 1957 was known as the Gold Coast has experienced frequent changes in government. The country has gone through periods of colonial, civilian and military rule. The colonial authorities until 1950 had succeeded in preventing trade unions from aligning themselves with the nationalist movements. The labour unions that existed at the time were largely unsuccessful as collective bargaining agents. There existed several trade unions with limited memberships. The Trades Union Congress (TUC) formed a friendship with the Convention Peoples Party (CPP) through close working relationship. This alliance which ensured the prosperity of the TUC, however, became costly to the union with the change in government.

Although the Industrial Relations Act 1965 gave legal status to strikes, 2000 employees of the Cargo Handling Company Limited were locked out in 1968 for embarking on a strike. Also, the Progress Party (PP) regime dissolved the TUC by an Act of Parliament in 1971. It was the National Redemption Council (NRC) military regime that restored the TUC in 1972. These changes have affected the entire country's labour relations to date.

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In evaluating and analyzing the labour policies in the country, the thesis offers suggestions on how to achieve capital labour harmony to ensure economic growth. It establishes the need for workers' rights to be protected to ensure economic development.

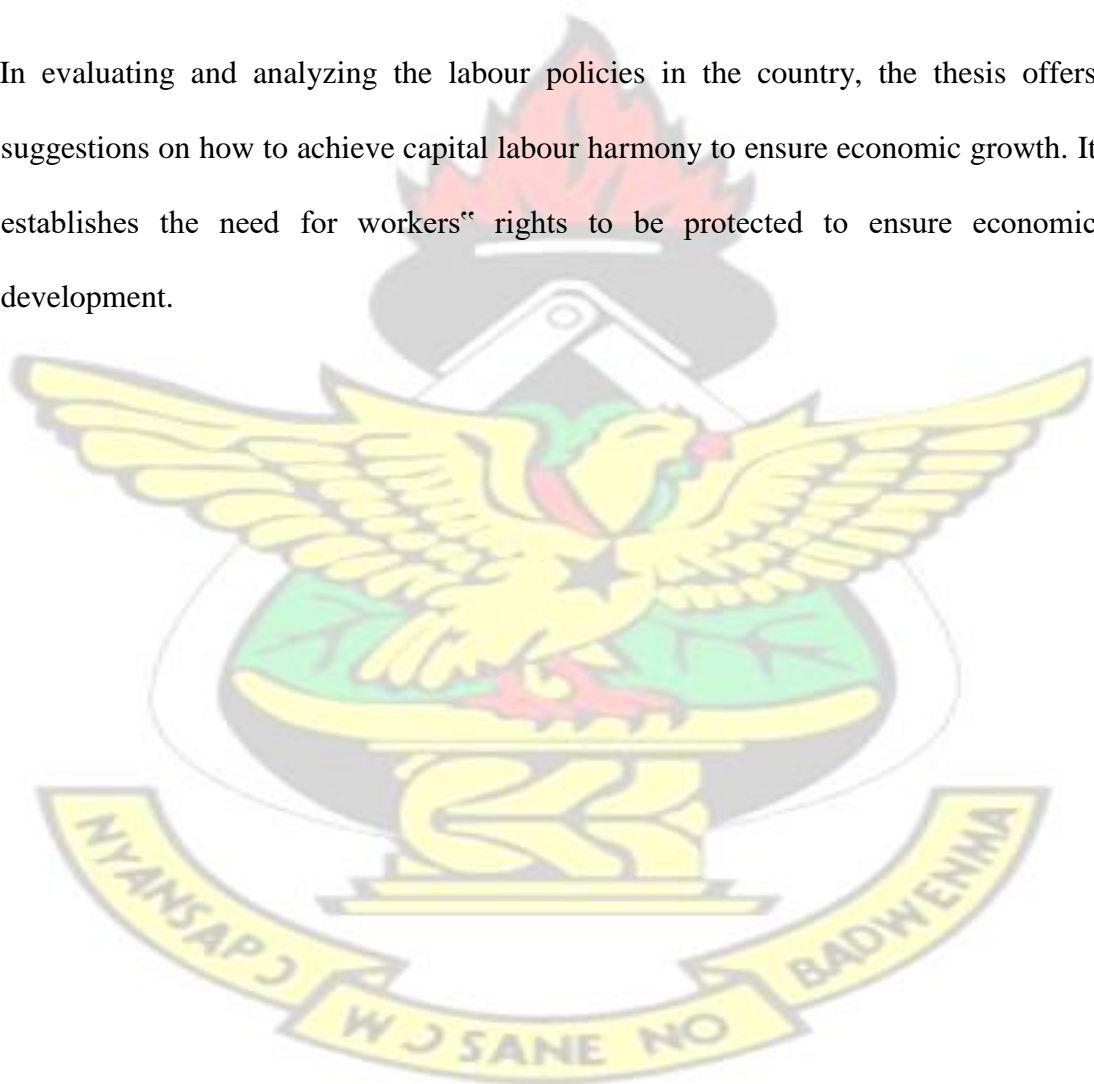


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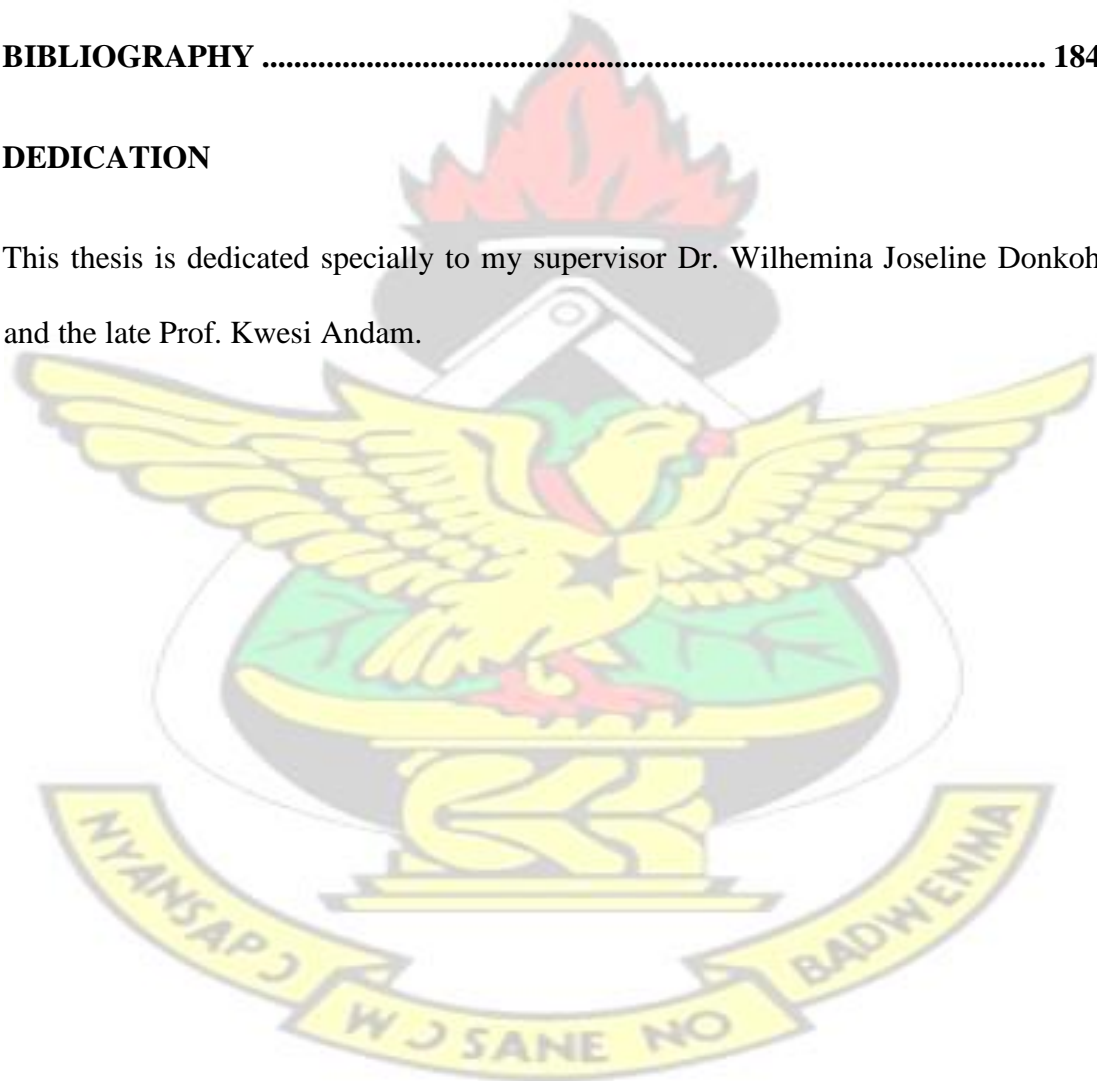
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DEDICATION

This thesis is dedicated specially to my supervisor Dr. Wilhemina Joseline Donkoh and the late Prof. Kwesi Andam.



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ABBREVIATION



AFL	American Federation of Labour
AFRC	Armed Forces Revolutionary Council
CPP	Convention People's Party
CWU	Communications Worker's Union
DC	District Commissioner
ERP	Economic Recovery Programme
GAWU	General Agricultural Workers Union
GCSA	Ghana Civil Servants Association
GNAT	Ghana National Association of Teachers
GRNA	Ghana Registered Nurses' Association
ICFTU	International Confederation of Free Trade Unions
ILO	International Labour Organisation
IMF	International Monetary Fund
IRA	Industrial Relations Act
NDC	National Democratic Congress
NLC	National Liberation Council
NPP	New Patriotic Party
NRC	National Redemption Council
PNDC	Provisional National Defence Council

PNP	People's National Party
PP	Progress Party
SAP	Structural Adjustment Programme
SDF	Social Democratic Front
SJNC	Standing Joint Negotiating Committee
SMC	Supreme Military Council
TEWU	Teachers and Education Workers Union
TGLEU	Textile, Garment and Leather Employees Union
TUC	Trades Union Congress
UTAG	University Teachers Association of Ghana
WDC	Workers' Defence Committee



CHAPTER ONE

INTRODUCTON TO THE STUDY

1.0 Background to the study

Human labour forms an integral part of the production process of any economy in the world. Indeed, labour is the single most important factor of production that can function on its own initiative. Workers“ exchange their labour inputs for wages and salaries.¹ Thus, the price or reward for their labour is the wages and salaries they receive. According to Karl Marx, the wage-worker sells his/her labour in order to live.² The productivity of a worker is therefore a function of the wage/salary he/she earns. The wages thus earned, also affects the workers standard of living. Marx further explained that labour produces not only commodities but produces itself and the worker as a commodity and does so in the proportion in which it produces commodities generally.³ In the labour market, the worker is treated as a commodity and his/her demand by employers is derived. In other words, labour is demanded not for its own sake but to further production of goods and services.

The contribution of workers in building the Gold Coast economy has not been left out in the annals of the country“s history. In order to achieve consistency in this study, “Gold Coast” is used to refer to the region of modern Ghana. In 1902, Gold Coast became an official colony of Britain. This was after Asante and the Northern Territories had been added to the southern Territories. The British governed Ghana

¹ Claus Offe, *Disorganized Capitalism: Contemporary Transformations of Work and Politics* (Cambridge, MIT Press, 1985), p. 21.

² Robert C. Tucker (ed.), *The Marx- Engels Reader* (New York, W.W. Norton & Company, 1972) pp. 70-71.

³ Ibid.

until 6th March, 1957 when Ghana gained independence. From the background as a colonial economy, the history of the Ghanaian worker focussed primarily on attempts by workers to better their lot, especially at the work place. Gerard Kester and Ousmane Sidibe, Kwasi Adu-Amankwah and Kwamina Panford provide varying accounts about the role of Labour unions towards the improvement of the standard of living of their members.⁴ They noted that, attempts at improving working conditions and labour rights are associated with historical worker-employee conflict. Historical writing about workers in Ghana and most African nations, therefore, places much emphasis on periods of strike and lockouts. For instance, Robert Bates noted that “the contemporary histories of many of the independent African nations might credibly be recorded by focusing on major periods of strike action and worker protest.”⁵ Similarly, Jeff Crisp in his study of mine workers also noted that “the history of Ghana in colonial and post-colonial periods is a testimony to the proclivity of the Ghanaian state to the threat of popular unrest and protest, with the purpose of ensuring that the working population get what they deserve.”⁶ Several authors including Kwamina Panford, Peter Blay Arthiabah and Harry Tham Mbiah, Akua O. Britwum, Richard Jeffries, and E. A. Cowan noted periods of worker protests in Ghana.

⁴ Gerard Kester and Ousmane O. Sidibe (eds.), *Trade Unions and Sustainable Democracy in Africa* (Aldershot, Ashgate, 1997); Kwasi Adu-Amankwah, “The State, Trade Unions and Democracy in Ghana, 1982-1990” A research paper; Kwamina Panford, “The Labour Movement, Politics and Democracy in Ghana (1985-1996)”. Paper delivered at CODESRIA Methodological Seminars and special studies on social movement in Africa: Dakar, Senegal, May 1996.

⁵ Robert H. Bates, *Markets and States in Tropical Africa* (Berkeley: University of California Press, 1981), p. 31.

⁶ Jeff Crisp, *The Story of an African Working Class: Ghanaian Miners' Struggle, 1870-1980* (London, Zed Books, 1984), p. 70.

Activism among workers in Ghana has been especially noticeable because, workers have at certain moments organized to present a real test to the government in power. Mention can be made of the 1950 “Positive Action” by Trade Union Congress (TUC) and Convention Peoples’ Party (CPP). Similarly, workers’ played an active role in ending the British rule in 1957. In post-independent Ghana, there was a lot of confrontation between the Progress Party (PP) government and the TUC.⁷ In relation to the aforementioned situation, Claus Offe, postulated that the market interaction between workers and capitalists is a relationship of power.⁸ It is imperative to note that, in Ghana, various governments tended to act on the side of capital since the state has been a major employer of wage-labour.⁹ As a result, issues on labour unrest have been of serious concern to past and contemporary governments.

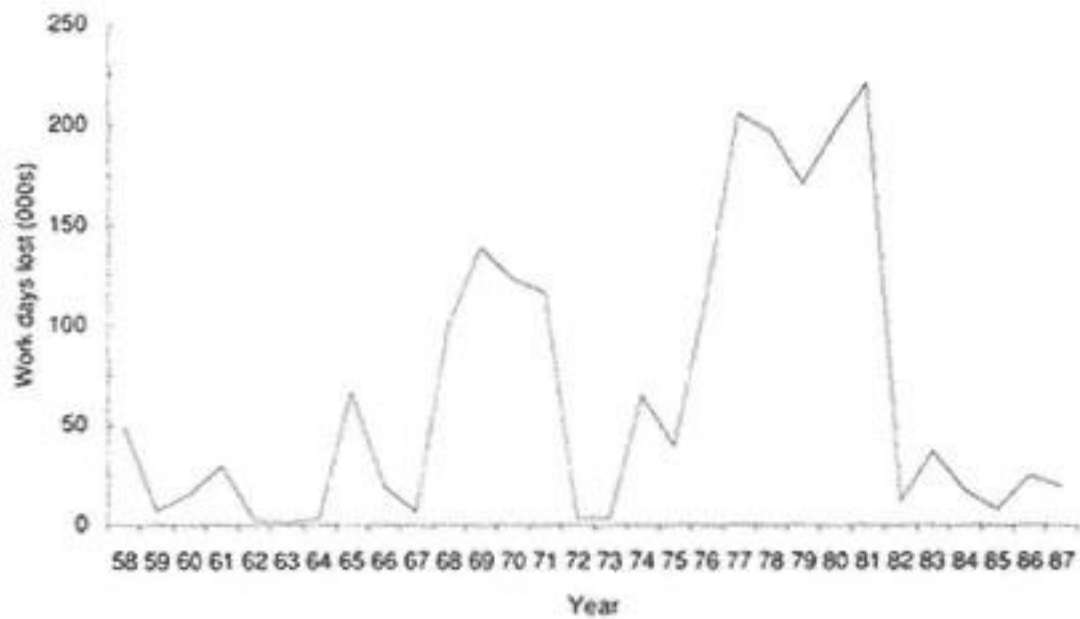
The International Labour Organisation (ILO) *Yearbook of Labour Statistics* provides a graphical illustration of the proclivity of workers in Ghana to go on strike. Figure 1, below illustrates the days lost to work as a result of workers’ strike and lockout actions between the years 1958 and 1987.

⁷ Peter Blay Arthiabah and Harry Tham Mbiah, *Half a Century of Toil, Trouble and Progress: the History of the Trades Union Congress of Ghana* (Accra, Gold Type Press Publications Ltd, 1995), p. 107.

⁸ Claus Offe, *Disorganized Capitalism*, p. 43.

⁹ Kodwo Ewusi, *The Dimensions and Characteristics of Rural Poverty in Ghana* (Accra, ISSER, 1984), p. 64.

Figure 1: Workers' Days lost to strike



Source: International Labour Organisation, 1958-1987.

From the diagram above, the country recorded several strike actions over varying periods of time. The highest number of days lost to work was in 1981 resulting from the economic downturn in the country. The diagram demonstrates clearly that, strikes have been one of the major tools adopted by Ghanaian workers. However, between the periods 1962-64 and 1972-73 the country did not record any significant strike action. Through the Ghanaian workers' persistent struggles and confrontations with the colonial and post-colonial Ghanaian governments, they created a "culture of worker protest." The subsequent chapters portray that this culture was drawn upon by successive generations of workers over the period of this study. Through their strike actions and lockouts, the Ghanaian labourers have to a large extent worked assiduously over the years to better their lot in terms of improvements in their conditions of service hence their standard of living. Their achievements emanated from the workers' own actions and inactions to change their conditions of work and as such their standards of living. The basic standards that have been set represent the rights of workers to freely

form labour unions as well as the rights to bargain with employers to determine conditions of employment. All these rights have been achieved against a backdrop of popular labour unrests.

As a result of the culture of protest created, labour unrest has been primarily treated as a problem from workers in their attempts to improve their low living standards. What is real in the labour market is that, workers do not operate in a vacuum. They work in an environment where the state and capital are active participants. Thus, an inquiry into strike actions and lockout must examine the interplay between all the stakeholders in the labour market, that is, the workers, owners of capital and the government. While using this broad base approach to examining labour unrest in Ghana, this work seeks to present a historical and economic analysis of workers from the stand point of labourers themselves.

1.1 Statement of Problem

By attempting to limit labour rights and activism in the Gold Coast colony, the British colonial authorities set a problematic precedent for subsequent governments in Ghana in so far as labour relation was concerned. Ghanaian workers were given little option other than resorting to the use of strikes and lockouts in their demands for better conditions of service in the work place as a result of the authoritarian nature of British rule. Workers had to adopt strategies aimed at coming together to present a united front in order to be able to drive home their demands. The workers“ struggled against a complex system of labour control. Through confrontations with the state, they came to understand their own importance to the national economy.

What were the specific labour issues that brought about those confrontations and how were these addressed by the colonial authorities?

As noted earlier, the growth of every economy depends to a large extent on the productivity of the nation's labour force. Indeed, economic growth which is measured by the increase in a country's Gross Domestic Product (GDP) is directly related to labour productivity. As a result, every government endeavours to maintain an environment which is congenial to labour productivity. The first President of independent Ghana, Dr. Kwame Nkrumah and the CPP administration adopted a prosocialist ideology with the aim of improving the standard of living of the populace through social intervention programmes. They established strong relationship with the Trade Union Congress (TUC) in order to gain the support of the working class and hence ensure continuous production of goods and services.

The adoption of the pro-socialist ideology by Nkrumah's CPP government, however, did not change matters in the *modus operandi* of workers in the country. Indeed, the adoption of an import substitution industrialization strategy by the government had profound repercussions on the role of the State in Ghana's labour relations. The Nkrumah government remained the largest employer of wage-workers in the country. According to Arthiabah, government employment of the labour force peaked in 1965-1966 when it exceeded 71 per cent of wage-labour.¹⁰ As a leading employer of wage-labour, the government developed a direct vested interest in the outcomes of unions' pure economic activities, such as collective bargaining. Even though the government

¹⁰ Peter Blay Arthiabah, "The Ghana TUC and Workers: Its Relationship with Past Governments and Contributions to National Development," Paper presented to the Symposium on the Life of Kwame Nkrumah, *Institute of African Studies, University of Ghana, Legon* (27th May-1st June, 1985) p. 16.

made several attempts to better the lot of the working population, not much progress was made to quell working agitations. From 1957 to 1966, the country recorded a total of 207 strikes involving 66,262 workers.¹¹ Similarly, a total number of 293 strikes involving 157,170 workers were recorded from 1966 to 1971.¹² In 1966 and 1967, for instance, there were 58 strikes involving 21,454 workers and the country lost 32,537 man-days.¹³ In 1968, there were 38 strikes involving 35,606 workers and the country lost 59,231 man-days.¹⁴ In 1969, there were 51 strikes involving 38,369 workers and the country lost 148,404 man-days.¹⁵ During the first six months of 1970, there were 37 strikes involving 7,333 workers and the country lost 109,060 man-days.¹⁶ For the first three quarters of 1971, the Industrial Relations Department of TUC recorded 80 work stoppages.¹⁷ Also, from 1972 to 1979, 285 strikes involving 160,408 workers were recorded.¹⁸ Furthermore, from 1980 to 1983 a total of 157 strikes involving 160,508 workers were recorded.¹⁹ In an attempt to forestall these labour agitations, governments resorted to infiltrating the rank and file of the labour unions as well as using the police and military force to quell labour unrest in the country. The method adopted in dealing with the labour

¹¹ Peter B. Arthiabah and Harry T. Mbiah, *Half a Century of Toil, Troubles and Progress*, p. 105.

¹² *Ibid*, p. 105.

¹³ PRAAD, ADM. 5/4/377 Opening address by Rt. Hon. Prime Minister, Dr. K. A. Busia at the plenary session of the 3rd biennial congress of the TUC (Ghana) at Winneba on Friday, 31st July, 1970, p. 3.

¹⁴ *Ibid*, p. 3.

¹⁵ *Ibid*, p. 3.

¹⁶ *Ibid*, p. 3.

¹⁷ Peter B. Arthiabah and Harry T. Mbiah, *Half a Century of Toil, Troubles and Progress*, p. 105.

¹⁸ Kwamina Panford, *Ghana: Labour Law, Labour and Industrial Relations* (Netherlands, Kluwer Law and Taxation Publishers, 2008), p. 149.

¹⁹ *Ibid*, p. 149.

agitations, however, led to increased agitation by grass root unionists that created a situation of mistrust between union executives and their membership.

This labour conflict that has existed in the country has been primarily presented as a problem caused by the labour force. Labour conflicts are, however, attributed to the clash of employer's declining profitability with workers attempt to maintain their living standards which in turn is shaped by their respective levels of confidence as much as their organizational capacity.²⁰ Ghanaian workers' demand has always centred on recognition of their rights and improvement in their conditions of service. After several years of independence, the same demands are still rife in the Ghanaian society. While members of the TUC believe that workers have over the years exercised some moderation in their demands, employers think otherwise.²¹ Indeed, the Secretary-General of the TUC in 2006 intimated that it was ludicrous for anybody to think that unions will want to undermine their employers. He noted that,

our objective function is to protect the interest of workers and to improve their standard of living. But we cannot do this if there are no jobs in the first place. We know that our survival as unions and the survival of our members depend on the survival of the businesses we work for.²²

This confirms the statement made by the Head of the Women's Department of the TUC noted earlier. Despite this fact, there have been long periods of disputes between employers and their employees often culminating in strikes and lockouts. Strikes continue to be an essential feature of the fabric of working life in Ghana. As a

²⁰ Chris Tilly and Charles Tilly, *Work Under Capitalism* (Boulder, CO: Westview Press, 1998), p. 20.

²¹ Interview with Mrs Veronica Ayikwei-Kotei (Head of Department in charge of Women's Desk of TUC, 1998. Retired as Head of International Affairs Department in 2004) at her residence, Kasoa, 20th February 2011, Age: 60-70 years.

²² *The Ghanaian Worker*, No. 30, 2006.

result of the effects of strikes on economic growth and development of the country, strikes by workers have been the focus of political and social controversy in recent years, and what has been the response of the various governments?

In fact, this study was necessitated by the massive public outcry against the persistent labour unrest under the New Patriotic Party's (NPP) administration from the year 2001 to 2008. According to scholars like Akua Britwum, the policy of the government for establishing a "property owning democracy" and providing "a golden age of business" were indications of pro-capital and anti-worker policymaking.²³ She further noted that, the policy measure the government adopted was to further privatisation, trade liberalisation, withdrawal of government subsidies and downsizing of government wage bill.²⁴ A critical examination of the policy measures of the government, however, portrays that the government policies were not necessarily anti-labour as suggested by Akua Britwum. Indeed, the NPP government put in place several social intervention programmes to alleviate the plight of the ordinary Ghanaian. One of the major policies of the government was the introduction of the National Insurance Scheme (NHIS) which brought an end to the "Cash and Carry system" in the health sector. Under the "Cash and Carry" scheme, patients had to make cash payments over the counter before they could receive medical treatment. However, the new scheme ensured that, Ghanaians and most especially, workers were able to access health facilities whenever it was necessary to do so while their scheme managers paid their bills. This invariably meant that the number of days lost to work as a result of health problems was reduced.

²³ Akua O. Britwum, *Sixty Years of Promoting Worker' Rights* (Accra, Trade Union Congress, 2007), p. 55.

²⁴ *Ibid*, p. 55.

Also, because the initial capital funding for the NHIS was drawn from workers contribution to the Social Security and National Insurance Trust (SSNIT), their disposable income, hitherto spent on paying health bills could be saved for other projects. Other programmes of the government such as the School Feeding Programme also helped in enhancing the standard of living of the people. This is because, incomes hitherto spent by parents to feed their children could be spent on other areas such as provision of good shelter.

On wages, the government acknowledged the fact that the State as a major-employer of labour was not paying realistic wages to its employees. The President in a statement noted that “Ghanaian workers pretend to be working while employers also pretend to be paying them.”²⁵ He noted the negative attitude of some workers to work such as lateness to work and leaving work very early. He called for a concerted effort to address the situation in order to see a paradigm shift in the labour market in terms of remuneration for workers. The NPP government’s proposed Single Spine Salary Structure (SSSS) was meant to help address the issues of salary differentials in the public service and thereby help reduce the number of strikes over wages in the country. Despite all the social intervention policies, the formal sector labour force remained uneasy and in constant conflict with the government.²⁶ In August 2005, Tema District Council of Labour (DCL), members of Ghana National Association of Teachers (GNAT), Civil Servants’ Association of Ghana (CSAG), Judicial Service Staff Association of Ghana (JUSSAG) and Ghana Registered Nurses Association

²⁵ State of the Nation Address delivered by H. E. President J. A. Kufuor at Parliament on 14th February, 2008.

²⁶ Britwum , *Sixty years of Promoting Worker’ Rights*, p. 61.

(GRNA), threatened demonstrations over claims that the NPP government was insensitive to the plight of workers. Indeed the Secretary-General of the TUC, Kwasi Adu-Amankwah commented that,

When president Kufuor assumed office in 2001, one of the first things he expressed concern about was the low incomes in Ghana. Five years on, we are still grappling with the question and there seem to be no answer. The Ghanaian economy seem to be trapped in a low equilibrium such that even the average growth of 5% per annum in the last two decades has not been able to take workers out of the low income trap.²⁷

He established that, in absolute and relative terms, incomes of Ghanaian workers were absolutely low. The Secretary-General further noted that “the high incidence of poverty in the country is a reflection of the low incomes that people are earning from the work they do.” He further emphasised the growing income inequality in the country in favour of a tiny minority most of whom are well connected. To him it was absolutely necessary for the government to pay “realistic” wages to workers. The importance of that point is expressed in the ILO, 1992 Convention as follows:

For the worker, there is little of more fundamental importance than whether remuneration levels are sufficient to supply the family with reasonable and fair standard of living. Wages, particularly relative wages, are also a key indicator of social status and esteem for most workers.²⁸

Kwasi Adu-Amankwah further noted that it is as a result of the above mentioned importance of wages that workers “did not joke with issues on wages.”²⁹ To him, the NPP government’s inability to cushion workers’ salaries accounted for over 60% of all the strikes that occurred during the period. Indeed, the incessant strike actions led

²⁷ *The Ghanaian Worker*, No. 30, 2006.

²⁸ ILO (1992) Convention.

²⁹ *The Ghanaian Worker*, No. 30, 2006.

to religious leaders, traditional rulers and members of the general public adding their voices to the call on workers to abandon their strike acts and act in the national interest.³⁰ Strike actions had become so accentuated that there was a massive public outcry against the phenomenon. What accounts for the inability of successive governments to find alternative solutions that will do away with the strikes?

Labour plays a very significant role in every economy in the world. Labour, however does not work in a vacuum. There exist three major agents in the labour market, that is, labour, employers and the government. As a result, fallouts are bound to occur in the labour market. It is important to examine the relations underlying labour conflicts in the country and to seek answers to these questions

- What are the specific labour issues that brought about labour conflicts in the country?
- What strategies were put in place to address the issues that resulted in labour conflicts?
- How successful were these strategies?
- Why did open strikes dramatically increase in the country from 1965 – 1983?
- Why it is that society cannot ignore labour conflict?

These issues have not been historically and sufficiently investigated and this study endeavours to subject this aspect of Ghana's labour history to adequate examination.

1.2 Objectives of the Study

The study aims at identifying approaches and strategies that were used to regulate the labour market between 1900 and 2008. The specific objectives have been summed into the following interrelated points

- Review working conditions in the country over the period of the study.

³⁰ Britwum, *Sixty Years of Promoting Worker' Rights*, p. 62.

- Study the trends of development of labour movements in the country.
- Evaluate the causes of strikes and lockouts in the country.
- Identify strategies used for resolving labour conflict and assess their impact in solving them.

1.3 Methodology

This section provides a description of the methods used to collect data and other information for the study. A case study approach in research methodology was adopted for the data collection to accomplish a major objective, that is, to assess critically events which culminate in labour unrests in the country. The research technique employed is semi-structured face-to-face interviews and an analysis of both primary documents and published materials from government departments, individuals and labour organisations. The semi-structured face-to-face interview is adopted in order to encourage a conversation and to allow participants to give their own account and work-related experiences. The method thus adopted placed less restriction on the kinds of answers interviewees could give. Typically the interviews lasted for over an hour. The available sources provided primary data and unpublished documents on trade unions and other government activities related to the labour market. For instance, Nana Kobina Nketia VI made available a document he was working on in relation to the labour market.

Samples for the study were selected on the basis of appropriateness to the purpose of the investigation. The major stakeholders in the labour market, that is, workers, owners of capital and heads of government departments were relied upon for information. Rank and file trade unionists as well as executive members of the various unions affiliated to TUC were interviewed. In the same manner, some executive members of

the Ghana Employers' Association (GEA) and the Association of Ghana Industries (AGI) were interviewed. Personnel from the Department of Labour which falls under the jurisdiction of the Ministry for Employment and Social Welfare were also interviewed. These sources yielded information and unpublished documents on trade unions and government activities related to labour market. The respondents used their intimate knowledge and active involvement in Ghana's labour market to shed light on the issue of labour unrest.

The other sources of primary information were archival materials and newspaper publications. The major archival depository that was used for the study was the Public Records and Archives Administration Department (PRAAD) Accra and Kumasi. The use of archival materials was extremely necessary in remedying the deficiency in labour research methodology with its scant original data sources. These documentary sources were extremely necessary in helping to contradict or confirm the data gathered from the interviews conducted. The newspaper that was heavily consulted was *The Ghanaian Worker*. The secondary sources of information for the study included publications by institutions such as the Department of Labour, TUC, GEA, the Ghana Statistical Service as well as magazines and the internet. Other publications from individual authors were also consulted.

The research strategy adopted was the qualitative research. The qualitative method was used to explain the conclusions produced by the quantitative method. Even though field survey was not conducted to gather various statistics for the study, the study relied heavily on the use of statistical data gathered by others on the field of study. As already indicated, the study used data from the Ghana Statistical Service

(GSS). The main issues that constituted quantitative data for the study were on:

- Conditions of work, that is, wages and working time/hours of work.
- Labour unrest, that is: strikes, lockouts and other expressions of class struggle, the number of workers involved in these actions, the duration of these actions in days regardless of year or season, the amount of time not worked by workers directly, indirectly or subsidiaries involved in these actions and the number and names of the companies involved, including conglomerates to which they belonged.
- Trade unionism, that is: statistics on number of paid-up union members as well as data on the development of labour unions in the country.

The method adopted for analysing the data collected was thematic analysis. The data was examined to extract core themes that could be distinguished both between and within transcripts.

1.4 The Theoretical framework

This section examines the concepts and the historical context for the study of labour history, identifying the general theoretical and historiographical reference point and the definition of various terms used in the study. The basic unit of analysis for studies in the economic history of labour is the worker. Work includes any human effort both physical and mental that adds value to goods and services to satisfy human needs/wants. All work involves labour processes, that is, allocation of “various intensities” and qualities of effort among different aspects of production within specific technical conditions.³¹ Thus, not all human efforts qualify as work. All destructive human efforts in as much as they reduce the transferable value of commodities lie outside the conceptual framework of labour.

³¹ Tilly and Tilly, *Work Under Capitalism*, pp. 22-23.

A historical analysis of labour fundamentally highlights relations in the production process. This study is therefore mainly concerned with examining the relations between capital, state and labour in Ghana. Studies of the relations in the production process have become extremely important in the 21st century as a result of improvement in information technology. Society's advances in knowledge and technology coupled with the ever increasing human population leads to increases in economic activities. Labour produces what Adam Smith refers to as surplus value which triggers exchange and speeds up economic activities.³² The increase in economic activities gives state, capital and labour relations a greater outlook. Specifically, the study addresses the following questions:

- What useful role has the state played in regulating the labour market in Ghana over the years?
- What is the nature of capital and labour relationship in Ghana?
- Could the relation between capital and labour be harmonised?
- Why do strike actions form part of the fabric of our social life?

The theories, that is, grand and middle range, adopted for the study include Braverman's Labour Process theory, Karl Marx's theory of dialectical materialism, the dependency and agrarian-populist perspectives on the development of capitalist institutions in Africa as a whole with special emphasis on Ghana, E. P. Thompson's expository on working class and Eric Hobsbawn's perspective on labour history.³³ These theories form the basis for this study and influenced the methodology adopted for the study.

³² Adam Smith, *The Wealth of Nations* (New York: 1937).

³³ Karl Marx, *Critique of Political Economy* (1859), E. P. Thompson, *The making of the English Working Class* (London, 1963), E. J. Hobsbawn, *Worlds of Labour; Further Studies in the History of Labour* (London, 1984).

Labour process theory has been the focus of considerable empirical research.

Braverman's "Labour and Monopoly Capital" inspired a stream of thinking and research around the idea of labour process.³⁴ It examined especially, the degree to which there has been an inexorable trend towards increasing control over the manual worker. The theory targets the individualism and voluntarism of the people in a State, who forgets how each person remains the creature of social relation "however much he may subjectively raise himself above them."³⁵ E. P. Thompson describes the labour process theory as having four elements:³⁶

- The principle that the labour process entails the extraction of surplus value.
- The need for capital enterprises constantly to transform the production process.
- The quest for control over labour.
- The essential conflict between capital and labour.

To this end, Braverman's analysis derides the findings of job satisfaction surveys that purport to reflect the reality of work, which simply mirrors how worker attitudes are constituted within relations of production. His analysis marginalises, and indeed aspires to exclude, consideration of the role of consciousness and action in the reproduction and transformation of the interdependent, though asymmetrical, relations of capital and labour. The epistemological consideration adopted was positivism which advocates the application of the method of natural sciences to the study of social reality and beyond. However, it must be acknowledged that social phenomena provide external facts that are beyond the natural sciences. This is to say that, acknowledging the issues and question of subjectivity opens up for inspecting the „complex-media“

³⁴ Braverman, *Labour and Monopoly Capital*, p. 124.

³⁵ Marx, *Critique*, p. 92.

³⁶ Thompson, *English Working Class*, p. 65.

of capital-labour relations, that difficult space where work organisation gets produced and reproduced in the everyday accomplishments of agency and social interaction.

The labour process theory enables us to classify the multitude of manifestations of labour. The theory illustrates the existence of variations in the organisational approaches to institutionalised labour relations. One variant is in determining whether the labour takes place under autonomous (i.e. by the labourer's household) or heteronomous (i.e. by someone outside the labourer's household) supervision. Given the historical relations of production in Ghana, workers cannot be understood as individuals and as such the unit of analysis for this study is the labourer's household. By implication, within the households, autonomous and heteronomous, paid and unpaid labour relations can occur. This leads us to determining whether the performance of work (i.e. the production of goods or services to satisfy human wants) is remunerated. If labour is not rewarded for partaking in a productive activity, that activity is not regarded as an economic activity and all such noneconomic activities are not considered in this study. The distinctions in the labour relations have been thoroughly presented by Marcel van der Linden and Jan Lucassen in Table 1.1 below.

Table 1:1 Labour process

Labour type	Autonomous	Heteronomous
Unpaid	Includes household labour and other forms of subsistence labour	Includes feudal serfdom and chattel slavery

Paid	Includes forms of self-employment (e.g. small farmers, artisans, and shop owners), producer cooperatives and employers	Includes temporary forms of unfree labour, such as debt slavery and indentured labour, as well as free wage labour
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Source: Marcel van der Linden and Jan Lucassen, *Prolegomena for a Global Labour History* (Amsterdam, Ad-Druk, 1999), p. 9.

The analytical core of labour and working-class history is, traditionally, one variant of heteronomous paid labour, i.e. “free” wage labour. This existed sporadically during antiquity and the early middle Ages, but became dominant in modern capitalist and socialist societies. This study focuses on the “free” wage labourer. In its very varied forms, “free” wage labour has become the second most common form of labour; unpaid subsistence labour remains the most common form in Ghana.

A distinctive contribution of the labour process theory resides in its capacity to show how “the rationality of technique in the modern industrial enterprise is not neutral in respect of class dominations.”³⁷ The theory challenges the bourgeoisie analysis of the workplace which recognises workers as “free agents” only by virtue of their seemingly sovereign control over the sale of their labour.

On the issue of efforts by the owners of capital to control labour, Storey and Friedman present different views of the labour process analysis.³⁸ Storey disagrees with the analysis which rests on the functionalist premise that, capital constructs systems of control in order to secure the structurally necessary extraction of surplus value from labour. He points to the existence of a multiplicity of levels, circuits and forms of

³⁷ Anthony Giddens et al, *Social, Class and Division of Labour: Essays in Honour of Ilya Neustadt* (Cambridge, Cambridge University Press, 1982) p. 39.

³⁸ John Storey, “The Means of Management Control”, *Sociology*, 19 (1985), pp. 193-211.

control that, he argues, are not exclusively formed by an essentially logic of capitalism. “Capitalist interests,” Storey declares, are not given *apriori* assumption nor do they rest upon a single precarious mode of control. Rather, these “control devices are activated, merged and are constituted anew”; formed out of “struggles between various groups-both within and between workers and managers.”³⁹ To this end, Storey does not accept that owners of capital have deliberate plans to control labour with the view of extracting surplus value. He, however fails to offer insights into how the „struggles“ are practically organised, pursued and accomplished in an organisation.

Furthermore, from a historical viewpoint, materialism is the recognition that the material life of society (i.e. people’s standard of living) and the social processes of material production (i.e. the labour processes) form the material foundation for the interaction of the entire social phenomenon which ultimately determine the spiritual sphere and all the other expressions of social life.⁴⁰ The theory of historical materialism therefore offers a genuine philosophical and theoretical basis for this research. It also offers a legitimate basis for analysing the economic system in Ghana under British colonial rule. The concept of historical materialism as set forth by the writings of the German political philosopher Karl Marx, the German revolutionary political economist Frederick Engels, and the Russian revolutionary leader and theorist Nikolai Lenin, postulates that in every historical epoch the prevailing economic system by which the necessities of life are produced determines the form of societal organisation and the political, religious, ethical, intellectual and artistic history of the epoch.⁴¹ The

³⁹ John Storey, “The Means of Management Control”, *Sociology*, 19 (1985), pp. 193-211.

⁴⁰ Robert C. Tucker (eds.), *The Marx Engels Reader* (New York, 1971), pp. 70-71.

⁴¹ *Ibid.*

mode of production is a unity of two connected sides of production; that is, the production forces (i.e. workers) and the relation of production (i.e. employers). The production forces express the relations of men with nature (i.e. relation between workers and other non-human factors of production) while the relation of production expresses relations of men with each other (i.e. relation between employers and workers). According to these scholars, societal organisation is primarily based on the relations of factors of production which include entrepreneurship, land, capital and labour.

According to Karl Marx, history itself is the making of man by means of man's labour that is, through his/her own activity. Marxists, therefore, absolutely reject the ideology of the bourgeoisie that capitalists are men who have greater endowments and capacities than workers. It is deduced from the Marxist theory that the social positioning of workers in Ghana is a direct product of their own activities. As noted earlier, labour produces not only commodities; it produces itself and the worker as a commodity- and does so in the proportion in which it produces commodities generally.⁴² However, the peculiarity of labour power rest in the fact that, although, it is treated as a commodity in the market, it enters the market for reasons other than such inanimate commodities like land and capital or the entrepreneur who has controlling influence over all the factors of production. Thus, in order to live, workers sell their labour for wages. Labour markets therefore organise production and distribution as an exchange relationship of wages and labour inputs.⁴³ According to Marxists' analysis,

⁴² Tucker (eds.), *Marx Engels Reader*, p. 72.

⁴³ Offe, *Disorganized Capitalism*, p. 21.

the dialectical contradiction that lies at the heart of capitalism is the relation between labour and capital.

The development of capital relations of production defined as the form in which labour and capital were acquired through the market is associated with the growth of cocoa farming in Ghana by historians.⁴⁴ Marxists⁴⁵ argue that the development of capitalist institutions in developing societies has led to the virtual cycle of poverty where low productivity brings about low income, low savings, low investment level, and a resulting low productivity/output. This in turn fuels animosity between workers and owners of capital leading to frequent strike actions. The annals of the world have records of large scale and less imposing revolutions often fuelled by the determination to change this order. To Marx, change in the “material productive forces” brings them into conflict with the existing “relations of production” within the framework of which they have operated hitherto.⁴⁵ The concept here is that, the economic structures produce or alter human consciousness. This concept will therefore enable us to explain the reasons why strikes continue to form part of the social fabric of Ghana. It can be established that the standard of living of workers and their social positioning is affected by the nature of the relationship between western industrialised nations and developing economies. It is therefore important for us to assess the impact of colonisation on the region of modern Ghana in order to be able to understand labour relations in the country better.

⁴⁴ Gareth Austin, “Rural Capitalism and the growth of cocoa farming in South Ashanti, 1914.” (PhD diss. Birmingham University, 1984), pp. 347- 449.

⁴⁵ Vernon W. Ruttan and Yujiro Hayami, “Towards a theory of Induced Institutional Innovation,” *Journal of Development Studies* 20:4 (1984), pp. 204-205.

Drawing upon various Marxists' ideas, dependency theorists observed that former colonial nations were underdeveloped because of their dependence on western industrialised nations especially in the areas of foreign direct trade and investment. Advocates of the theory argue that rising levels of unemployment resulting from the use of capital-intensive technology distorts developing economies. The dependency theory sees the reproduction of the perceptibly archaic relations of production as the major cause of Africa's continued poverty.⁴⁶ Proponents of the theory argue that Africa's transition to the capitalist state is over, having amounted merely to the integration of pre-capitalist institutions in a "peripheral" form of capitalism capable of generating only small advances in productivity, and most of whose surplus is exported to the advanced capitalist economies or, if spent locally, is consumed rather than invested.⁴⁷ They recognise the exogenous model, in which capitalism was brought to pre-capitalist societies by the imperialism of advanced capitalist societies. In Ghana, the advent of the Europeans in the 15th century set the stage for the development of capitalist institutions.

The following labour market related variables: Population, wage ratios, industrial concentrations and manufacturing wages used in the study are subsequently examined. Population or city size is a proxy for autonomous labour markets. The wage ratios examine the convergence of skilled and unskilled labour wages and segmentation of labour market into competitive and imperfectly competitive markets. Industrial

⁴⁶ Colin Leys, "Confronting the African tragedy," *New Left Review* 204 (1994), pp. 44–45.

⁴⁷ Samir Amin, *Unequal Development: an Essay on the Social Formations of Peripheral Capitalism* (England, Hassocks, 1976), pp. 328–29; Rhoda Howard, *Colonialism and Underdevelopment in Ghana* (London, Croom Helm, 1978), p. 217.

concentration implies less imperfection in skilled labour markets and, hence, somewhat more leverage for those workers. These determinants tell a story of autonomous and segmented labour markets whenever both skilled and unskilled protest against market imperfections and for higher wages. Skilled workers stood at the forefront of protest and resistance. They resisted market imperfections via meetings and withdrawal of their services. By contrast, the unskilled normally complied with economic forces reaping low wages. Enterprises, therefore worked to keep them there.

1.5 Research proposition

This study is guided by the general proposition that workers form the backbone of every economy and therefore if the relationship between employers and employees is harmonised, it could provide a means of ensuring sustainable development of the country in terms of increased production of goods and services.

The specific propositions are that:

- A harmonious relationship between labour, capital and government will be a great social, political, cultural and economic value to the country.
- The labour market relationship needs careful planning and management.
- There is a major conflict of interest among the parties involved which must, however, be identified and managed.

1.6 Rationale for the Study

The need to harmonise the relationship between labour, owners of capital and the state should become paramount if Ghana is to achieve higher middle income status. This is because, time lost in production resulting from labour agitations stalls the production

process which could have a negative effect on the economic growth and development of any country.

A historical analysis of labour relations in the country will help to highlight the strategies and approaches in dealing effectively with relations in the labour market to ensure consistent economic development of the country. It is anticipated that the study would highlight the relations in the labour market to find out how society has managed the relationship between capital and labour in the past.

1.7 Scope of the Study

Ghana should be at the centre to the story of labour in the sub-Saharan region.⁴⁸ This is because activism among wage-labour in Ghana has served as an inspiration for most of the people in the region.⁴⁹ Labour power is the main asset of people, especially the poor and it is an essential factor of production for firms of all types and sizes.⁵⁰ The World Bank survey titled, “Voices of the Poor” established that for more than 70 per cent of the poor, finding a job whether salaried or self-employed, is the main way out of poverty.⁵¹ Since it is the aspiration of every government and for that matter society to eliminate or reduce poverty to its barest minimum, labour issues are of immense importance to society.

⁴⁸ Kwamina Panford, *African Labor Relations and Workers Rights: Assessing the Role of the International Labor Organisation* (London, Greenwood Press, 1994), p. 5.

⁴⁹ Kwamina Panford, (1994a), p.5.

⁵⁰ Panford (1994a), p. 14.

⁵¹ Deepa Narayan-Parker, *Voices of the Poor: Poverty and Social Capital in Tanzania* (Washington, World Bank, 2002), p. 35.

The period of study for this research work is 1900 to 2008. A better census picture about wage employment in Ghana had begun to emerge from about the 20th century. During this period, the people in the region had started producing goods and services in excess of what they needed. Historical records dealing with traditional farming of food crops and the production of such commodities as cocoa, palm oil and timber give information about labour relations in Ghana. A ten year population census conducted in 1901 to assess the population growth rate of Ghana also provided data on prices of key export commodities and prices paid to the emerging Gold Coast wage work force.⁵² The project also provided particular data on daily wages which became a basis for the determination of minimum wage. By 1902, the British had consolidated the Coastal/Southern Gold Coast territory with Asante Province and Northern Territories into a single British ruled territory.

The period also witnessed the start of various surveys by British colonial authorities to facilitate colonization. In the works of Richard Sandbrook and Robin Cohen (eds.), we see the rise of emerging labour force and a working class earning wages from the colonial administration and expatriate firms engaged in the export/import trade, mining, timber logging but very little manufacturing.⁵³ A rudimentary labour department in the Gold Coast had been established by the British Colonial government by 1938 to aid the use of Gold Coast workers by the colonial authorities and foreign companies. Colonial records reveal that, regular wage labour on farms developed between 1921 and 1930. In 1923-4, three men (on separate occasions) identified

⁵² Government of the Gold Coast, *Gold Coast Colony Blue Book* (Accra, Ghana: Government Printer, 1902).

⁵³ Richard Sandbrook and Robin Cohen (eds.), *The Development of an African Working Class: Studies in Class Formation and Action* (Buffalo: University of Toronto Press, 1975).

themselves as cocoa labourers living in the village of Bogyawe, Boni and Patase, respectively.⁵⁴ Similarly, informants in Bekwai and Asikaso in south-east Amansie stated that wage labour began on cocoa farms around their settlements respectively during and after the influenza year of 1918.⁵⁵ By 1938, wage employment was an established feature of the labour market in Ghana.

The implementation of the World Bank and International Monetary Fund (IMF) Economic Recovery Programme (ERP) by the PNDC government in 1983 marked a major watershed in the labour market. The programme which lasted until 1985 marked the beginning of a full-scale implementation of economic rationalisation and liberalisation policies.⁵⁶ The programme was initially aimed at stabilising the economy by halting its rapid decline and dampening inflation rates.⁵⁷ This was to be achieved through public sector personnel and budgetary reforms aimed at mopping up excess liquidity and reducing government budget deficit.⁵⁸ The resulting withdrawal or drastic reduction in government paid subsidies on social services had serious implication on workers in Ghana. Its immediate effect that is, the fall in household purchasing power and other effects are adequately examined in this study.

⁵⁴ PRAAD, ADM 46/4/1, Bekwai Criminal Records Book, 463, 717-22, 1925.

⁵⁵ Ibid.

⁵⁶ Emmanuel Gyimah-Boadi, ed. *Ghana under PNDC Rule* (Dakar, CODESRIA, 1993), p. 8.

⁵⁷ Kwamina Panford, *IMF-World Bank and Labor's Burdens in Africa, Ghana's Experience* (Westport, Greenwood Publishing Group, 2001), p. 17.

⁵⁸ Mahamudu Bawumia, "Understanding the Rural-Urban Voting Patterns in the 1992 Ghanaian Presidential Elections: A Closer Look at the Distributional Impact of Ghana's Structural Adjustment Programme," *The Journal of Modern African Studies*, 36 (1998), pp. 47-70.

This research work focuses on the emergence of worker consciousness in a context of overlapping ethnic and class-based affiliations and its expression in acts of collective and individual protest. The range of issues dealt with in the study includes: working condition, labour movements, strikes and lockouts and conflict resolution mechanisms.

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1.8 Organisation of Study

The thesis has been organised under six broad chapters. Chapter one, which is essentially introductory, sets out the background to the study, research problem, objectives of the study, scope of the study, research proposition and rationale for the study. The chapter also deals with the conceptual framework and method of study. Chapter two reviews the relevant literature on the area of study. Chapter three examines the conditions of work in the country. Chapter four focuses on the development of labour movements. Chapter five evaluates the causes of strikes and lockouts. It also identifies labour conflict resolution mechanisms and assesses their impact in resolving labour conflicts in Ghana. Chapter six, the concluding chapter, highlights the findings and makes recommendation for further studies.



CHAPTER TWO

LITERATURE REVIEW

2.0 Studies in African Labour History

The past three decades have witnessed the development of a substantial body of research, which transformed African and especially Ghana labour history from a neglected field into a vibrant academic arena. The works of Richard Sandbrook, Bill Freund, Richard Jeffries, Paul Lubeck, Kwamina Panford, E. A. Cowan, St. C.

Drake, John K. Tettegah, Robert H. Bates, Jeff Crisp, and Peter B. Arthiabah and Harry T. Mbiah, opened up the subject and put it at the centre of research in African social history.⁵⁹ This early literature naturally reflected the theoretical paradigms of the 1970s and 1980s, which were preoccupied with the processes of class formation, trade unions, and labour activism. Influenced by orthodox Marxism, these studies have portrayed the working class as a homogeneous entity whose members shared the same perceptions and aspirations by virtue of their position within the capitalist structure.

Authors such as Kwamina Panford, Obeng-Fosu and C. Kerr et al, have captured various forms of relations between trade union and the state that have impacted labour

⁵⁹ Richard Sandbrook and Robin Cohen (eds.), *The Development of an African Working Class* (London: Longman, 1975); Jeff Crisp, *The Story of an African Working Class: Ghanaian Miners' Struggle, 1870-1980* (London: Zed Books, 1984); Paul Lubeck, *Islam and Urban Labour in Nigeria: The Making of a Muslim Working Class* (Cambridge: Cambridge University Press, 1978); Richard Jeffries, *Class, Power and Ideology in Ghana: The Railwaymen of Sekondi* (Cambridge: Cambridge University Press, 1978); Bill Freund, *The African Worker* (Cambridge: Cambridge University Press, 1988). E. A. Cowan, *Evolution of Labour Unionism in Ghana* (Accra TUC, Ghana); Peter Blay Arthiabah and Harry Tham Mbiah, *Half a Century of Toil, Trouble and Progress: The History of the Trades Union Congress of Ghana* (Gold Type Press Publications Ltd, 1995); ST. C. Drake and L. A. Lacy, "Government Versus the Unions: The Sekondi-Takoradi Strike, 1961", in G. M. Carter, (ed.) *Politics in Africa: Seven Cases* (New York, Harcourt, Brace and World, 1966) pp. 67-118. Clark Kerr, et al, *Industrialism and the Industrial Man* (New York, Oxford University Press, 1955); John K. Tettegah, *A New Chapter for Ghana Labour* (Accra, Ghana TUC, 1958).

policies in Ghana.⁶⁰ They showed how the TUC have evolved over the years and how state legislations have affected the structure of the TUC. Kwasi AduAmankwah, Yao Graham and Kwame Ninsin also devoted attention to trade unionstate relations especially during the period of the PNDC era.⁶¹ Their accounts explain the choices of the TUC's leadership and how the choices made have impacted union cohesion and membership allegiance. Similarly, Anthony Yaw Baah and Kwamna Panford have documented the decreasing membership size of trade unions and its effects on union funds.⁶² Panford further describes the political survival strategies of the PNDC/NDC governments and highlights the role of the labour union in pushing for political transformation to civilian multi-party democracy in the early 1990s.

Using an interdisciplinary approach to study African labour relations and workers' rights, Panford examined several concepts adopted for the study of labour. He was able to identify the role of labour in an economy.⁶³ Similarly, he established that most of the labour policies adopted in developing countries were rather based on certain

⁶⁰ Kwamina Panford, *IMF-World Bank and Labor's Burdens in Africa* (Westport, Praeger Publishers, 2001); Patrick Obeng-Fosu, *Industrial Relations in Ghana: The Law and the Practice* (Accra, University Press, 1991); Clark Kerr, et al, *Industrialism and the Industrial Man* (New York, Oxford University Press, 1955).

⁶¹ Kwasi Adu-Amankwah, "The State, Trade Unions and Democracy in Ghana, 1982-1990". A Research Paper submitted in Partial fulfilment of the requirements for obtaining the Degree of Masters of Arts in Development Studies at the Institute of Social Studies, The Hague (1990); Yao Graham, "From GTP to Assene: Aspects of Industrial Working Class Struggles in Ghana 1982-1986" in Emmanuel Hansen and Kwame A. Ninsin (eds.), *The State Development and Politics in Ghana* (Dakar, CODESRIA, 1989), pp. 43-72; Kwame A. Ninsin, "State, Capital and Labour Relations, 1961-1987" in Emmanuel Hansen and Kwame A. Ninsin (eds.), *The State Development and Politics in Ghana* (Dakar, CODESRIA, 1989), pp. 15-42.

⁶² Anthony Yaw Baah, "Trade Unions and Working Conditions in Ghana, 1980 – 1990" (Unpublished); Kwamina Panford, *IMF-World Bank and Labor's Burdens in Africa*, p. 109.

⁶³ Kwamina Panford, *African Labor Relations and Workers' Rights: Assessing the Role of the International Labour Organization* (London, Greenwood Press, 1994), p. 158.

unproven assumptions about the impact of labour unions on Africa's capacity to resolve its socio-economic problems.⁶⁴ For instance, he provided evidence to demonstrate that wage claims and strikes are not to blame for Africa's socioeconomic problems. He therefore disagreed with authors such as Asoka Mehta, who called for restrictions to be imposed on labour strikes on the basis that they could disrupt industrialisation, hence the economic growth of a country.⁶⁵

Asoka Mehta explained that wage claims by unions would discourage investments by increasing labour costs, reducing enterprise profits and thereby slow down the rate of capital formation.⁶⁶ He primarily based his argument on the premise that, industrialisation was the only correct path to economic growth and rapid capital accumulation was the *sine qua non* for successful industrialisation. He proposed that the scope of Trade Unions activities be limited. He consequently established that "fighting the elections on specific issues, forming the government or the opposition, agitation and propaganda on political problems and social issues should be left outside the Trade Union field."⁶⁷ Other authors such as Arthur Lewis, and Karl de Schweinitz, Jr., opposed the granting of full unions liberties.⁶⁸ This argument received support by some African employees and government representatives even up until 1982.⁶⁹ However, one cannot focus exclusively on accumulation of capital as

⁶⁴ Ibid, p. 160.

⁶⁵ Asoka Mehta, "The Mediating Role of the Trade Union in Underdeveloped Countries", in *Economic Development and Cultural Change*, VI (October 1957), pp. 16-23.

⁶⁶ Ibid, p. 18.

⁶⁷ Ibid, p. 20.

⁶⁸ Arthur Lewis, "Consensus and Discussions of Economic Growth: Concluding Remarks to a

Conference”, in *Economic Development and Cultural Change*, VI (October 1957) pp. 75-80; Karl de Schweinitz, Jr., “Industrialisation, Labour Controls and Democracy”, in *Economic Development and Cultural Change*, VIII (November – December 1959), pp. 765 – 781.

⁶⁹ ILO International Labour Conference, *Labour Relations in Africa: English-Speaking Countries* (Geneva, ILO, 1983b).

the only factor responsible for industrialisation, hence economic growth. As noted by Fisher;

Our understanding has... progressed. More than a decade of observation and experience revealed that capital is not the only strategic factor affecting the rate of economic progress... the rate of economic development ; itself has been found depend upon men, their skills and their institutions.... economic development cannot proceed without favourable economic, social and political climate.⁶⁴

On a similar note, B. J. Callaway and E. Card explained in the study on why Ghana has not been able to industrialise, that several problems such as factories been idle due to lack of raw materials, unreliable revenues from sale of primary export products leading to scarcity of foreign exchange needed to buy raw materials for the industries have accounted for Ghana’s inability to industrialise.⁶⁵ Thus, labour is only one of the factors of production hence cannot be the only factor responsible for stalling economic growth as had been assumed.

Kwamina Panford concluded therefore that, “any analysis that hinges on the assumption that labour control per se will ensure rapid industrialisation will not reflect or capture the true role of labour in socio-economic development of a country.” It is therefore important to analyse all issues on economic growth and development by examining all the factors of production. In examining these factors, he emphasised the

⁶⁴ Paul Fisher, “The Economic Role of Unions in Less-Developed Areas,” *Monthly Labour Review*, 84 (September 1961), pp. 951 – 956.

⁶⁵ B. J. Callaway and E. Card, “Political Constraints on Economic Development in Ghana,” in M. F. Lofchie (ed.) *The State of the Nations: Constrains on Development in Independent Africa* (Berkeley, Los Angeles, University of California Press, 1971), pp. 65 – 92.

role of the state, most especially the extent to which abrupt and violent changes in government made the adoption of consistent economic strategies not possible. In the labour sphere, he pointed out the high levels of political instability undermined the crafting of long-range labour and human resource development and utilisation. He further drew attention to a phenomenon most especially in Africa which has to do with employees paying lip service to workers.

He however failed to account for the phenomenon.

Richard Sandbrook and Jack Arn in their monograph “the Labouring Poor and Urban Class-formation: The case of Greater Accra” noted that, class consciousness is a function of class struggle: a consciousness rooted in the unequal distribution of resources, of personal and corporate wealth and, hence unequal access to economic and political power and occupational mobility.⁶⁶ They however, concluded that, “in Ghana, conditions for revolutionary change are unlikely to exist in the foreseeable future, though the conditions for sparking occasional urban unrest, such as that in 1961 and 1971, will undoubtedly persist.”⁶⁷ Although their approach on the study of the labouring poor did not utilise historical synthesis, if their conclusion is accepted, then we accept that in Ghana, political and class consciousness has not yet produced a working class vanguard determined to put its life on the line to create a more just order. Aside the fact that the methodology used was strictly ahistorical, we are not given any model to help us analyse the structure of dependency and the market system or class

⁶⁶ Richard Sandbrook and Jack Arn, “The labouring Poor and Urban Class-formation: A case of greater Accra” *Monograph Series No. 12*, McGill University, Montreal (1977), p. 68.

⁶⁷ *Ibid*, p. 74.

formation, all of which enable us to place into sharper focus the exact nature of political-consciousness; that is, what the labouring poor are and what they are not yet.

As already noted above, the authors share in the ideas of Karl Marx on class struggle. Class analysis remains one of the most dynamic and historically objective tools in the arsenal of modules and theories which comprise the social sciences. Large scale and less imposing revolutions swirl around us, fuelled by a determination to change the old order. Liberation movements, once the instrument of achieving nationhood and the catalyst which overthrew colonialism, are once again important as millions of people have served notice that they seek more than the dependant relationship which is all that the rich world has so far offered them; and more than the opportunities allowed them by the elites in their own nations. The basic tenet of Marxist teaching is that the economic element is the primary motivation factor in explaining change in the world. In Marxist parlance, it is the substructure which determines the superstructure.⁶⁸

In Ghana, class consciousness has been rooted in the history of colonial domination, its exploitation, and its racism. To suggest that this consciousness is of recent origin is to overlook the long history of formal and informal resistance of labour protest, in particular and to conclude that the colonially dominated people passively accepted their lot. Since the Second World War, the working class had grown tremendously, and trade unions were being organised in every town. In the port cities of SekondiTakoradi, they were organised and led by Marxists like ex-locomotive driver

⁶⁸ Vincent Dadoo, "A Historian of World Society: A study of the Historian Eric Hobsbawn and a Critique of his AGE OF CAPITAL" in *Journal of Science and Technology*, 28 (August, 2008) pp. 102 – 116. It must, however, be noted that, the superstructure can, under special circumstances, determine the substructure.

Pobee Biney, Turkson Ocran and Anthony Woode.⁶⁹ It was the economic conditions in Ghana that underscored the demand of the masses for change. Thus, one realises that traditionally, economics and law have been the main influences on industrial relations. This has resulted in a concentration on macro level industrial relations and therefore on unions, government and collective bargaining.

Labour history in times past traditionally focused on the predominantly male workers in the formal sector. The history of development of labour movements in Ghana has also focussed on male workers. Technology has facilitated changes in organisational structure which has made it possible for work to be performed outside the enterprise. This and other factors have led to an influx of more females into employment with their preference for flexible working hours. As a result, the study of African labour history has moved to encompass female and casual labour, peasants, petty traders, slaves, and other marginal groups.⁷⁰ There has been growing interest in the history of non-wage workers in the informal sector of the economy as well. For instance, the works of Charles Van Onselen, Robertson Claire and Luise White have focused on prostitutes, taxi drivers, market women, and domestic servants, and underscored their role in the reproduction of labour.⁷¹ This study in part, examines the role of women in labour unions in Ghana. It also takes a cursory examination of the working conditions of domestic servants under the British colonial authority.

⁶⁹ Richard Sandbrook and Jack Arn, "The labouring Poor and Urban Class-formation: A case of greater Accra" *Monograph Series, 12*, McGill University, Montreal (1977), p. 86.

⁷⁰ Ahmad Sikainga, "Organised Labour and Social Change in Contemporary Sudan", Working Paper, University of Durham, Centre for Middle Eastern and Islamic Studies Durham (2003), p. 6.

⁷¹ Charles Van Onselen, *New Babylon: Studies in the Social and Economic History of the Witwatersrand, 1886-1914* (London: Longman, 1982); Robertson Claire, *Sharing the Same Bowl: A Socioeconomic History of Women and Class in Accra, Ghana* (Bloomington: University of Indiana Press, 1984); Luise White, *The Comforts of Home: Prostitution in Colonial Nairobi* (Chicago: University of Chicago Press, 1990).

Most West African countries after independence strove to industrialise by adopting the import-substitution approach to industrialisation. In Ghana, the Nkrumah-led CPP government adopted this approach to industrialisation by establishing such industries such as the Juapong Textiles Factory, Jute Factory, Nsawam Canaries, and Kumasi Shoe Factory among others. Several books have been written about industrialisation on the African continent most of them touching on the role of labour in development. American research projects of the 1950s under the “Inter-University Study of Labour Problems in Economic Development” took a look at a historical and geographical perspective on industrial conflict.⁷² The writers established that, there were “universal responses of workers to industrialization, with a natural history of worker protest”, in which the forms of protest changed from absenteeism, fighting, turnover, theft and sabotage to spontaneous stoppages and demonstrations. Clark Kerr, *et al* concluded that “worker protest in the course of industrialization tends to peak relatively early and decline in intensity thereafter.”⁷³ He established that there are differences between workers and managers/state that must be managed more efficiently to solve disputes. He provided an essential theoretical framework on how researchers may enhance their contribution on the subject of labour control:

Labour economists, and indeed social scientist in general, must become more conscious of the variety of experiences and the range of factors shaping the labour problems in the course of industrialisation if they are to play a part in developing understanding as basis of policy. The framework of analysis must be expanded to comprehend a wider range of factors operative in

⁷² Clark Kerr, et al, *Industrialism and the Industrial Man* (New York, Oxford University Press, 1955), p. 307.

⁷³ *Ibid*, p. 287.

the industrialisation process if social scientists are to make useful contributions to the labour problems of our times.⁷⁴

The research projects further established that, from 1950 onwards, society would witness a less central role for worker protest as industrialization was increasingly embraced by new workers. The question is what are the underlying principles for the change in the forms of labour protests? Is it perhaps, because labour is now more organized? Also can we say for sure that the 21st century has witnessed a decline in worker protest? How has worker protest affected attempts by Ghanaian governments to industrialise?

The labour market has historically been dominated by the classical economics view which espoused free and unregulated markets.⁷⁵ This laissez-faire capitalism led to social injustices and iniquities since labour did not have the power to bargain with employers on terms which even approached a degree of equality in bargaining strength.⁷⁶ Industrial relations therefore developed in the context of the theory that problems in labour relations emanate largely from market imperfection which operates against the interests of labour and cause imbalances in the power relationships of employers and employees.⁷⁷ These imperfections which are external to the enterprise tended to operate against the interest of labour thereby causing imbalances in the power relations of employees and employers.

⁷⁴ Ibid, p. 235.

⁷⁵ S. R. de Silva, "Elements of a Sound Industrial Relations System" (International Labour Organisation, ACT/EMP Publications, 1995), p. 5.

⁷⁶ Ibid.

⁷⁷ Ibid.

In the 1960s and 1970s, factors exogenous to the workplace such as, the role of the state and political tradition became increasingly prominent on the historiography of labour. Roberts noted that,

in Ghana as elsewhere, under colonial domination: the status of the employee at work cannot be divorced from his status in society, the establishment of trade unions... being a manifestation of concern with issues of social as well as of industrial significance. The link between political activity and trade union association was inevitably made close when the right of workers to protect their interest by the exercise of collective bargaining was intimately connected with the bringing about of changes in the prevailing political environment.⁷⁸

Thus, to address the labour problems resulting from market imperfections, a range of initiatives both by the State via protective labour laws, conciliation and dispute settlement machinery, by employees through trade unionism were adopted.

On the link between political activity and trade union associations, authors like E. A. Cowan, Kwamina Panford and Kester and Sidibe have various accounts of the “Siamese twins” relationship that existed between the TUC and the CPP government.⁷⁹ They examined in-depth the benefits of the collaboration between them. They concluded that the collaboration resulted in the enactment of legislations that guaranteed good working conditions for the workers in general and strengthened the structure of the TUC. It suffices to further inquire into why such state union movements collaboration declined overtime and if it was that beneficial to workers

⁷⁸ Benjamin Charles Roberts, *Labour in the Tropical Territories of the Commonwealth* (London, Bell and Sons, 1964), p. 29.

⁷⁹ E. A. Cowan, *Evolution of Trade Unionism in Ghana* (Accra, TUC, 1960); Kwamina Panford, *African Labour Relations and Workers' Rights: Assessing the Role of the International Labour Organisation* (London, Greenwood Press, 1994); Kester G. and Sidibe O. (eds), *Trade Unions and Sustainable Democracy in Africa* (Brookfield, Ashgate Publishers, 1997).

why have subsequent governments not adopted the same approach to dealing with labour unions?

Some authors have also focused on specific trade union activities. For instance, Jeff Crisp's work recounts the resistance-oriented activities of Ghana's gold mine workers from the establishment of foreign owned mines in 1870 to 1980.⁸⁰ His first chapter, "A Conceptual Framework for African Labour History" gives the definitions and classifications of labour control strategies, modes of labour resistance and labour authority structure which equip the reader for better understanding of the rest of the book and African labour history in general. He explored the informal forms of labour resistance which includes absenteeism, malingering, sabotage, theft restricted output and riots. The inclusion of these forms of resistance reveals a greater vitality of working class resistance than is otherwise obvious. Richard Jeffries also focused on the activities of the railway workers in Ghana.⁸¹ He emphasised on the role of the Railway Workers Union (RWU) in the development of the Ghana Trade Union Congress (GTUC). These authors acknowledged that, regulation of the external labour market did not necessarily address all the causes of labour problems. They shed light on the fact that labour problems such as low productivity, absenteeism, lack of job security and non-recognition of standardised wage systems arise not from factors external to the enterprise but from unsatisfactory management of human resources within the enterprise.

⁸⁰ Jeff Crisp, *The Story of an African Working Class: Ghanaian Miners' Struggle, 1870 – 1980* (London, Zed Books, 1984).

⁸¹ Richard Jeffries, *Class, Power and Ideology in Ghana: The Railwaymen of Sekondi* (Cambridge, Cambridge University Press, 1978).

To gain an adequate appreciation of the history and historiography of workers, a new interpretation is constructed by widening the boundaries of labour history, thematically as well as geographically. It must, however, be mentioned that jettisoning what has been accomplished in the past work is no more helpful than refusing to address new topics and issues. The analyses of very recent labour relations and labour movements in Ghana from the past two decades are usually the domain of scholars from other fields such as economics, industrial relations or sociology.⁸² Labour's history at the start of the century like all historiographies, tended to be a blend of old and new in which strength of past work complements insights derived from work that seeks to address areas little explained in previous writings. It is in this regard that this study was embarked upon to establish continuity and change in the labour market in Ghana.

In sum, this section has revealed that studies on labour market especially Ghana are silent on some aspects of labour market relations. These include, among other things, issues relating to working conditions of workers especially women and domestic servants, historical methods of dispute resolution in the labour market and structures that have developed over the years to support the labour movements in Ghana. The nature of challenges in the labour market as shown by the reviewed literature is a shared experience of all workers and as such the need to draw on the past to provide insight to the issues mentioned above.

⁸² E. A. Cowan, *Evolution of Trade Unionism in Ghana* (Accra, TUC, 1960); Kwamina Panford, *African Labour Relations and Workers' Rights: Assessing the Role of the International Labour Organisation* (London, Greenwood Press, 1994); Karl Marx, *Critique of Political Economy* (1859), E. P. Thompson, *The making of the English Working Class* (London, 1963).

2.1 The splintered geography of labour movement in Ghana.

Anthony Giddens' theory of structuration, provides another useful insight into the splintered geography of labour markets in Ghana.⁸³ Perhaps the most useful methodological prescriptions for labour history as given by Anthony Giddens are his teachings on social change, on the anxieties and tensions attending a society's transition from one geographical scale to another. He posited that, Ghana's transformation from a colonial and pre-industrial society to an independent and industrial society entailed, in additions to the unavoidable accelerated urbanisation, industrial expansion, especially during Dr. Kwame Nkrumah's regime. This industrialisation process led to a revision of the principles of wage determination, fomented sectarian divisions in the ranks of labour and soured the relationship between labour and capital. These structural changes led, in turn, to the inevitable responses of, among other things, worker protest, industrial violence and a splintering in the ranks of labour, that is, union multiplicity.

He noted that, although these social changes are well known, thanks to the diligence of historians, the geographical particulars about the evolving geography of labour and labour markets are not known. This was because the methodological directives of Ghana labour history had focused on either a micro scale study of community or macro scale study of national institutions. This methodology is ironic, since, as Giddens, reminds us, most great transitions, and certainly the transition from preindustrial to industrial worlds, run directly through the middling scales of metropolis and regions. Workers' social movements consist of both formal organisations and informal

⁸³ Anthony Giddens, "Structuration Theory: Past, Present and Future", in Christopher G. A. Bryant and David Jary (eds.), *Giddens' Theory of Structuration: A critical Appreciation* (London, 1991), pp. 201-221.

activities. The formal organisations refer to the geographical and occupational mobility of labour and the informal activities refer to movement of labour spouses⁸⁴ and other family relations. He further noted that, community case studies, however insightful on matters of strategy, constraint and action, rarely address their aptitude to inquiry.⁸⁴

Herbert Gutman forthrightly addressed the issues raised by Giddens in proposing the hypothesis of an inverse relationship between a community's level of modernity and its propensity for worker protest.⁸⁵ In other words, the higher the level of communal modernity, the lower the level of worker protests and vice versa. Here, he defined the level of modernity of a community in terms of standard of living and number of labour employed in the formal sector. He noted for instance, that, the workers in Ashaiman appeared more class conscious than those of Nima which is a more mixed area containing casual workers as well as established businessmen and petty traders in the 1930s. On the other hand, the macro scale interpretation of labour, in cobbling together coarsely drawn state and national statistics, institutional trends detached from the places that shaped them, and undependable data from highly varied places and times. These interpretations obscure systematic (regional) and particular (local) variances in strategy, constraint and action.

Gutman further noted that, the search for perfection in the labour markets is led by workers and not entrepreneurs (or neoclassical economists). Ghanaian workers engaged in a series of heroic struggles; these were countered, however, by

⁸⁴ Anthony Giddens, "Structuration Theory: Past, Present and Future", in Christopher G. A. Bryant and David Jary (eds.), *Giddens' Theory of Structuration: A critical Appreciation* (London, 1991), pp. 201-221.

⁸⁵ Herbert Gutman, "The Workers' Search for Power: Labour in the Gilded Age", in Wayne H. Morgan (ed.), *The Gilded Age: A Reappraisal* (Syracuse, Syracuse University Press, 1963), pp. 38-68.

entrepreneurial adversaries who dexterously deployed various mechanisms to quell the rise of labour power. Labour exploitation, as a consequence of the methods employed to control labour, endures as an uncomfortable fact for capitalism's apologists who would have us believe in the wonder-working powers of perfectly competitive markets. They have constantly placed the unemployment situation on workers demand for higher salaries, hence the need to restrict the growth of labour movements.

This study on labour in Ghana is both communal based and national. It analyses the development of labour movement from the communal level, especially as regards the Sekondi-Takoradi community. This is followed by an assessment of the development and the structure of the GTUC. It discusses all the other issues mentioned above from the micro level to the national level.

2.2 Development of capital labour relationship in Ghana.

According to authors such as Bernstein, Howard, Grier, Patrick, and Thompson, labour relations can better be understood by putting capital, trade union and government relations in their proper historical, political, economic and social contexts.⁹² For instance, Ghanaian labour policies, laws and practices continue to be substantially influenced by British colonial policies and laws. The Public Service (Negotiating Committee) law, 1992 (PNDCL 309), still maintains some aspects of the Industrial Relations Act, 1965 (Act 299) which is also influenced by the Trade Unions Ordinance (Cap 91).

In the Marxist and dependency literature especially during the 1960s, there was a major argument on the causes of the coexistence of "pre-capitalist" and "capitalist" relations

of production in Africa.⁹³ The literature examined the economic system based on state ownership of the means of production and distribution of goods viz a

⁹² Henry Bernstein, “Notes on Capital and Peasantry”, *Review of African Political Economy* 10 (1978), pp. 59-67; Rhoda Howard, “Formation and stratification of the peasantry in colonial Ghana”, *Journal of Peasant Studies* 8 (1980), pp. 68–69; B. Grier, “Contradiction, Crisis, and Class conflict: The State and Capitalist Development in Ghana prior to 1948” in Irving L. Markovitz (ed.), *Studies in Power and Class in Africa* (Oxford, Oxford University Press, 1987) pp. 97 – 108; Patrick Harries, “Kinship, Ideology and the Nature of Pre-colonial Labour Migration”, in Marks S. and Richard R. (eds), *Industrialisation and Social Change in South Africa* (London, Longman, 1982), pp. 142–166.

⁹³ Gareth Austin, *Labour, Land and Capital in Ghana: From Slavery to Free Labour in Asante, 1807-1956* (Rochester, University of Rochester Press, 2005), p. 25.

viz the economic system based on private ownership of the means of production and distribution of goods. The argument has been about whether these economic systems constituted an unequal “articulation” of the two, under which the former subsidised the latter.⁸⁶ For instance, most hired labourers in colonial Africa were not landless proletarians but male seasonal migrants, who, while working for much of the year for wages, nevertheless retained rights of access to land in their home areas. Their families used these rights of access to landed property to support the migrants when they were sick, unemployed or too old to work, and also to nurture the next generation of workers. The outcome, according to the “articulation” argument, was that employers did not have to pay the full supply cost of their labour. Rather, they offered just enough pocket money to persuade young men to accept employment while their households supported them.⁸⁷ The arrangement allowed capitalist to manipulate the working population in order to enjoy greater profit.

⁸⁶ Austin, *Labour, Land and Capital in Ghana*, p. 25.

⁸⁷ Henry Bernstein, “Notes on capital and peasantry,” *Review of African Political Economy* 10 (1978); Rhoda Howard, “Formation and stratification of the peasantry in colonial Ghana,” *Journal of Peasant Studies* 8 (1980); Beverly Grier, “Contradiction, Crisis, and Class conflict: the State and Capitalist Development in Ghana prior to 1948,” in Irving Leonard Martovitz (ed.), *Studies in Pioneer and Class in Africa* (Oxford, 1987).

Also, merchants were able to pay lower prices for cash-crops to the extent that much of the cost of production was absorbed by a non-market institution, the farming household, which might provide the land and much of the labour and capital. Authors like H. Patrick, however, argued that the “articulation” thesis exaggerates the licence for social manipulation enjoyed by capitalists.⁸⁸ He established that, in southern Africa, for example, the migrant labour system originated, if it did not remain, as a compromise between the demands of employers on one hand and of the labourers and the elders of their rural communities on the other. It is to be noted that, labourers and their headmen initially exerted considerable control over the terms on which labour was sold.⁸⁹ This revisionist literature epitomizes a major current in Marxist historiography. Generally, he emphasises class struggle, that is, the continuous struggle for political and economic power between the ruling and working classes rather than market prices, state power, or the interests of the ruling class in isolation, as the principal determinant of institutional outcomes.⁹⁰

Authors such as Polly Hill hold the view that partly subsistence oriented rural economies have institutions and strategies which are resilient in the face of supposedly

⁸⁸ Austin, *Labour, Land and Capital in Ghana*, p. 25.

⁸⁹ H. Patrick, “Kinship, Ideology and the Nature of Pre-colonial Labour Migration”; B. William, *The Political Economy of Pondoland 1800–1930* (Cambridge, Cambridge University Press 1982).

⁹⁰ Notably in the work of E. P. Thompson, “A major influence on African labour historiography see the comments of Frederick C., “Work, Class and Empire: an African historian’s retrospective on E. P. Thompson, *Social History* 20 (1995), pp. 235–241; Robert Brenner, “Agrarian class structure and economic development in pre-industrial Europe”, *Past and Present* 70 (1976), pp. 30–75 and “The origins of capitalist development: a critique of neo-Smithian Marxism”, *New Left Review* 104 (1977), pp. 25–92.

modernizing forces from outside.⁹¹ Their argument is opposed to the Marxist theory which emphasises on class struggle as the principal determinant of institutions. The efficiency and initiative of West African farmers in responding to both resource constraints and market opportunities are central to the work of these authors. These “agrarian populist” are of two variant namely those who hold a “static” agrarian perspective and those who hold a “dynamic” agrarian perspective. The “static” variant states that African institutions are precisely traditional. In other words, African institutions are not susceptible to change. Historical research has, however, proved supporters of this argument wrong. For example, Polly Hill’s famous study of the pioneers of Ghanaian cocoa-farming, in what is now the Eastern Region of the country, stressed their entrepreneurial qualities and also the capacity of their existing institutions to accommodate the rapid, large-scale adoption of an exotic and permanent crop.⁹² This argument is in support of the “dynamic” variant of the agrarian populist. African institutions have gone through several changes over the years to reflect the changing relations of capital and labour.

Another central proposition in the literature on the labour market in Ghana and West Africa generally, is that the state was broadly a restraint on the development of capitalism. Specifically, it has been posited that the state resisted the development of individual property rights and the emergence of an indigenous capital-owning class.

Thus for the pre-colonial Asante for instance, a long series of varied studies by Wilks, Arhin, McCaskie and others have emphasized the dominance of the nineteenth-century

⁹¹ Polly Hill., *Migrant Cocoa-Farmers of Southern Ghana: A Study in Rural Capitalism* (Cambridge, Cambridge University Press, 1963).

⁹² Hill, *Migrant Cocoa-Farmers of Southern Ghana*, p. 34.

state over the exchange economy and over the acquisition of labour and lands generally.⁹³ These scholars have gone on to explore the conflicts between the central government, merchants and provincial chiefs over the distribution of wealth, and the ideologies dealing with its accumulation. They emphasised the dominant role of the state which portrays the struggle that workers had to go through to improve their own conditions.

In sum, the literature on colonial West Africa generally has tended to emphasize the social conservatism of British policy, anxious to restrain rather than promote the operation of market forces. An interesting contribution, made with particular reference to Ghanaian cocoa farming, has come from G. B. Kay and Anne Phillips, who combine a dependency-theory view of the colonial state as actively opposing the development of African capitalists, with a Marxist emphasis upon class struggle, in the form of what they see as the emergence of a strong local capitalist class challenging the dominance of foreign capitalists.¹⁰² Further, M. P. Cowen and R. W. Shenton have argued that the failure of British banks to supply credit to West African farmers was not for any lack of enthusiasm on the part of the bankers but, rather, was the result of a colonial government policy of resisting the development of private property rights in land, including the right to mortgage it.¹⁰³ Contributing to this discourse, Bates, with reference to twentieth century Africa, has argued that large numbers of small producers

⁹³ Ivor Wilks, *Asante in the Nineteenth Century: The Structure and Evolution of a Political Order* (London, Cambridge University Press, 1975); Ivor Wilks, *Forests of Gold: Essays on the Akan and the Kingdom of Asante* (Athens, Ohio University Press, 1993), pp. 127–88; Kwame Arhin, “Some Asante views of Colonial Rule: as seen in the controversy relating to death duties”, *Transactions of the Historical Society of Ghana* 15 (1974), pp. 63–84; Kwame Arhin, “Trade, Accumulation and the state in Asante in the nineteenth century”, *Africa* 60 (1990), pp. 524–37; T. M. McCaskie, “Accumulation, Wealth and Belief in Asante history”, Part I, *Africa* 53:1 (1983), pp. 23–44; T. M. McCaskie, “*Ahyiamu* - a place of meeting”: an essay on process and event in the history of the Asante state,” *JAH* 25 (1984), pp. 169–88.

are in a structurally weak position compared to small numbers of large producers in employer employee relationship.¹⁰⁴

The Marxist, agrarian-populist and the dependency theories commented on above, help in putting the development of capital labour relationship in Ghana into a proper perspective. The process of transforming from a pre-colonial to pre-industrial state made the class struggle much more difficult. As noted by Karl de Schweinitz,

¹⁰² Geoffrey B. Kay (ed.), *The Political Economy of Colonialism in Ghana: A Collection of Documents and Statistics, 1900-1960* (Cambridge, Cambridge University Press, 1972), pp. 3–37; Anne Phillips, *The Enigma of Colonialism: British Policy in West Africa* (London, James Curry, 1989).

¹⁰³ M. P. Cowen and R. W. Shenton, “Bankers, Peasants, and Land in British West Africa 1905–37”, *Journal of Peasant Studies* 19:1 (1991), pp. 26–58.

¹⁰⁴ Robert H. Bates, *Markets and States in Tropical Africa*, esp. 88–95 (Berkeley, 1981); H. Bates, “Essays on the Political Economy of Rural Africa”, *Industrial Relations*, 9 (October 1970), pp. 78–82, 124–125.

“changes in the social order, often precipitate discontent and unrest in the gathering labour force.”⁹⁴ The history of labour which is at the heart of these developments encapsulate capital-labour relationship which is a relationship based on power.

2.3 Colonial labour policies

The foundation of the contemporary Ghanaian economy as much as labour is concerned was laid under the British colonial administration. This section looks at British labour policies in the Gold Coast from 1904 to 1957. This is done first and foremost by revisiting British imperialism. This is because an analysis of British imperialism provides a good platform for assessing their labour policies. There is the

⁹⁴ Karl de Schweinitz, “Industrialisation, Labour Controls and Democracy,” *Economic Development and Cultural Change*, 7 (July, 1957), p. 394.

need to critically examine the roles of the British colonial government, British labour officers, the Labour Department that was created and other practices of the British authorities that affected workers in the Gold Coast economy.

The existing literature on colonial labour policies suggests that the policies implemented by the British colonial administration were rooted in the principles of “voluntary” or “liberal” trade unionism fashioned on the exact image of British labour relations. This view is shared by scholars such as B. C. Roberts, C. Cambridge and I. Davies.⁹⁵ According to Cambridge, the British colonial administration left a tripartite system of labour relations in all the African countries he studied. Going by his definition of tripartite system, he meant that at the time of Ghana’s independence, trade unions were permitted to participate fully with employers and government to make policies that affect labour. To Roberts also, voluntary trade unionism existed in Ghana because the British nurtured unions which were absolutely independent.

Other scholars such as O. Agyeman and K. Panford, rejected the claim that British colonial administration was rooted in liberal trade unionism on the image of British labour relations.⁹⁶ Agyeman indicated that there was a huge gap between metropolitan (British) and colonial labour laws and policies. He noted that, colonial people did not enjoy the same rights as British nationals. For instance, whereas in Britain the Labour Unions fiercely participated in partisan politics which led to the launching of the

⁹⁵ Roberts B. C., *Labour in the Tropical Territories of the Commonwealth* (London, Bell and Sons, 1964); Cambridge C., “Emerging Trends in the Industrial Relations Systems of Former British Colonies,” *Journal of African Studies* (Fall, 1984); Davies I., *African Trade Unions* (Baltimore, Penguin, 1966).

⁹⁶ Agyeman O., “A case study of the Ideo-Praxis of Pan-Africanism,” PhD. Dissertation submitted to York University, Downsview, Ontario Canada (1980); Kwamina P., *African Labour Relations and Workers’ Rights: Assessing the Role of the International Labour Organisation* (Westport London, Greenwood Press, 1994).

Labour Party, in Ghana and other British colonies, officials of the labour organisations diverted the unions from politics. This was perhaps the single most important factor that accounted for the failure of the Social Democratic Front (SDF), the first workers' political party, to make a good showing in the 1979 elections. Secondly, metropolitan trade unions had the right to strike but this was not the case in colonial Ghana. Several measures were put in place to ensure that workers did not join forces with the political groups that were developing and agitating for freedom and justice. The measures were implemented by British labour unions and TUC officials who were engaged as advisers and leaders of the Labour Department in Ghana. These British union advisers were imbued with British values and with time became active enforcers of policies they would not have tolerated at home. The reasons advanced for such action of the British union officials is explained by

Roberts thus:

The reaction of the TUC to the problems of trade union organisation and industrial relations has inevitably been heavily influenced by British experience, beliefs and values. Since the labour policy of the Colonial Office has been influenced by the same factors, it is not surprising that the attitude of the British TUC has often coincided with that of the British government.⁹⁷

Archival documents exist to support the argument that the colonial administration did not establish a proper tripartite system of labour relation in the colony.⁹⁸ G. N. Burden, the Commissioner for labour in 1946, in the annual report on the progress of Trade Union formation pointed internal dissension, financial ineptitude and lack of

⁹⁷ Roberts, *Labour in the Tropical Territories of the Commonwealth*, p. 67.

⁹⁸ PRAAD, Kumase, ARG. 1/8/47 Colonial Report on the Labour Department for the year 1946 – 47.

responsible leadership as factors that stalled the growth of unions.⁹⁹ He further noted that inexperience, lack of confidence and an all-pervading fear that Trade Union officials will be subjected to victimisation accounted for the setbacks. According to the Commissioner, Trade Union executives had little understanding of what was involved in the process of negotiation and collective bargaining. The Commissioner's report cast doubts on the work of authors who proposed that there existed in Ghana a tripartite system which allowed workers to contribute to the making of labour policies. Indeed, the fact that labour representatives lacked understanding on labour process would have under shadowed their contributions on such labour issues.

To examine the issue of whether or not a tripartite system existed, this study focused on the mining industry. The first occasion on which a joint conference of employers and employed in the mining industry was held was on 9th August, 1946.¹⁰⁰ The meeting was convened to discuss general rise in wages and changes in hours of work, overtime, annual holidays with pay, and other conditions of employment. The meeting comprised four representatives of the Chamber of Mines, two delegates from the Gold Coast Employees' Union and the labour officer. At the meeting, the demands made by the union were rejected. However, in November, the Chamber notified the Union of certain increases in the minimum and maximum rates. The new rates were enforced on 1st December 1946 without any input on the matter from the union. As a result of the fact that the decision to implement the new pay policy was a unilateral one on the part of the Chamber of mines, the workers on 23rd March, 1947, petitioned the Governor asking for the appointment of a commission to investigate conditions and rates of

⁹⁹ Ibid, p. 9.

¹⁰⁰ PRAAD, Kumase, ARG. 1/8/47 Colonial Report on the Labour Department for the year 1946 – 47, p. 12.

wages in the mines. The ensuing events demonstrated that the first attempt at engaging unions, employers and labour department in discussions concerning the welfare of workers proved futile. The Executive of the Union were no longer interested in responding to invitations for such meetings.

Similarly, the fact that African labour leaders were subjected to frequent government harassment does not corroborate the contention that colonial practices were liberal. Colonialism was an illegitimate system which could only be retained by the use of coercion.¹⁰¹ Wooddis provides a valid summary description of British coercive tactics:

The ... forms of daily intimidation, openly been followed by the police, the obvious tempering with the post, the victimisation from job to job, the denial of a passport to travel to an overseas conference or to a trade union school, the arrest on a flimsy charge, the smear campaign in the press, the threats from the police or from the Registrar of trade unions, or banishment to a remote corner of the territory, cut off from friends, relatives and organisations....¹⁰²

The denial of passport to travel overseas, it has been argued, accounted for the fact that there has been no salary convergence between Ghana and its former British colonialist. Even in the colony, huge wage differentials were paid to expatriate mine employees. This had persistently reduced the bargaining strength of workers not only in Ghana but in several other African countries. The situation was more porous when the fact that there was a capital convergence between the two countries was examined. Denying labour officials the chance to improve their knowledge of labour relations also showed that the colonial authorities were not interested in establishing strong and effective unions.

¹⁰¹ Otobo D., *The Role of Trade Unions in Nigerian Industrial Relations* (Oxford, Mall-house Press, 1987), pp. 13-14.

¹⁰² Wooddis J., *Africa: The Lion Awakes* (London, Lawrence and Wishart, 1961), p. 77.

Free and radical trade unions posed a threat to British interests. The British were the largest employer of labour and identified as being responsible for the race and class based exploitation endured by colonial populations. Their policies also contributed to the emergence of a nascent African working class, which struggled to unionise to protect themselves from expatriate employers.¹⁰³ Similarly, the working classes were alienated politically because British policies including indirect rule excluded them from even the rudimentary kinds of local political structures the British created to permit very little local political participation.¹⁰⁴ Thus, strong unions on the exact image of metropolitan labour were not to be tolerated in the Gold Coast.

As noted above, one cannot also deny the use of force in colonial administration. In labour relations, such actions were most often than not directed towards union executives. In 1941, for instance, the commissioner of police instructed the chief superintendent at Kumasi to arrest 12 persons out of the 128 railway employees who had gone on a supposed “illegal” strike.¹⁰⁵ The police officers were to arrest people suspected of being ringleaders of the strike. This was normally the modus operandi regarding labour disputes. Police officers were duty bound to deal with all labour disputes when it occurred in their presence. Similarly, heads of government department were to immediately report all labour disputes to the police.

¹⁰³ Ewusi K., “Ghana” in Blanpain R., (ed) *International Encyclopedia for Labor Law and Industrial Relations*, 5, (Deventer, Netherlands, Kluwer Law and Taxation Publishers, 1984); Gray P. S., *Unions and Leaders in Ghana* (New York, Conch Publishers, 1981).

¹⁰⁴ Agyeman O., “A Case Study of the Ideo-Praxis of Pan-Africanism,” Ph.D. Dissertation (York University, Downsview, Ontario, Canada, 1980), p. 50.

¹⁰⁵ PRAAD, ARG. 1/9/1/188/1, Ex-servicemen’s Employment exchange, 1944-1950.

An in-depth analysis of the events leading to the railway employees strike at Kumasi on 27th November, 1941 further proves the assertion that the colonial administration left in place a tripartite system of labour relations wrong. Reports available indicate that, the chief labour officer informed the workers at the Kumasi locomotive yard about the strike by their counterparts at Sekondi-Takoradi. This was an attempt by the labour officer to explain matters to those at Kumasi and to implore them not to follow the example of their colleagues at Sekondi-Takoradi since the strike was illegal and in contravention to section 3 of Order No 68 of 1941. However, on the 28th November, all the daily paid employees went on strike.¹⁰⁶ Their heads of department were not informed about their intention to go on a solidarity strike. A conclusion could be drawn, that, if there was a tripartite system of relations, workers would have perhaps voiced their grievance to the authorities and solved whatever problems there was in a mutual manner.¹⁰⁷ Similarly, the fact that the local union in Kumasi only got to know about the activities of their fellow union members in Sekondi-Takoradi, through the labour officer, suggests that colonial labour unions were not well organised to present a united front. Burden, for instance, noted that, the affairs of labour unions were more chaotic prior to the strikes. This suggests that the Gold Coast workers were active participants in shaping labour relations in the country.¹⁰⁸

¹⁰⁶ PRAAD, Kumase, ARG. 1/37/4, Strike of Railway Employees, 1941, p. 17.

¹⁰⁷ Interview conducted with Mr. Kwadwo Appiah, a Railway Employee, 17th June, 2011 at his Residence in Kumasi. Age: 80-90 years.

¹⁰⁸ Discussion with Mr. Joseph Ansah, member of Railway Union, 5th April, 2011 at Cape Coast. Age: 80-90 years.

Panford, also notes that, scholars who support the idea that the British left a liberal trade union structure on the exact principle of metropolitan union failed to comprehend the real context of British colonialism in Africa. The nature of colonialism was an exploitative capitalist system. The system had adverse impact on both pre- and post-independence labour union evolution in Africa. To him, in order to comprehend and appreciate the colonial labour experience, one needs to understand the larger historical contexts of British colonialism in Africa.

Walter Rodney also provides a detailed account of colonialism and its role in Africa's development.¹⁰⁹ Rodney's basic message was summed up in this statement:

The question as to who, and what, is responsible for African underdevelopment can be answered at two levels. Firstly, the answer is that the operation of the imperialist system bears major responsibility for African economic retardation by draining African wealth and by making it impossible to develop more rapidly the resources of the continent. Secondly, one has to deal with those who manipulate the system and those who are either agents or unwitting accomplices of the said system. The capitalists of Western Europe were the ones who actively extended their exploitation from inside Europe to cover the whole of Africa. In recent times, they were joined, and to some extent replaced, by the capitalists from the United States, and for many years now even the workers of those metropolitan countries have benefited from the exploitation and underdevelopment of Africa.¹¹⁰

Similarly, an economist, J. M. Keynes in one of his extraordinary lectures on free trade, capital exports and imperialism in 1933 stated that;

The protection of a country's existing interest, the capture of new markets, the progress of economic imperialism are a scarcely avoidable part of a scheme of things which aims at the maximum of

¹⁰⁹ Walter Rodney, *How Europe Underdeveloped Africa* (Washington D. C., Howard University Press, 1982).

¹¹⁰ *Ibid.*, pp. 27-28.

international specialisation and at the maximum geographical diffusion of capital wherever its seat of ownership...but...I sympathise with those who would minimise rather than those who would maximise in the economic entanglements between nations.¹¹¹

K. A. Ninsin and F. K. Drah also describe the core feature of colonialism thus:

The essence of colonialism was the creation of an economic system by which the colonised territory was a producer of raw materials exported to the metropolis and the dumping of cheap finished products from the metropolis on the underdeveloped colony.¹¹²

Furthermore, in the words of Tomlinson, “the suggestion remains that British rule did not leave a substantial legacy of wealth, health or happiness to the majority of the subjects of the commonwealth.”¹¹³ The suggestion here was that, the principal effect of British rule on the African continent was a legacy of underdevelopment.

The labour movement of the Gold Coast was to a larger extent underdeveloped to meet the challenges of the time. According to Ziskind, all colonial powers had policies favouring white employers by supplying needed African workers, often through forms of conscript or forced labour.¹¹⁴ He further argued that, all colonial governments denied meaningful civic participation of Africans and exploited human and material resources primarily for their own benefit.¹¹⁵ British labour legacy constitutes what in the post-independence period has become so influential that in several respects it may

¹¹¹ John Maynard Keynes, *The Means to Prosperity* (New York, Harcourt, Brace and Co, 1933), p. 236.

¹¹² Kwame Ninsin and Francis Kofi Drah (eds), *The Search for Democracy in Ghana: A case Study of Political Instability in Africa* (Accra, Asempa Publishers, 1987), p. 156.

¹¹³ B. R. Tomlinson, “Imperialism and After: The Economy of the Empire on the Periphery”, in *OHBE IV*, p.375.

¹¹⁴ D. Ziskind, *Labour Provisions in African Constitutions*, (Los Angeles, Litlaw Foundation, 1987).

¹¹⁵ *Ibid*, p. 7.

be equated with having set strong precedents which African governments have found too difficult to resist or conveniently used to their advantage.¹¹⁶ The British colonial administration used idealistic philosophy of white supremacy in governing the Gold Coast. Idealism was used as an instrument for the enslavement of the working people. This enabled the British colonial administration to justify and consolidate their domination. Idealism also helped the administration to eternalise the exploiter capitalist system. Is idealism the guiding philosophy in contemporary capital and labour relationship in Ghana?

Colonial labour policies, laws and practices continue to substantially influence current labour laws and policies. As noted above, these policies were aimed at exploiting the human and natural resources of Africa and to force the retention of British domination. British colonial legislation in the Gold Coast primarily comprised the passing of labour laws which is often referred to as “ordinances” such as the Gold Coast (Ghana) Trade Union Ordinance in 1941, establishment of undeveloped labour departments and the employment of British trade union officials as advisers in the colonies.¹¹⁷ One major policy also had to do with the application of force mostly involving the police to suppress strikes and other workers and civilian protests. The use of force was an undeniable component of colonialism.¹¹⁸ Against this background, it is important to

¹¹⁶ Kwamina Panford, *IMF – World Bank and Labour’s Burden in Africa: Ghana’s Experience* (Westport, Praeger Publishers, 2001).

¹¹⁷ Kwamina Panford, *IMF – World Bank and Labour’s Burden in Africa: Ghana’s Experience* (Westport, Praeger Publishers, 2001), p. 72.

¹¹⁸ Otobo D., *The Role of Trade Unions in Nigerian Industrial Relations* (Oxford, Mall-house Press, 1987), p. 13.

assess contemporary labour policies with the aim of realigning the policies to suit the country as an independent state.

For instance, according to Panford the existence of weak labour unions in Ghana is attributed to British colonial administration's hostility and patronising attitudes.¹¹⁹ He noted that they institutionalised labour organisations as representatives of workers' aspiration. By implication, they accepted unions as legitimate and integral part of the Gold Coast industrial relations. Unions were therefore encouraged by the British colonial administration to thrive because of this perception that they are socially beneficial. Colonial officers and their counterparts in Britain were persuaded that restricted forms of labour relations would serve the future interests of the British more than the outright prohibition of all worker associations. These unions, they believed, could be used to regulate tensions in the colony.

In pursuant of this objective, they enacted several legislations aimed at making membership of a trade union compulsory for all workers. In 1946 for instance, they enacted the Trade Unions (Civil Servants) Order (No. 54) authorising employees of the Public Works Department (P. W. D.) not being persons holding Senior Appointments to be members of the P. W. D. Employees' Union.¹²⁰ The British administration also, ratified the ILO Convention No. 84 on behalf of the Gold Coast. They, however, did not comply with the provisions of the convention which required them to ensure the establishment of free trade unions.¹²¹ Union multiplicity also

¹¹⁹ Kwamina P., *African Labour Relations and Workers' Rights: Assessing the Role of the International Labour Organisation* (Westport, London, Greenwood Press, 1994), p. 72.

¹²⁰ Panford, *African Labour Relations*, p. 45.

¹²¹ *Ibid.*, p. 71.

existed in the Gold Coast and other African states as a direct product of deliberate British labour policies and laws. Labour multiplicity was described by one commentator as “... a good deal of jealousy between rival unions and each will outbid the other trying to gain favour from the unfortunate rank and file.”¹²² The pioneers of modern day unions therefore had to make interventions in all spheres of labour organisation to have a strong labour union.

The 1941 Gold Coast Trades Union Ordinance, which still forms a major part of Ghana labour law, was a product of the British colonial administration to regulate the labour market in Ghana. The ordinance includes a compulsory requirement that labour unions register and keep financial records. This is contained in section 1 of the ordinance. It states that to avoid dissolution:

- Every trade union shall be registered in accordance with the provisions of this Ordinance or be dissolved, within six months of the date- of its formation, or of any notification by the registrar that he has refused under section 13 to register the trade union, or of the determination of the appeal under section 13 where an appeal is entered against the refusal of the Registrar to register a trade union, or of the commencement of this Ordinance, whichever is the later date.
- Every trade union which is not registered or dissolved within the period prescribed in the preceding subsection and every officer thereof shall be liable on summary conviction to a fine of £5 for every day that it remains unregistered after the expiration of such period.

¹²² Roberts, *Labour in the Tropical Territories of the Commonwealth* (London, Bell and Sons 1964), p. 190.

These provisions illustrate one major thing, that is, registered labour unions were still threatened with decertification and dissolution. This gave a legal backing to the PP government in 1971 to dissolve the Ghana TUC. The 1941 Trades Union Ordinance also bestowed on the Registrar of Trade Unions immense powers to interfere in the internal affairs of the trade unions. The Registrar of Trade Unions was simultaneously appointed as the Commissioner of labour in the colony giving him a lot of powers of union activities in the Gold Coast.

Similarly, the Conspiracy and Protection of Property (Trade Disputes) Ordinance of 1941 treated strikes by workers as criminal breaches of contract. The U. S.

Department of labour described the ordinance as dealing with:

... malicious breaches of contract by persons employed in essential services. Declares illegal strikes... designed to coerce the government or having any object other than the settlement of labour dispute. Otherwise the right to strike and picket peacefully are allowed. Suits for damages for acts committed during a labour dispute may be taken to court under certain conditions.¹²³

Such laws and policies illustrate some of the control mechanism utilised by the British colonial administration to channel union activities for their own benefit. The use of force against the indigenous workers and the discrimination had the effect of fuelling political agitation for freedom among the local populace, a fact the colonial officers failed to recognise until the late 1940s.

¹²³ U. S. Department of Labour, Bureau of Labour Statistics, "Summary of Labour situation in Ghana," (Washington, DC, 1958), p. 16.

2.4 Labour politics

The major concern here is to examine labour movement's conception on nationalist struggle. The subject seeks to establish whether or not the support of labour movements for nationalist agitations in Ghana could be solely said to be an act of support of labour unions for political parties or not?

Here, it is important to first and foremost examine the meaning of nationalism to the Ghanaian populace in the period leading to independence. Nationalism in the Ghanaian context was inherently an expression of acute economic discontent, a response to post world war conditions of rapid price inflation resulting in falling real incomes and standard of living. In 1945 for instance, Meyer Fortes identified these and several economic conditions that accounted for the mounting unrest in the British colony after the war.¹²⁴

Historians have established that the Ghanaian ex-servicemen who were called to join the Allied Forces in the Second World War were drawn from various labour units, formal and informal, in the colony. A number of ex-railway workers and other inhabitants of Sekondi, after serving in the Allied Forces in 1943-5, became prominent in the organisation of the Gold Coast Ex-Servicemen's Union. Many of these ex-servicemen influenced the Railway Union in their outlook towards the colonial government.¹²⁵

¹²⁴ Meyer Fortes, "The Impact of the War on British West Africa", *International Affairs*, 21, (April 1945), pp. 206-220.

¹²⁵ Jeffries, *Class, Power and Ideology in Ghana*, p. 38.

From this viewpoint, it might appear that railway worker nationalism was simply an extension of economic grievance. The union simply lent what ideological dimension it possessed by a growing sense of confidence and of solidarity with other blacks against the white man. It is therefore not surprising that the union appointed men they thought to be courageous such as Pobee Biney to lead them. The identification of the leadership of the union with the courageous men also entailed defining the struggle as being against the “decadent” detached African educated elite, as well as against the British. The union’s hostility to elitism was directed specifically against the existing educated elite and was primarily expressed in terms of non-attendance at meetings of the United Gold Coast Convention (UGCC). For instance, it was not until 1949, when Nkrumah broke with the elite, and came to speak to the railway workers in the streets of Sekondi (instead of the chambers of the UGCC) that he made any great impact on the unionists.¹²⁶

Progressively, worker nationalism also involved a vision of a new, more brotherly and egalitarian order, „self-government“ meaning government by and for the „common man“ rather than a mere taking over of colonial structures. Some unionists like J. S. Annan, Pobee Biney, Turkson Ocran, and Anthony Woode conceived of the nationalist struggle in Marxist terms. They saw their actions as attempts to change the old order of colonialism in order to improve the working conditions of workers in general.¹²⁷

¹²⁶ Arthiabah and Mbiah, *Half a Century of Toil*, p. 21.

¹²⁷ E. A. Cowan, *Evolution of Trade Unionism in Ghana* (Accra, Trade Union Congress, 1957), pp. 93-94.

Similarly, Ghanaian workers' participation in the nationalist agitations could be best regarded as "populist" in the sense in which Peter Worsley uses the term.¹²⁸ That is to say, "populism" is best conceived as a style of popular participation rather than a systematic ideology," but one involving "a high valuation of the virtues and culture of the uncorrupted, simple, common folk, and a converse distrust of the wealthy, over-educated . . . and fundamentally corrupt urban elite."¹²⁹ This interpretation of nationalism in Ghana provides important insights into the subsequent process of railway worker disillusionment with the Nkrumah regime. After the 1950 "Positive Action" strike, the railway workers naturally felt they had a right to expect much of the Nkrumah regime.

It must also be noted that attempts by the labour movement to go into politics on the same basis as the British labour party failed. The TUC assumed political status when it supported a political party, the Social Democratic Front (SDF) to contest the 1979 election that ushered in the Third Republic. The SDF won only 3 out of the 120 legislative seats in the National Assembly. This gives credence to the explanations advanced above that, workers agitations to a large extent are agitations for improved economic conditions and not a struggle for political power.

In sum, the literature on labour history of Ghana and by extension West Africa points to the fact that workers in general have participated actively in the evolution of the labour market. They emphasised that economic conditions are the major underlying factors in workers' demands. It has also been established that there are universal

¹²⁸ Peter Worsley, "The Concept of Populism," in G. Ionescu and E. Gellner (eds.), *Populism, Its Meaning and National Characteristics* (London, 1970), pp. 212-50.

¹²⁹ *Ibid.* p. 243-4.

responses of workers to employers with a natural history of worker protest. This study focuses on working conditions, development of labour movements, causes of strikes and labour conflict resolution mechanisms in Ghana.

CHAPTER THREE

WORKING CONDITIONS OF THE GHANAIAN WORKER

3.0 Introduction

As noted in chapter one, workers are welfare oriented. They supply their labour power for wages in order to live. Wages/salaries are however determined based on the productivity of labour. The ability of labour to increase his/her productivity, however, partly depends on the production forces, that is, the relations between the worker, land and capital. All other things being equal, labour productivity would increase when the other factors of production are efficient and available in required quantities. An increase in labour productivity would lead to an increase in the wage rate and ensure a high standard of living for the worker, all other things being equal. This results in harmony in the labour market. This chapter examines the working conditions of the Ghanaian worker with much emphasis on labour unrest in the country resulting from workers demand for better physical working conditions.

3.1 Conditions of work

The physical conditions of work are one of the factors that influenced the efficiency of labour.¹³⁰ For instance, whether the workplace is too dark, too cold or very hot will

¹³⁰ Interview with Charlotte Andah, member of the Teachers and Educational Workers Union, at her residence, Madina, Accra, 17th February, 2009. Age: 50-60 years.

affect labour's productivity. Also, the social environment in which the worker exercises his/her labour power affects their productivity. Thus, efficiency of labour tends to be high where there is good rapport between management and employees. Several authors including Peter Blay, Cowan, Jeffries and Panford noted that, the general conditions of work in the Gold Coast were awful.¹³¹ They noted that in the 1940s, conditions of work in the retail trade, especially in establishments owned by Syrians, Indians, Lebanese, and Greeks were very appalling.¹³² Peter Blay, noted that there were no fixed hours of work during the period, hence there was no overtime. Similarly, people worked for many years without going on leave. There were also no work schedules hence workers could be made to do any work once they were employed, and their salaries were low.¹³³ They also noted the absence of legislation meant to govern conditions of work during the period.¹³⁴

The Labour Decree, 1967 (NLCD 157), repealed, was the first comprehensive legislation that governed the general conditions of employment in Ghana. The Decree was promulgated on the 14th of April 1967. The main features prescribed in the law concerned areas of employment such as:

- The national employment service

¹³¹ Peter Blay Arthiabah and Harry Thanm Mbiah, *Half a Century of Toil, Trouble and Progress: The history of the Trades Union Congress of Ghana*, (Accra, Gold-Type Publications Ltd, 1995), p. 25. E. A. Cowan, *Evolution of Trade Unionism in Ghana* (Accra, TUC, 1960); Kwamina Panford, *African Labour Relations and Workers' Rights: Assessing the Role of the International Labour Organisation* (London, Greenwood Press, 1994); Richard Jeffries, *Class, Power and Ideology in Ghana: The Railwaymen of Sekondi* (Cambridge, Cambridge University Press, 1978).

¹³² Arthiabah and Mbiah, *Half a Century of Toil*, p. 73.

¹³³ Ibid, p. 80.

¹³⁴ Interview with Kwabena Boadu, member of National Union of Railway Workers, at his residence, Takoradi, 14th May, 2009. Age: 80-90 years; Interview with Emmanuel Amanquanor, member of National Union of Railway Workers, at his residence, Takoradi, 14th May, 2009. Age: 70-80 years.

- Contracts and agreements
- Mode of termination of appointments/agreements
- Severance and redundancy payments
- Employment of females, children and young persons
- Protection of remuneration
- Reporting of deaths and injuries sustained in the course of employment
- Labour inspection
- Hours of work, paid holidays and annual vacations

The provisions in the Decree were further enhanced by the elaborate accompanying regulations of 1969, that is, Labour Regulations, 1969 LI 632. These two legislative instruments gave a comprehensive overview of the legal requirements that regulate employment relations in the country. Specifically, however, the Factories, Offices and Shops Act, 1970 contained provisions to regulate health and safety standards at the work place. The Act was designed to meet standards set in the relevant International Labour Organisation (ILO) Conventions on Health and Safety at the work place.

Furthermore, the 1992 Constitution of Ghana provides the overall framework for conditions of work for workers in Ghana. Under the segment on fundamental human rights and freedom, Article 24 of the constitution:

- Gives every person the right to work under satisfactory, safe and healthy conditions and to receive equal pay for equal work without distinction of any kind.
- Assures every worker rest, leisure and reasonable limitation of working hours and periods of holidays with pay as well as remuneration for public holidays.
- Every worker has the right to form or join a trade union of his choice for the promotion and protection of his economic and social interests.
- Restrictions shall not be placed on the exercise of the right conferred by clause (3) of this article except restrictions prescribed by law and reasonably necessary in the interest of national security or public order or for the protection of the rights and freedoms of others.

Civil society has, therefore, worked assiduously to make provisions for good working conditions for labour in the country. According to the head of women’s desk of TUC,

“workers could draw on the laws of the land to demand better working conditions, even in a situation where their specific labour contract did not include such provisions.”¹³⁵ This approach has been heavily relied upon by the TUC in settling labour disputes in the country.

Wages and salaries, working time, work organisation, maternity protection, and arrangements to adapt working life to the demands of life outside work are core elements of the employment relationship and of workers protection. These arrangements are necessary to improve the standard of living of workers and to reduce the tendency of labour protest.

3.2 Wages and salaries

Wages constitute a key aspect of the conditions of work and a major component of household income. As noted in chapter one, the construction and operation of the transport system led to an increase in the number of wage workers in the Gold Coast. The construction of roads and railways created an opportunity for the recruitment of very large number of workers previously employed as carriers into wage employment.¹³⁶ Similarly, the expansion of the cocoa industry as a result of improved roads and railways led to further increase in wage employment.¹³⁷ According to Jeffries, the railways employed 5,672 workers by 1936.¹³⁸ The Sekondi-Takoradi

¹³⁵ Interview, Veronica Ayikwei-Kotei at her residence, Kasoa, 20th February, 2011. Age: 60-70 years.

¹³⁶ Gareth Austin, “Rural Capitalism and the growth of cocoa farming in South Ashanti, 1914”, *Ph. D. Thesis*, (Birmingham University, 1984), p. 315.

¹³⁷ John Sender, and Smith Sheila, *The Development of Capitalism in Africa* (London, Methuen & Co. Ltd., 1986), p. 16.

¹³⁸ Jeffries, *Labour, Power and Ideology*, p. 25.

railways and harbour workers were the only group of Gold Coast wage-workers to establish union organisation on a durable basis prior to World War II. In 1930, employees in the railway service had a wage rate that ranged from 1s 6d to 7 shillings per day.¹³⁹ The minimum wage rate paid to unskilled labour in the Gold Coast in this same period, remained stable at 1s 3d per day.¹⁴⁰

In general, the average wage rate for government employees were higher than that of employees of private commercial houses from the 1900 through to the 1940s.¹⁴¹ This is perhaps the main reason why most workers in Ghana seek employment in the government departments apart from the job security enjoyed by those employed in the government departments.¹⁴² Average wage rate for technical staff in the government departments ranged from £2.10s to £20 a month (average £6.7s.6d) compared to that of technical staff in private commercial houses which ranged from £2.10s to £8 (average £4.12s.6d).¹⁴³ However, the range of wages for clerks and labourers was almost the same for those working in both the government departments as well as the private commercial houses. In 1945, the wage range for clerks in government departments was between £1.10s and £20 per month (average of £9.18s.6d) while that of those in private commercial houses ranged between £2 and £20 (average £6.17s).

¹³⁹ PRAAD, Accra, ADM 11/1/1068. General Conditions of Labour in West Africa, 1930.

¹⁴⁰ Ibid.

¹⁴¹ PRAAD, Accra, ADM 5/3/52. Addy's Report on wages and standard of living in Accra, 1945.

¹⁴² Interview with Kwame Adu, member of Public Service Workers' Union, at his residence, Nima, Accra, 17th February, 2009. Age: 70-80 years; Interview with Ruth Owusuua, member of National Union of Postal and Telecommunications Workers', at her residence, Adenta, Accra, 17th February, 2009. Age: 80-90 years.

¹⁴³ PRAAD, Accra, ADM 5/3/52. Addy's Report on wages and standard of living in Accra, 1945.

Similarly, the wage rate of labourers in the government departments ranged between £2 and £4 per month (average £2.15.1d) while that of labourers in private commercial houses ranged from £2 to £4.10s per month (average £2.11s.3d).¹⁴⁴

Outside the civil service, employees in the mining industries enjoyed better salaries. The sector was often faced with the problem of shortage of labour. Most workers were unwilling to work in the sector because of the hazardous nature of the work. To improve upon the situation, employers offered better salaries to the workers. Mining companies' minimum wage rates were always at par with, or higher than, those paid by the government.¹⁴⁵

Up until 1952, there was no recognised machinery for wage negotiations in the Gold Coast.¹⁴⁶ Changes in wage rate or conditions were as a result of employer's own decision. Wages were determined mainly by free market forces. This was mainly due to the fact that there was rarely any shortage of labour in the country. Similarly, there was no united and firmly rooted pressure group of workers to push for wages increases, until the late 1940s when trade unions developed.

It must however be mentioned that the colonial government was very much aware of the consequences of a wage war. Government therefore, took steps to maintain a stable wage-rate in the short term, most especially for unskilled labour. During the inter-war

¹⁴⁴ PRAAD, Accra, ADM 5/3/52. Addy's Report on wages and standard of living in Accra, 1945.

¹⁴⁵ PRAAD, ADM 7/104 Trade reports, 1945.

¹⁴⁶ PRAAD, Accra, ADM 11/1068; Interview with Dombie Sambo, member of National Mine Workers' Union, at his residence, Obuasi, 12th June, 2009. Age 87 years; Interview with Apiiga Sulemana, member of National Mine Workers' Union, at his residence, Obuasi, 12th June 2009. Age: 75 years.

period for instance, when the cost of living had gone up, the government granted war bonus to European and “permanent” African staff in the civil service.¹⁴⁷ The 1948 Labour Ordinance gave powers to the government to appoint Wages Boards, partly composed of representatives of employers and employees, to fix minimum wages and other conditions of employment for specified classes of workers. Again, government in the Gold Coast granted general wage and salary increases in 1949/50 and 1951/52.¹⁴⁸ Similarly, there was a general wage and salary increase in 1956/7.¹⁴⁹ Government control over wage policies was extended by the introduction of minimum wage legislation in July, 1960.¹⁵⁰

The National Minimum Wage, which is determined annually by the National Tripartite Committee, was used by labour unions as a benchmark in their wage negotiations. The minimum wage also played a significant role in enhancing public sector incomes. It was used to adjust the rates of pay within the Civil and Public services. Thus, the minimum wage covered all sectors of the economy and served as a benchmark for collective bargaining.¹⁵¹

¹⁴⁷ PRAAD, Accra, ADM. 5/3/38. Orde Brown’s Report on labour conditions in West Africa, 194; Interview with Kwadwo Fosu, member of Public Service Workers’ Union, at his residence, Osu, Accra, 17th February, 2009. Age: 80-90 years; Interview with Felicia Kumi, member of National Union of Postal and Telecommunications Workers’, at her residence, Kasoa, 18th February, 2009. Age: 80-90 years.

¹⁴⁸ PRAAD, Kumase, ARG 1/8/1/19, Gold Coast Department of Labour Report, 1949-52.

¹⁴⁹ Ibid., Gold Coast Department of Labour Report, 1956/7.

¹⁵⁰ Kodwo Ewusi, “The Minimum Wage Issue Reconsidered,” *Ghana Social Science Journal*, I, (1971), pp. 80-93.

¹⁵¹ Ibid.

The Industrial Relations Act 1965, Act, 299 established the principle of bi-partite wage negotiations for the first time in Ghana. Under the provision, a certified union was issued a Collective Bargaining Certificate, which entitled it to establish, with the employer concerned, a Standing Joint Negotiating Committee (SJNC) to negotiate all matters concerned with the employment or non-employment of its members.¹⁵² Section 10 of the Act provided that an agreement concluded through negotiations by a trade union shall be binding on all employees of the class specified in the certificate as well as all their employers. In the negotiation of wages, national economic trends, market forces and the ability of enterprises to meet wage demands are considered.

It is quite interesting to note that, despite the attempts by various governments to promote wage negotiations in Ghana, the provision for joint negotiation, in the 1965 Industrial Relations Act, referred to above, was not binding on government as an employer. This was regardless of the fact that, before the Structural Adjustment Programme (SAP) government was the largest single employer in the country. The major reason that accounted for the fact that government employees were exempted from wage negotiations was that, until the passage of the Public Services (Negotiating Committee) Law 1992, PNDC Law 309, only certified unions had legally recognised collective bargaining rights. Hence, employees of the central government such as teachers, nurses and civil servants did not have the right to bargain with their employer, the government.

¹⁵² Panford, *African Labour Relations*, p. 39.

The mode of payment of wages and salaries in government employment was based on monthly system of payment.¹⁵³ Despite the demand for weekly intervals payments by some employees, there were practical difficulties in effecting such a change. For instance, in the Railway Department, the amount of travelling required for the payment officer was relatively formidable. The adoption of the weekly payment system would have multiplied the time needed by the payment officer to travel to effect payment by four.¹⁵⁴ This made it quite practically impossible to practice such a system despite the acknowledgment of the importance of such a system in encouraging growth in production of goods and services. The established practice of payment of regular workers at the end of the month was, however, not the case for some private properties. They modified the system by payment of what was termed, “advances” in the middle of the month.¹⁵⁵

3.3 Working time and work organisation

Challenges about working time and work organisation include excessive hours of work and the need to protect workers’ health and safety by providing adequate periods of rest and recuperation. Globalisation and the resulting intensification of competition, advances in information and communication technologies have driven business to adopt new methods of flexible production and organisation of work. Demographic changes such as the increasing entry of women into the paid labour market and a

¹⁵³ PRAAD, Accra, ADM 5/3/38. Orde Brown’s Report on labour conditions in West Africa, 194; Interview with Alhassan Barimah, member of Teachers and Educational Workers’ Union, at his residence, Osu, Accra, 18th February, 2009. Age: 70-80 years.

¹⁵⁴ Interview with Mrs Veronica Ayikwei-Kotei, Kasoa, 20th February, 2011, Age: 60-70 years; Interview with Hayford Mensah, member of Railway Enginemen’s Union, at his residence, Sekondi, 14th August, 2011, Age: 80-90 years; Interview with Thomas Owusu, member of Railway Enginemen’s Union, at his residence, Sekondi, 14th August, 2011, Age: 80-90 years.

¹⁵⁵ Interview with Mrs. Veronica Ayikwei-Kotei, Kasoa, 20th February, 2011, Age: 60-70 years.

growing concern regarding work-life balance have also shaped workers' needs and working time preferences. As a result, there has been a variety of flexible working time arrangements that vary from the conventional full-time, "8 to 5" such as half day work and part-time work.

The contract for service under the Regulation of Employment Ordinance, 1929 indicated that, the employed especially those employed by the West African Lighterage and Transport Company Ltd had to work for 12 hours to constitute one full day's labour or work.¹⁵⁶ Workmen at the Public Works Department started work from 6:30 am – 12 noon with 30 minutes for breakfast and continued from 1:00 pm to 4 pm. Labourers in the department was required to work for a total of 45 hours per week including half day work, that is, from 6:30 am to 11:30 am on Saturdays. Railway workers were to commence work an hour before the first train or at 7:00 am to 11:00 am and from 1:00 pm to 5:00 pm on week days. They also worked half day on Saturdays. Thus, in the railway sector, general labour, potters and locomotive engineers, worked a total of 43 hours in the workshops.¹⁵⁷ In 1930, the Commissioner of Western Province in the Gold Coast Colony noted the hours of work per week for railway workers to be 45 hours outdoor and 43 hours in workshops. This is translated to 8 hours of work outdoor and $7\frac{3}{4}$ hours in shops.¹⁵⁸

¹⁵⁶ PRAAD, Accra, ADM 11/1/1068. General Conditions of Labour in West Africa, 1930.

¹⁵⁷ PRAAD, Accra, ADM 11/1/967. Employment of Women in compulsory Labour. Enquiries by the League of Nations in connection with (Case No. 11/1927), 1927.

¹⁵⁸ Ibid.

In the mining sector, however, the number of working hours varied in each mine. The general average was 30 hours a week for underground staff, that is, with five shifts; 48 hours a week for over ground staff, that is, eight hour shifts.¹⁵⁹ The mining villages were under strict government supervision.¹⁶⁰ Details about number of hours per week worked at the Ariston Gold Mines (1929) Ltd, the Tarkwa and Abosso Mines, the A'koon syndicate and the African Manganese Co. Ltd are presented in the table below:

Table 3.1: Number of hours worked by various mining companies in the Gold Coast, 1930

Number of hours/Mines in the western province	Ariston Mines	Tarkwa & Abosso Mines	A'koon Mine	African Manganese
number of hours per week worked by labourers aboveground	48	48	$52\frac{1}{2}$	48
Number of hours per week worked by labourers underground	30	48	30	0
Number of hours worked on a single shift by labourers aboveground	8	8	$7\frac{1}{2}$	10
Number of hours worked on a single shift by labourers underground	5	8	8	0

Source: PRAAD, Accra, ADM 11/1/1068.

From the table, the hours of work in the mines differ slightly per the location of the mine. One also notices that mining of manganese entailed surface mining only.

¹⁵⁹ Interview with Kwame Adu, member of Public Services Workers' Union, at his residence, Madina, Accra, 17th February, 2009, Age: 78 years; PRAAD, Accra, ADM 11/1068.

¹⁶⁰ Ibid.

Public servants were given overtime wages for work done on Sundays, Good Friday and Christmas day.¹⁶¹ Similarly, if labour was engaged in a task outside the scope of their normal duties, they were paid for overtime work. Mechanics and labourers who were paid daily were paid overtime for work done after 6:00 pm. However, if work was done on any of the days mentioned in lieu of time-off on week days, no overtime allowance was paid. In the railways sector, overtime was paid at the following rates.

Table 3.2: Rates of overtime payment for employees in the railways sector

(1940s)

Salaries	Over time rates per hour
Under £60 per annum	3d
From £61 to £84 per annum	6d
From £85 to £138 per annum	9d
From £139 to £208 per annum	1s
Over £208 per annum	nil

Source: PRAAD, Accra, ADM 11/1/1068.

Not all employees had the right to claim overtime wages. For instance, all foremen were considered as full time employees and as such were not paid for overtime work. Also, work such as changing of rails, lining of track, maintenance of switches, water supplies to tanks were considered as ordinary maintenance tasks and overtime was not granted for such work. Furthermore, no overtime was paid to members of the supervising and clerical staff or to menial staff, such as trolley boys, point men,

¹⁶¹ PRAAD, Accra, ADM. 11/1/1068. General Conditions of Labour in West Africa, 1930.

messengers, watchmen and store boys, considered as full timers and accordingly were paid monthly, unless specially authorised by the management.¹⁶²

There was provision for the award of annual allowances and gratuities to nonpensionable employees.¹⁶³ Similarly, Ordinances were passed in all the British Colonies and Protectorates in West Africa bringing a pension scheme for widows and orphans into operation in 1914.¹⁶⁴ The Annual Allowances and Gratuities Rules, 1938 granted allowances to employees only in special cases and in accordance with the Pensions (Non-European Officers) Ordinance (Cap. 30). Annual Allowances could be granted only to first class employees¹⁶⁵ on retrenchment or on retirement and then only if the employee had completed not less than fifteen years' continuous and faithful service during which his salary was not in excess of what it would have been had his post been pensionable. Also, gratuities which were necessarily ex-gratia and extra statutory were granted to both first class and second class employees¹⁶⁶ provided that they had completed not less than five years continuous and faithful service.¹⁶⁷ The maximum rate of gratuity was one-fortieth of the final salary for each completed year of service.

¹⁶² PRAAD, Accra, ADM. 11/1/1068. General Conditions of Labour in West Africa, 1930.

¹⁶³ PRAAD, Kumase, ARG. 1/1/150, Pensions and Gratuities, 1938; Interview with Mercy Asieduwaah, member of Public Services Workers' Union, at her residence, Tafo, Kumase, 24th February, 2009, Age: 80-90 years.

¹⁶⁴ PRAAD, Kumase, ARG. 1/1/104, Widows and Orphans Pension Scheme, 1927.

¹⁶⁵ First class employees refers to all holders of non-pensionable posts who are permanently employed at salaries of not less than £120 per annum.

¹⁶⁶ Second class employees refers to those permanently employed in non-pensionable posts at salaries of less than £120 per annum and those employed at monthly, daily or hourly rates of pay.

¹⁶⁷ PRAAD, Kumase, ARG. 1/1/150, Pensions and Gratuities, 1938.

According to Arthiabah and Mbiah, workers' End-of Service-Benefits (ESBs) constituted a provision in each negotiated Collective Bargaining Agreement during the period 1958-1990.¹⁶⁸ The ESBs made available to workers, lump sum payment as terminal benefits on the occasion of the retirement, resignation or termination of the employee. The ESBs were introduced into the CBAs in the absence of gratuities for workers employed in the formal sector both private and public. As noted above, from 1938, civil servants enjoyed gratuities depending upon whether they were nonpensionable or pensionable staff. The ESBs made for a lump sum payment to an employee as terminal benefit on the occasion of the retirement, resignation or termination of appointment of the employee. The importance of the ESBs was that the accrued money paid to the worker became a big relief for the resettlement of the worker and his or her family.

3.4 Maternity protection

The differences in the working conditions of female workers in Ghana have been well documented.¹⁶⁹ The authors established that female employment situation was entirely different from that of their male counterparts and that gender relations plays a crucial role in the workplace. They also argued that women are concentrated in the informal sector of the Ghanaian economy and earn lower wages. For instance, it was argued in

¹⁶⁸ Arthiabah and Mbiah, *Half a Century of Toil*, p. 191.

¹⁶⁹ Esther Offei-Aboagye, "Structural Adjustment and Women in Ghana", (2001) in Baah A. Y. (ed.) *The Social Dimensions of Structural Adjustment in Ghana* (Accra, Ghana Trade Union Congress, 2001); Akua O. Britwum "Female Trade Union Representation and Participation in Ghana" in *Democratic Workers' Participation for Economic and Social Development: the Case of Ghana*. (ed.) P. Agbesinyale (An APADEP Survey Report on Trade Union Situation and Workers' Participation in Ghana. Accra: TUC/APADEP, 2000), p. 102-122.

the Gold Coast that female workers lived with their families and would otherwise not earn any income, hence the need to appreciate wages given them, no matter how small.¹⁷⁰

KNUST

As noted earlier, the labour market in Ghana has been inundated with labour laws. By April, 1928 ordinances had been passed establishing the conditions under which Africans were to be engaged for Government Service. An interesting aspect of the Ordinance was the issue of marriage. Letters of appointment into Government Service for African women noted that, “it must be clearly understood that in the event of your marriage, you may be required to resign your appointment.”¹⁷¹ As has been explained, this accounted for late marriages for most of African women who were employed in the government department. The colonial Governor, however, regarded the condition as necessary to meet the cases of:

- a wife who has children and cannot make suitable arrangements for their care without interfering with her official duties and
- a woman official who is married to a Government officer and claims the right to be stationed with him irrespective of the convenience of her Department.¹⁷²

For the above mentioned reasons, Heads of Departments were encouraged to give long periods of maternity leave for African women in order for them to be

¹⁷⁰ PRAAD, Accra, ADM. 5/3/38. Orde Brown’s Report on Labour Conditions in West Africa, 1941; Interview with Kwabena Boadu, member of Railway Workers’ Union, at his residence, Takoradi, 20th May, 2009, Age: 80-90 years.

¹⁷¹ PRAAD, Kumase, ARG. 1/1/143, Employment of Women in the Government Service- Condition of., 1929.

¹⁷² PRAAD, Kumase, ARG. 1/1/143, Employment of Women in the Government Service- Condition of., (77/28), 1929; Interview with Grace Antwiwaa, member of the Teachers and Educational Workers Union, at her residence, Dome, Accra, 4th January, 2010, Age: 70-80 years.

able to make appropriate provisions for their wards“ upkeep and to make it possible to return to take up their roles.

It is worth noting that the above mentioned condition of service for African women in Government service was amended on 19th April, 1932. Here, the rules were to be applied to both European and African female staff. Letters of appointment issued to women officers, who joined the civil service, contained the following paragraph, “You are to understand that, in the event of your marriage, you will in the absence of any special reason to the contrary, be required to resign your appointment”.¹⁷³ Thus, when it appeared improbable that the efficiency of a female officer will be affected by marriage, the Governor in his discretion, could refrain from enforcing the resignation. These regulations, however, pushed most female workers into the informal sector of the economy.

In the informal sector where women dominated, because of the need for some level of flexibility, largely operated outside the confines of protective labour legislation that covered formal sector workers. Baah argued that in terms of the distribution of work benefits, gender considerations come to play when women attempt to lay claim to benefits outlined in collective agreements. The Women’s Desk of the TUC also noted that, spouses and dependant female workers in some sectors of the economy were denied access to collectively agreed benefits like medical facilities.¹⁷⁴

¹⁷³ Ibid.

¹⁷⁴ Report from Women’s Desk, GTUC 1997, p. 12.

Maternity protection is absolutely necessary for every female worker be it in the formal or informal sector of the economy. A report by the International Organisation of Labour (ILO) in 1996 postulated that:

Maternity is a condition which requires differential treatment to achieve genuine equality and, in this sense, it is more of a premise of the principle of equality than a dispensation. Special maternity protection measures should be taken to enable women to fulfil their maternal role without being marginalised in the labour market.¹⁷⁵

Ghanaian traditional society was mainly based on subsistence economy in which labour produced for self and family. In that traditional setting, division of labour existed between women and men. The ordinary duties performed by women were sweeping up the town; performing usual household work and helping in farm activities.¹⁷⁶ Female labour participation in the Gold Coast was relatively high with about 90% of women engaged in unpaid family work.¹⁷⁷ In the Eastern province, Colony and mandated Area of Togo, it was recorded that about 60% of the village women, besides performing their traditional duties, were sometimes called upon to carry light loads of sand for road-work, or engaged in the cleaning of wells in compulsory labour.¹⁷⁸ The women carried two or three loads of sand a day over a distance of about 300 yards as a full day's work. It is worth noting that women who were engaged to carry sand received wages for work done. The customary laws

¹⁷⁵ ILO, 1996, p. 42.

¹⁷⁶ PRAAD, Accra, ADM 11/1/967. Employment of Women in compulsory Labour. Enquiries by the League of Nations in connection with (Case No. 11/1927), 1927; Interview with Boakye Asare, member of Railway Enginemen's Union, at his residence, Sekondi, 15th May, 2010, Age: 80-90 years.

¹⁷⁷ Takyiwaa Manuh, Ghana: *Women in the Public and Informal Sectors under the Economic Recovery Programme*, Mortgaging Women's lives: feminist critique of structural adjustment (1994), p. 67.

¹⁷⁸ PRAAD, Accra, ADM. 11/967. Employment of Women in compulsory Labour. Enquiries by the League of Nations in connection with (Case No. 11/1927), 1927

dictated that care be taken in the recruitment of pregnant women and recent mothers to carry loads for wage. This was to ensure that the safety of the pregnant woman and the child was not compromised. Native administration, however, supported and encouraged the employment of women into paid labour in order to support their families.¹⁷⁹

By the early 20th century, the traditional socio-economic system outlined above had gradually changed due to various factors such as the advent of Europeans, the growth of the mining industry, the development of cash crops for export, the expansion of government administration and the provision of service, migration of labour and urbanisation and advances in education. The above mentioned factors led to an expansion in the economy and an increased demand for labour.

The employment of women into wage employment was, however, on a small scale owing to the fact that they still had to perform a number of traditional duties. Most Ghanaian women are married at some time in their lives. Marriage in traditional Ghanaian society was primarily for procreation and the greater the number of children the greater the prestige.¹⁸⁰ In 1989, the average Ghanaian woman bore 6.4 children during her lifetime. She could also foster children of other relatives mostly in a polygamous marital system.¹⁸¹ As noted above, women were responsible for nearly all domestic work, including all child care, washing, cleaning and cooking.

¹⁷⁹ Ibid.

¹⁸⁰ Ghana Statistical Service, *Ghana Demographic and Health Survey*, 1989.

¹⁸¹ Ibid.

Women's right to engage in paid labour as sanctioned by customary law was undermined by the exclusive responsibility for all domestic work.

Furthermore, the 1948 Labour Ordinance prohibited the employment of female labour into some categories of operations such as working in underground mines. The hazardous nature of underground mining influenced this provision. Part VII section 54 of the Regulation of Employment Ordinance, 1921 also prohibited the employment of women in night work defined as work in an industrial undertaking at any time within a period of eleven consecutive hours. Also, special permission had to be sought from the Labour Officer by an employer, for the employment of women to be engaged in services outside their locality. Women never worked more than two miles away from their homes.¹⁸² Furthermore, women were not to be employed as drivers, road construction or telecommunications workers. Thus, despite the socioeconomic changes, women's access to wage employment was limited due to the existing customary laws and the Labour Ordinances.¹⁸³ Most of the women were employed in the informal sector where the majority engaged in trading activities.

It must, however, be mentioned that, the population policy of Ghana, 1969 sought to, among other things, encourage and promote wider productive and gainful wage employment for women and to develop a wider range of non-domestic roles for

¹⁸² PRAAD, Accra, ADM. 11/967. Employment of Women in compulsory Labour. Enquiries by the League of Nations in connection with (Case No. 11/1927), 1927; Discussion with Obaapani Agnes Kyerewah, at her residence, TUC, Kumase, 10th April, 2010, Age: 80-90 years.

¹⁸³ PRAAD, Accra, ADM. 11/967; Interview with Maame Eunice Tawiah, member of National Union of Postal and Telecommunications Workers' Union, at her residence, Accra, 25th March, 2010, Age: 70-80 years.

women.¹⁸⁴ In pursuant of that provision, a variety of new avenues for employment were opened up for women outside the home and their immediate locality. Most women waged workers were employed as nurses, teachers, secretaries and clerks. They were mostly found in the lower echelons of the professions except in nursing which was female-dominated.¹⁸⁵ In 1988, the Chief and Deputy Nursing Officer were both women.¹⁸⁶ Women participation in waged employment increased from 47,000 in 1970 to 207,000 in 1984.¹⁸⁷ The majority of women in wage employment were undoubtedly found in the public services. According to an official at the labour department, women constituted 25% of members in the 17 unions that comprised the Ghana Trades Union Congress in the 1980s.¹⁸⁸ Women have been part of the TUC structure and have featured in decision-making positions even though in small numbers.¹⁸⁹ Mrs Veronica Ayikwei-Kotei was the first female to be appointed Head of Department of the Women's Desk of the TUC in 1998. She argued that, the minority status of women in union decision-making organs limited their ability to raise their concerns.¹⁹⁰

¹⁸⁴ *Population Planning for National Progress and Prosperity; Ghana's Population Policy* (Tema, Accra: State Publishing Corporation, March 1969), p. 12.

¹⁸⁵ PRAAD, Accra, ADM 11/967; Interview with Martha Kumi, member, National Union of Health and General Hospital Workers'', at her residence, Korle Bu, Accra, 16th March, 2010, Age : 80-90 years; Interview with Agnes Nyamekye, member, National Union of Health and General Hospital Workers'', at her residence, Korle Bu, Accra, 16th March, 2010, Age: 70-80 years.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ Interview with Veronica Ayikwei-Kotei at her residence, Kasoa, 20th February, 2011, Age: 60-70 years.

¹⁸⁹ Britwum, *Sixty Years*, p. 97.

¹⁹⁰ Interview with Veronica Ayokwei-Kotei at her residence, Kasoa, 20th February, 2011, Age: 65 years.

Until the advent of the World Bank and International Monetary Fund (IMF) Economic Recovery Programme (ERP) and Structural Adjustment Programme (SAP), most public employees and their dependants enjoyed free health care; women employees were granted a specific period of maternity leave with pay.¹⁹¹ Elements of the maternity leave protection prior to the SAP included free medical care, and breastfeeding on return to work. They also enjoyed protection from dismissal as part of the maternity protection condition of service. The Labour Ordinances were binding on all employers; however, non-public service employers often attached other conditions to warrant the enjoyment of the provisions in the ordinances. The absence of restrictions in the implementation of the provisions in the labour ordinances in the public services portrays why, till date, the majority of Ghanaians crave for employment in the government departments. The public services, apart from offering to a large extent job security to their employees, provided them better working conditions as compared to conditions in the private sector. Most women waged workers had to, however, balance domestic and maternal responsibilities with work demands whether they were employed in the public or the private sector.

Before 1961, there were statutory provisions which granted income tax exemptions by way of maternity and paternity benefits and child allowances in respect of children up to a maximum of five years.¹⁹² This release was, however, abolished in 1961 as a result of administrative difficulties in its implementation. Pursuant to the provisions of the Industrial Relations Act, 1965, Act 299, collective agreements had been entered into

¹⁹¹ The Labour Decree, 1967 provides for three months' maternity leave with pay for formal sector employees, half before, and half after the birth of a child. Two half-hour periods for breastfeeding infants up to the age of nine months are also provided. In practice, non-public sector employees granted full maternity benefits only to women who had worked for specific minimum periods.

¹⁹² Interview with Dorcas Dugan, at her residence, Nungua, Accra, 26th March, 2011, Age: 7080 years.

between various branches of the Trades Union Congress and employers in various establishments- industrial, commercial and agricultural.¹⁹³ By virtue of section 10, the maternity agreements formed an integral part of contracts between employers and employees. Thus the provisions were legally enforceable against employers as if they formed part of individual employment contracts. The Labour Decree N.L.C.D. 157, 1967 also, contained provisions designed to protect the pregnant female worker:

- The employer shall give leave to any pregnant female worker if she produces a certificate given by a Medical Officer or a midwife registered under the law to the effect that her confinement is in the opinion of such officer or midwife likely to take place within six weeks after the date of the certificate;
- The employer shall give at least six weeks leave to a female worker in such undertaking immediately after her confinement. Where the confinement is abnormal or where in the course of the same confinement two or more babies are born, the above mentioned period shall be extended to at least eight weeks;
- The employer shall permit the female worker to take her annual leave in addition to her maternity leave if she becomes entitled to annual leave before the expiry of her maternity leave;
- The employer shall not assign or temporarily allocate a pregnant female worker to a post outside her place of residence after completion of the fourth month of pregnancy if such assignment or allocation in the opinion of a Medical Officer or a midwife will be detrimental to her health;
- The employer shall not employ overtime a pregnant female worker or the mother of a child less than eight months old;
- The employer shall pay the pregnant female worker at least 50% of her basic salary during the period of her maternity leave;
- The employer shall allow the female worker, if she is nursing a child, half an hour twice each day during working hours for the purpose of nursing the child.

Section 43 of the Decree stated in no uncertain terms that, the employer shall not dismiss a pregnant female employee merely because of her absence on maternity leave. The provisions in the labour ordinances guaranteed maternity protection for the female wage worker in Ghana. The major problem with the provisions on maternity leave pertaining to the 1967 Labour Decree, was the silence on the number of times a female employee could avail herself for the advantages accorded her by the provisions.

¹⁹³ Britwum, *Sixty Years*, p. 64.

Considering the average family size as noted above, the absence of a limit to the number of times female employees could take maternity leave posed great challenge to employees as it meant a potential loss of long periods of services.

There have been amendments to the labour ordinance to solve the problems relating to maternity leave on the 1967 Labour Decree. The general principle adopted on maternity protection reflect the concern to ensure that women's work does not pose risks to the health of the woman and her child and those women's reproductive roles do not compromise their economic and employment security. Elements of maternity protection in contemporary Ghana include the right to:

- maternity leave;
- cash benefits to ensure the mother can support herself and her child during leave;
- medical care;
- protection of the health of pregnant and breastfeeding women and their children from workplace risks;
- protection from dismissal and discrimination; and
- breastfeeding on return to work.

As indicated, the 1992 Constitution makes adequate provision on maternity protection. It is worth noting, however, that Ghana has not ratified the ILO convention on Maternity leave protection. According to Veronica Ayikwei, female wage workers in Ghana do not enjoy the same level of maternity protection. This is because, the elements of maternity protection as stated above, differ from one labour union to the other. Stronger unions are able to negotiate for better maternity protection for their members in the employment contract than weaker unions.

Maternity protection for women workers contributes to the health and well-being of mothers and their babies. Hence, Millennium Development Goals 4 and 5 adopted by

the member States of the United Nations, seek the reduction of child mortality and improvement of the health of mothers. By safeguarding women's employment and income security during and after maternity, maternity protection is also essential for ensuring women's access to equality of opportunity and treatment in the workplace that is the Millennium Development Goal 3; promoting gender equality and women's empowerment.

3.5 Work and family

Most Ghanaians especially women constrained by their domestic responsibilities as noted above, prefer employment sectors that allow some flexibility for combining their dual roles.¹⁹⁴ Pressures from an increasingly competitive work environment combined with lack of support for family responsibilities are leading to considerable conflicts and stresses for workers trying to "juggle" work with family responsibilities. It is sometimes assumed that in developing countries family responsibilities are not really a problem since workers can appeal to traditional family solidarity and find some relative who can help look after dependents. However, evidence suggests that family support for the domestic and caring responsibilities of those who work outside the home is becoming less and less available and increasingly problematic; particularly in the urban areas.¹⁹⁵

¹⁹⁴ ISSER (Institute of Statistical, Social and Economic Research), *The State of the Ghanaian Economy*, 1996.

¹⁹⁵ ISSER/DPPC 1996; Interview with Beatrice Assan, member of Public Service Workers' Union, at her residence, Accra, 25th May, 2010, Age: 80-90 years; Interview with Charlotte Andah, member of Teachers and Educational Workers Union, at her residence, Madina, Accra, 17th February, 2009, Age: 50-60 years.

Work-family measures are policy solutions intended to facilitate all workers' access to decent work by explicitly and systematically addressing and supporting their unpaid family responsibilities. Men had greater flexibility than women in how to dispose of their time. They could compensate for low turnover and profits by working longer hours. However, due to child care and cooking duties of women, there was a limit on how much of the day, night and week they could work away from home.

Historically, public service workers have not enjoyed work-family policies due to the limited supply of labour.¹⁹⁶ As noted earlier, workers in the formal sector worked for 6 days per week and also worked for longer hours. Thus, labour had limited time to take care of other responsibilities. Workers, therefore, had to rope in other family members in order to help them achieve some level of balance. However, due to the breakdown of the extended family system it has become increasingly difficult for formal sector workers to achieve this balance.

Workers in the informal sector have historically benefited from good work and family policies. There has been flexibility in their working hours which allows them to combine work family responsibilities.

3.6 Domestic workers

Domestic workers performed a range of tasks for and in other people's households. They cooked, cleaned and washed the laundry as well as looked after children, the elderly or persons with disability. They also worked as gardeners, guardians or family

¹⁹⁶ Interview with George Mude, Accra, TUC, 19th February, 2011, Age: 50-60 years.

chauffeurs. Most of them are women. They were often excluded, de jure or de facto, from labour and social protection. Part of the reason for this was that domestic work takes place in the home and involves, to a large extent, tasks that women have traditionally carried out without pay. The Master and Servant Ordinance, Cap. 70 was enacted to regulate the activities of domestic servants in the Gold Coast. The system provided for the supply of a book to each servant on the front of which his/her photograph was pasted. The various engagements for the servant, the nature of his/her work and the comment of his employers were recorded in the book.¹⁹⁷

FOUR

DEVELOPMENT OF LABOUR MOVEMENT IN GHANA

4.0 Introduction

The Ghanaian Labour movement carries a particular interest because of its early political affiliations and the legislative approach to labour relations. This chapter focuses on the development of labour movement in Ghana particularly the Trade Union Congress (TUC). It examines the contribution of the British Colonial administration to the development of the labour movement in Ghana. Furthermore, there is an analysis of the relationship between the TUC and various governments after independence as well as how such relationships have impacted the structure and activities of trade unions in Ghana.

In examining the development of trade unions in Ghana, it is imperative that we examine the concept of trade unionism. The predominant historical view of trade unions is that, it is a continuous association of wage earners for the purpose of

¹⁹⁷ PRAAD, Accra, ADM 5/3/38. Orde Brown's Report on Labour Conditions in West Africa, 1941.

maintaining or improving the conditions of their employment.²⁰⁹ It could be an association of wage earning workers from one particular firm or industry such as the Ghana Railway Workers Union (GRWU) or from a myriad of industries like the Industrial and Commercial Workers Union (ICU).

The historian R. A. Leeson in his book, *United we Stand*, noted that, “Two conflicting views of the trade-union movement strove for ascendancy in the 19th century; one defensive-restrictive guild-craft tradition passed through journeymen’s

²⁰⁹ Sidney and Beatrice Webb, *The history of Trade Unionism* (London, Longmans and Co., 1920), ch. 1.

clubs and friendly societies, ... the other the aggressive-expansionist drive to unite all “labouring men and women” for a “different order of things.”¹⁹⁸ He explained that in the 19th century, the aim of trade unions was to bring about a change in employee and employer relationship. Thus, a trade union was seen as an association which had as its main objective; the regulation of relations between workers and their employers. According to Richard Jeffries, in order for the unions to achieve the aim of regulating employer employee relationship, the unions had to show strength in terms of its membership.¹⁹⁹ This, he noted, was the single most important reason why unions adopted an aggressive-expansionist strategy in the 19th century.²¹² In the Gold Coast, there was therefore a keen effort by the leadership of the various labour movements to increase their numbers.

¹⁹⁸ Robert Leeson, *United we Stand: British Trade Union Emblems* (Great Britain, Adams and Dart, 1971), p. 32.

¹⁹⁹ Jeffries, *Class, Power and Ideology in Ghana*, p. 78.

The Trade Union Ordinance 1941 Cap 91, was the first labour Ordinance that provided the legal framework for the formation and registration of trade unions in

Ghana. The Ordinance defined a Trade Union as:

...any combination (not being a body the members of which are appointed by the Governor or are persons holding appointments appearing in the staff list of Senior Appointments or the time being in force) whether temporary or permanent, the principal purposes of which are the regulation of the relations between workmen and masters or between workmen and workmen, or between masters and masters whether such combination would or would not, if this Ordinance had not been enacted, have been deemed to have been an unlawful combination by reason of someone or more of its purpose being in restraint of trade.

This implied that only junior workers in an organisation had the right to join trade unions. This limitation affected union membership and the organisation of trade unions. This was because, in general, most junior workers tended to be unskilled and lacked effective organisational abilities. Another major setback relating to the growth of union membership was the world economic depression in the 1930s.²⁰⁰

In the period (1850-1950), labour historians have linked the rise of labour and class awareness to long-term processes of economic and social change: the rise of dependent wage-labour (relatively rare in the period before the advent of foreigners), industrialisation, urbanisation and proletarianisation. Technological advancement in the period resulted in increased production with which came industrialisation and ultimately urbanisation. As a result of the modest amount of urbanisation which occurred in the colonial export enclaves, workers became aware of their poor standards of living. An important contribution of the rise of urbanisation was the simultaneous birth of nationalism and trade unionism

²⁰⁰ Interview with Dorothy Kwarteng at her residence, Kwadaso, 24th March, 2010, Age: 90 and above years.

Scholars such as H. A. Turner also distinguished between closed unionism, which restricts entry into its trade, and open unions, which had to depend on the strength of their members' united action to succeed in bargaining. Close unions could rely on the specialised nature of their work to drive home their demands. Besides efforts to restrict entry into such unions give them power to influence their wages. In Ghana mention can be made of the Ghana Medical Association (GMA) as a closed union, but the Ghana National Association of Teachers (GNAT) is an example of an open union. It could be concluded that the main objective of trade unions is to regulate the relationship between employers and employees. This is necessary to ensure that there is harmony in the labour market, hence a congenial environment necessary for the growth of an economy.

4.1 Development of trade unions under the British Colonial Administrators (1900-1957)

Authors such as Arthiabah and Mbiah, traced the development of Trade Unions to Great Britain during the Industrial Revolution of the 1760s.²⁰¹ During the period, large numbers of workers moved into towns and cities to find jobs to do. In the early days of the Industrial Revolution, working conditions were appalling and working hours were very long. Seventeen hours work per day was considered normal. Wages were just enough to keep body and soul together. Workers therefore started grouping together according to their trades, hence they were called trade unions. During the period, there were attempts by employers to suppress trade unionism with the

²⁰¹ Arthiabah and Mbiah, *Half a Century of Toil*, p 17

introduction of the Combinations Act in 1799.²⁰² The action led to workers forming gangs known as *Luddites* who rushed to factories where the employer was perceived to be unscrupulous to loot property, break machines, set fire to buildings, lynch the employer and vanish.²⁰³ In 1824, there was a repeal of the Combinations Act. The British Trade Unions Act was passed in 1825 to allow workers to organise trade unions and bargain collectively with their employers.²⁰⁴

In explaining why the British had to encourage the formation of trade unions in their colonies, writers such as Arthiabah and Mbiah, Britwum, Panford, and Cowan, intimated that the British feared the occurrence of the *Mafia* kind of union activities that existed in the UK between 1799 and 1824. Several events in the colony also necessitated the regulation of union activities.

In the Gold Coast colony, prior to the advent of the Europeans, various forms of indentured, communal, and customary labour existed, but there was no class of wage and salaried workers in the modern sense.²⁰⁵ A class of wage and salary labour emerged during the 19th century.²⁰⁶ This was mainly due to the development of industry and commerce during the period. The advent of Europeans in the Gold Coast led to the increased production of mineral resources, most especially gold. The

²⁰² Ibid, p. 14.

²⁰³ Ibid.

²⁰⁴ Ibid, p. 15.

²⁰⁵ Charles A. Orr, "Trade Unionism in Colonial Africa" *Journal of Modern African Studies*, 4 (1966), p. 65.

²⁰⁶ Ibid., p. 98.

Gold Coast was, however, predominantly an agricultural export economy by the 1890s.²⁰⁷ The British colonial authorities concentrated on the production of soil exhausting crops which became a characteristic of the economy. Cocoa was the major export commodity in the colony. Up until the 19th century, the commodity was mainly produced in the southern territories of the colony. This was probably due to the fact that British hegemony was not established in Asante until after the 1901 Yaa Asantewaa war. It could be concluded therefore that, supply of labour was mainly in the agricultural sector of the economy.

At the beginning of the 20th century, there was little or no mechanisation in agriculture. The situation was not much different in the mining, lumbering and even the fishing industry. The absence of capital intensive technology in the agricultural and mining sectors meant that the method of production in the colony was labour intensive.²⁰⁸ This method of production employed during the period led to an increase in the demand for labour as a factor of production especially in the agricultural sector.

The most fundamental determinant of labour supply in a primarily agricultural society was the ratio of the population to cultivable land. Therefore, securing high land fertility was a major preoccupation of the early period of colonial era. The growth of population was fast in the Districts where there was cocoa farming activities in the colony.²⁰⁹ The density of the population during the colonial period was, however, not enough to make

²⁰⁷ Ibid, p. 101.

²⁰⁸ Joseph Dupuis, “*Journal of a Residence in Ashante*” (London, 1966), pp. 65–66.

²⁰⁹ E. V. T. Engmann, *Population of Ghana 1850-1960* (Accra, Ghana Universities Press, 1986), p. 132; Thomas Eric Hilton, *Ghana Population Atlas*, (Edinburgh, Thomas Nelson and Sons Ltd, 1960), p. 30.

land availability a constraint to expanding output levels in the colony. It must, however, be noted that, the physical abundance of land in the colonial period could turn into scarcity if others had the power to deny other inhabitants access to its usage, thereby turning most of the population into landless labourers. As Stephen Hymer remarked of the notion of land surplus; “land, even when it is plentiful, can be made scarce if certain groups gain power of excluding others from its use.”²¹⁰

In colonial Ghana, land was communally owned and its control and administration was in the hands of the chiefs.²¹¹ Thus, there was little or no incentive for the chiefs to deny their people access to land for food production. In Asante for instance, slaves and migrant workers from the savannah and the French territories had easy access to land for farming.²¹² According to Austin, labour was the most important factor of production in the Gold Coast.²¹³ Oral and written evidence exist to prove that, there existed, family labour, slaves, pawns and the co-operative work groups (*nnoboa*). The *nnobua* system was a form of exchange of labour between neighbours in rotation often to tackle work too large to be handled in the time available by the conjugal family alone.²¹⁴ According to Ken Swinle, this form of cooperative labour was a recent phenomenon becoming more widespread and important after the decline of domestic slavery.²¹⁵

²¹⁰ R. S. Rattray, *Rattray Papers*, Manuscript Collection of the Royal Anthropological Institute (London, MS 107:3), p. 1809.

²¹¹ Austin, *Labour, Land and Capital in Ghana*, p. 81 – 85.

²¹² *Ibid.*

²¹³ *Ibid.*

²¹⁴ *Ibid.*

²¹⁵ PRAAD, ARG/1/13/74 „Mr. J. S. Martinson“: report on tour in Ashanti by H. G. S. Branch, 14 Aug.–20 Sept. 1912.

Some scholars have argued that compulsion in the early colonial period was a necessary condition of labour being cheap enough for there to be a labour market.²¹⁶ This was as a result of the fact that there was too little occupational specialisation due to the physical and institutional abundance of land to generate a market for goods sufficiently remunerative to make it profitable for a producer to employ a labourer on any terms that it would be profitable for the labourer to accept. The use of forced labour was therefore necessary in reducing the labour supply cost enough to make it possible for the supply and demand curves of labour to meet. These scholars applied Domar's proposition which states that, "the wage of a hired man... will have to be at least equal to what he can make on his own farm; if he receives that much, no surplus (rent) will be left for his employer."²¹⁷

The colonial era ended with the rural economy overwhelmingly agricultural, especially for the indigenous inhabitants. However, the indigenous tradition of association was very strong. For instance, the supply of labour for the rapid expansion of Amansie Cocoa farming in the early 1900 was by the means of family labour and co-operative work.²¹⁸ Workers in the country found it natural to initiate collective action and to join together in associations. The use of family labour, slaves, pawns and the co-operative work groups did not necessitate the formation of formal labour unions to regulate employer and employee relationship. Indeed, the association of workers in the formal

²¹⁶ Austin, *Labour Land and Capital in Ghana*, p. 158.

²¹⁷ Robert S. Rattray, *Ashanti Law and Constitution* (London, Clarendon Press, 1929), p. 227.

²¹⁸ Jeffries, *Class, Power and Ideology*, p. 97.

government and foreign owned businesses that existed during this period could not be classified as labour unions. This was because, the objective for the formation of such associations, was just to increase labour supply for the activity they wanted to accomplish and not to regulate employer and employee relationships.²¹⁹ Thus, the absence of formal trade unions in the early 19th century did not mean that workers were unable to organise to demand for better conditions of work from their employers. Oral and written histories exist to show that workers were able to effectively organise to demand better services from their

employers. For instance, prior to the establishment of the Colonial Labour Department in 1938, David Kimble, made mention of a strike action of canoemen in Cape Coast in 1896 and of a “trade union” of carriers in 1898 who were able to “dictate to a helpless Government” the terms on which they would convey loads inland from the coast.²²⁰

The first record of organised workers’ struggle against deplorable working conditions in the Gold Coast was the 1919 Mineworkers’ strike.²²¹ December, 1921 witnessed another strike action by employees of Railways and PWD.²²² Also, in December 1925, when the Prince of Wales was paying a visit to the Gold Coast, the fishermen who were assigned to row the boat to the shores used the occasion to demand increased wages. They demanded for 1s.6d instead of the 9d they were receiving at first.

²¹⁹ Interview with Francisca Dзокpe, member of Government Technical, Clerical and General Workers’ Union, at her residence, Accra, 23rd July 2010, Age: 90 and above years; Interview with Opanin Kofi Amoateng at his residence, Dunkirk-Kumase, 30th June, 2011, Age: 80 to 90 years.

²²⁰ David Kimble, *A Political History of Ghana*, Vol. 1 (Oxford, Oxford Press, 1963), p. 44.

²²¹ Arthiabah and Mbiah, *Half a Century of Toil*, p. 99.

²²² Britwum, *Sixty years*, p. 9.

Although the workers had no formal trade unions, they were able to organise to demand better conditions.²²³

Formal labour movements in Ghana, however, started in the early 1930s. Prior to the formation of trade unions in the Gold Coast, employers had complete control over workers.²²⁴ They employed whom they wanted to employ, established the wages and fixed the working hours. They therefore considered the collective action of workers as infringement upon their rights and privileges. They also saw workers' demand for higher wages and better working conditions as being tantamount to reducing profit margins.²²⁵ One of the pioneer trade unions in the Gold Coast was the Motor Drivers' Union (MDU) founded in 1931.²²⁶ It is interesting to note that there were two distinct MDU's in the Gold Coast namely the Western Province MDU and the Central Province MDU. These were Independent Local Unions. By 1947, the paid up members of the Western MDU was 50 while that of the Central Province MDU was 96. The union was, however, more in the nature of guilds, than union of employees. Membership was mostly made up of people who were also employers of labour or owners of small businesses.²²⁷

²²³ Interview with Iddi Ibrahim, at his residence, Aboabo-Kumase, 8th May, 2009, Age: 90 and above. See also Arthiabah and Mbiah, *Half a Century of Toil*, p. 56.

²²⁴ Interview with Veronica Ayikwei-Kotei at her residence, Kasoa, 20th February, 2011, Age: 60-70 years.

²²⁵ Interview with Veronica Ayikwei-Kotei at her residence, Kasoa, 20th February, 2011, Age 60-70 years.

²²⁶ P. Obeng-Fosu, *Industrial Relations in Ghana: The Law and Practice* (Accra, Universities Press, 1991), p. 3.

²²⁷ PRAAD, Kumase, ARG. 1/8/1/19, Report on the Labour Department for the year 1946-47.

In terms of effective organisation, Railway workers were first to organize.²²⁸ They produced dedicated leaders and had an ethnically homogenous concentration of relatively educated and skilled workers in a single town. They also had good communications with minority groups living outside the industrial hub of Sekondi-Takoradi. According to Jeffries, the Sekondi-Takoradi Railway and Harbour workers were the only group of Ghanaian wage-earners to establish union organisation on a durable footing prior to the commencement of the Second World War.²²⁹ People in the Cape Coast municipality attached immense importance to corporate pride and company honour. Service to one's *asafo* company was the "most indispensable duty of the citizen."²³⁰ According to Ansu Datta, the principle underlying the *asafo* was that, "through the patrilineal *asafo*, a Fante extends his relationship to persons beyond those he had to co-operate with in his matrilineage."²³¹ Thus, the system was basically built on fostering positive relationship among the people in the Cape Coast municipality. With the onset of colonial administration, the *asafo* companies lost their military role.²³² It however fostered unity and acts of comradeship among the workers in the municipality especially at *Essikado* which served as the focal point for the railway workers.²³³ Much of the manpower for the railway and for the construction of the Takoradi harbour came from the Cape Coast Municipality. The *asafo* company in

²²⁸ Jeffries, *Class, Power and Ideology*, p. 59.

²²⁹ Ibid, p. 24.

²³⁰ John Mensah Sarbah, *Fanti National Constitution and Fanti Law Report* (London, Frank Cass, 1968), p. 27.

²³¹ Ansu Datta, "The Fante, Asafo: A Re- Examination," *Journal of the International African Institute*, 42, (October, 1972), p. 311.

²³² Interview with Nana Nketia IV, at his residence, Cape Coast, UCC, 12th December, 2010, Age: 60-70 years.

²³³ Interview with Joseph Domfeh, at his residence, Cape Coast, 12th December, 2010, Age: 8090 years.

fostering unity for a common goal among the people in the cape coast municipality also encouraged the formation of worker associations to protect the interest of their members.²³⁴

As an Association, the first recorded strike by Ghanaian railway workers occurred in June 1918 following the granting of a war bonus to European and “permanent” African staff in the civil service in belated recognition of the wartime increase in the cost of living.²³⁵ Skilled and unskilled manual workers were not included in the award of the bonus even though they all faced increased cost of living.²³⁶ It must be mentioned that during this period there was no collective bargaining arrangement between workers and their employers. By the end of 1921 manual workers staged another week-long strike after the government’s refusal to fulfil the assurance given them that there was going to be an upward review of wages. The management refused to negotiate. But Governor Guggisberg intervened to appoint a committee of enquiry which reported in favour of a wage increase for all lower-paid servants of the government. Guggisberg’s initiative should probably be seen as an attempt to restore the government’s competitive position as an employer of labour, rather than simple capitulation to the railway workers’ demands.

This development led to several groups of wage-earners coming together for collective action in their struggle for better living conditions. In 1923 a railway official wrote,

²³⁴ Jeffries, *Class, Power and Ideology*, p. 34.

²³⁵ Ibid, p. 28.

²³⁶ Ibid.

“Men are forming into associations in the Railway Workshops, which will probably form the nucleus of the trade union in years to come.”²³⁷ The Railway Associations was subsequently formed in 1928.²³⁸ Like the MDU, the Railway Association was, however modelled on the guild-type associations of self-employed craftsmen. It must be mentioned here that the foremost trade unions in the Gold Coast were craft-based and comprised generally artisans employed by expatriate railway and mining companies and the British colonial administration. The formation of the indigenous labour movements was aided by the political pressures the Nationalists brought on the British in their demand for self-rule.

Following a series of events between 1928 and 1938, the Association was renamed the Gold Coast Railway African Workers Union (GCRAWU) in November 1938.²³⁹ At this point in time the union had no official recognition because there was no legal provision for union registration in the country. Leadership of the union was, however, able to help aggrieved groups of employees to draw up petitions to the management, and were sometimes allowed to participate in the settlement of disputes on an informal basis. Following a strike action on 9th May 1939, the leadership of the union demanded from management of the railways company recognition of its existence as one of the conditions for returning to work.²⁴⁰ This condition was tabled on 15 May, by J. C. Vandyck, the union secretary, to the general manager:

²³⁷ RAA, Brown, Chief Mechanical Officer, to General Manager, 5th October 1923.

²³⁸ Jeffries, *Class Power and Ideology*, p. 29.

²³⁹ *Ibid*, p. 31.

²⁴⁰ Jeffries, *Class, Power and Ideology*, p. 32.

“recognise the Gold Coast Railway African Workers Union as the body to which all matters affecting the interest of individual workers in his employment should be referred.”²⁴¹ This demand was, however, not met as the government violently clamped down on the strikers and arrested eighteen of the unionists.

It is important to recognise that two major labour unions existed in the Gold Coast Railway sector. These were the Railway Enginemens Union (REU) and the Railway Workers Union (RWU). The former was formed in 1935 as an Association of Locomotive Enginemens.²⁴² In 1943, the Association was known as the Gold Coast Railway Employees Union (GCREU).²⁴³ In 1947, it had a total paid up membership of 3,633 (refer to Table 4.1). The REU organised workers in a single enterprise, that is, the Ghana Railway Department. It was also an example of an Independent Local Union.

The origin of REU could be traced to the Enginemens improvement classes organised for engine cleaners in Sekondi by the Management of the Railway Department.²⁴⁴ The activity was later replicated in all locomotive sheds through the country.²⁴⁵ Francis Albert Eshun, a locomotive shunting driver is credited with having initiated the formation of the Association in 1935 to promote the welfare and skills development of

²⁴¹ RAA, Vandyck to General Manager, 15 May 1939.

²⁴² Britwum, *Sixty Years*, p. 135.

²⁴³ Ibid.

²⁴⁴ Interview with Stephen Duncan, at his residence, Sekondi-Takoradi, 5th October 2009, Age: 70-80 years.

²⁴⁵ Britwum, *Sixty Years*, p. 136.

enginemen.²⁴⁶ As noted above, the Association became a trade union in 1938 under the name, Gold Coast Enginemen's Union (GCREU). Its aims and objectives were to fight for the rights and better conditions of service for all footplate men as well as to provide education to members on the principles of labour laws.²⁴⁷ The first elected President and General Secretary of the union were J. E. Amissah and Francis Albert Eshun respectively.²⁴⁸

The first major test of the union's strength and maturity came in 1939 when the union organised a successful strike action to back its demand for better conditions of service.²⁴⁹ In 1941, GCREU together with Gold Coast African Workers' Union took advantage of the Gold Coast Civil Servants order (1941) to apply for registration as a Trade Union. The Railway Civil Servants and Technical Union, made up of all the other railway workers merged with the REU to become the African Railway Employees Union (AREU) in 1945. This merger was, however, unsustainable for reasons including but not limited to the salary relativities in the Railway Corporation. After the 1951 "Positive Action", the government dismissed all workers and demanded that they re-apply for their positions.²⁵⁰ Leaders of the union betrayed the enginemen by explaining that they would have reported to duty if the enginemen had

²⁴⁶ Ibid, p. 48.

²⁴⁷ Document on the "History of the Railway Enginemen's Union" an Unpublished Report of the Railway Enginemen's Union; Interview with Kwasi Asamoah, member of National Union of Railway workers, at his residence, Tafo, Kumase, 12th August 2010, Age: 80-90 years.

²⁴⁸ Ibid.

²⁴⁹ Britwum, *Sixty Years*, p. 68.

²⁵⁰ Britwum, *Sixty Years*, p. 138.

turned up to convey them to work.²⁵¹ Consequently, only enginemen were asked to re-apply for work. REU was granted a separate charter as a trade union under the Trade Union Ordinance of 1951, No. 19.²⁵²

The other union within the railway sector, the (RWU) had members from all the railway corridors such as Sekondi-Takoradi, Tarkwa, Dunkwa, Kumase, Accra and Tema. The union was formed in 1939 at Sekondi and was known as the Gold Coast Railway African Employees Union (GCRAEU). The aim of the members was to fight for fair, equitable and just remuneration for the black rail workers. This was because black workers in the colonial era did not have the same conditions of service as their white counterparts.²⁵³ White workers were entitled to pension and had access to overtime and night allowance. In 1957, the union was referred to as the Ghana Railway Employees Union. The first General Secretary of the union was Albert Maffat and Entakudze was its first Chairperson. Table 4.0 below shows the expansion in union membership from 1944.

Table 4.1 Trade unions and membership in Ghana, 1943-70

Year Ending	Number of unions ^a	Paid up members (approx.) ^b	Number of African wage-salary employees
3/1944	11	482	
3/1945	14	6,030	
3/1947	24	10,976	
3/1949	41	38,135	
3/1950	56	17,985	
3/1951	61	28,170	

²⁵¹ Interview with Anthony Enninful, at his residence, Cape Coast, 11th February, 2010, Age 7080 years.

²⁵² Britwum, *Sixty Years*, p. 138.

²⁵³ Interview with Phillip Ansah at Takoradi, 17th May, 2011, Age: 80-90 years; Interview with Prudence Ayiku, member Railway Workers' Union, at his residence, Sekondi, 8th January, 2012, Age: 80-90 years; see also Britwum, *Sixty Years*, p. 97.

3/1952	65	32,908	
12/1952	73	35,129	
12/1953	69	46,309	
12/1954	66	44,092	240,000
3/1956	91	67,173	261, 849
3/1957	95	57,845	271, 714
3/1958	95	50,583	286,266
3/1959	85 (24)	116,000	313,566
9/1960	24	201,991	326,664
9/1961	16	320,248	343,752
9/1962	16	320,295	350,111
9/1963	16	324,648	367,832
9/1964	16	351,711	381,326
9/1965	10	-	387, 643
9/1966	16	-	357,031
12/1967	16	270,149	357,249
6/1968	16	338,154	387,170
6/1970	17	342,480	402.500

Sources: J. I. Roper, *Labour Problems in West Africa* (Harmondsworth, 1958), p. 107; Gold Coast (later Ghana) Labour Department, *Annual Reports*, 1951-67, and Ghana TUC, *Report on the Activities of the TUC, 3rd Biennial Congress* (Accra, 1970), p. 1, for 1967-70 figures. The estimates of the number of wage and salary-earners are drawn from Kodwo Ewusi, *The Distribution of Monetary Incomes in Ghana* (Legon, 1971), p. 17.

- a) Fluctuations in the number of unions reflect not only growth/decrease but amalgamations.
b) Labour Department figures include only those members the Department considered paid-up, and are therefore incomplete. TUC estimates were considerably higher, but, for obvious reasons, must be considered unreliable in the CPP period.

From the table above, between 1944 and 1947 there was more than 100% increase in the number of trade unions that is from 11 to 24. By the time of independence, the number of trade unions in the country had increased to 95. However, paid up membership had decreased from the 1956 figure of 67,173 to 57, 845 in 1957. To an extent, one may credit this development of trade unions to the colonial administrators. However, as will be noted in subsequent sections of this chapter, the high number of trade unions during this period was due to the fact that, most of the unions were not national in nature. The unions were such that, within a specific trade, there existed several registered trade unions in the regions and municipalities. By September, 1961,

there was a total 320,248 union members in Ghana. This was made possible by the CPP government's introduction of the 1958 Industrial Relations Act. Inspired by the Act, the Ghana TUC introduced union organisation to almost all the groups of wage-earners in the industrial and commercial sectors.²⁵⁴

Table 4.2 below, provides a list of the registered trade unions in the Gold Coast in 1947. As noted from table 4.2, the total number of unionised workers during the period was 10,976. The unions that existed could be described as house unions since they did not have a national characteristic. Furthermore, the table shows clearly that in the Gold Coast, government workers and transport workers led in union organisation. Various factors accounted for this which included the fact that government was a major employer of the labour force. Also, as an employer, governments tended to be "soft" due to the fact that they are subject to political pressures. Similarly, transport workers were quick to organise due to the nature of their work and the fact that they had access to information on issues relating to labour unions in other places. From the table below, there were as many as 6 transport unions in the Gold Coast in 1947.

Table 4.2: A table showing registered labour unions and their paid-up members March, 1947

Regn. No.	Name of Union	Paid-up members
1	Western Province Motor Driver's Union	50
2	Cooks and Stewards' Union of Ashanti and Northern Territories	12
3	Central Province Motor Driver's Union	96
4	Gold Coast Railway Employees' Union	3,633
5	Weija Waterworks Workers' Union	164
6	Accra and District Masons' Union	60
7	Accra and District Carpenters' Union	178
8	Gold Coast Mercantile Clerks' Union	256

²⁵⁴ Jeffries, *Class, Power and Ideology*, p. 24.

9	Gold Coast Mines Employees Union	2,050
10	Accra and District Mechanics' Union	34
11	Gold Coast Mines Certificated Winding Engine Drivers' Union	-
12	Accra Municipal Workers' Union	158
13	Eastern Province Gold and Silversmiths' Association	357
14	Western Province Tailors' Union	20
15	Eastern Province Motor Drivers' Union	127
16	Kumasi Washermen's Union	23
17	Ashanti Gold and Silversmiths' Association	150
18	Saltpond and District Gold and Silversmiths' Association	50
19	Post Office Employees' Union	400
20	Cape Coast Area Gold and Silversmiths' Association	54
21	Airways Workers' Union (Gold Coast)	-
22	Public Works Department Employees' Union	2,850
23	Gold Coast Plantation Workers' Union	97
24	Ashanti Motor Transport Workers' Union	157
		10,976

Source: Gold Coast Colony Report on the Labour Department for the year 1946-47.

The table also portrays that, by 1947 most of the labour unions were based on the Municipalities and District centres. Within one sector, there developed multiple labour unions; an event that did not augur well for the development of a strong labour centre. However, over time, some of the unions merged and restructured their operations in order to present a strong centre.

The Ghana Private Road Transport Union (GPRTU) was formed as the Gold Coast Motor Union by drivers, porters and transport owners at Nsawam in the Eastern Region of Ghana.²⁵⁵ The form and structure of the union was finally established in May 1967.²⁵⁶ It is headquartered in Accra and has branches in every region of the country.

²⁵⁵ Britwum, *Sixty Years*, p. 121; Interview with Kodwo Abram, member of GPRTU at Nsawam on 27th July, 2011, Age: 70-80 years.

²⁵⁶ Britwum, *Sixty Years*, p. 121; Interview with George Koranteng at his office, Kumase, 10th July, 2011, Age: 60-70 years.

It had and still maintains members who are mostly drivers, porters and transport owners. The union has always operated in the informal sector. Unlike other labour unions, membership is an interesting mix of employers and employees.²⁵⁷ The main objective of the union is to promote the common interests of the members and afford them a framework for delivering reliable and efficient road transport services for travellers in the country.

The Post Office Employees Union was formed in 1945 at the General Post Office in Accra.²⁵⁸ During this period, membership was made up of only post office workers. From the table above, the union had a paid-up membership of four hundred in 1947.²⁵⁹ Subsequently, it came to embrace workers in the other sectors of the communication industry. This development led to change of name of the union to reflect the change in jurisdiction. It operated at a point in its history as the Transport, Telegraph and Maritime Workers' Union. Later it became known as the Post and Telecommunication Workers' Union. The first General Secretary of the union was Techie Menson.²⁶⁰ In 1996, the union became known as the Communication Workers' Union.²⁶¹

²⁵⁷ Britwum, *Sixty Years*, p. 121.

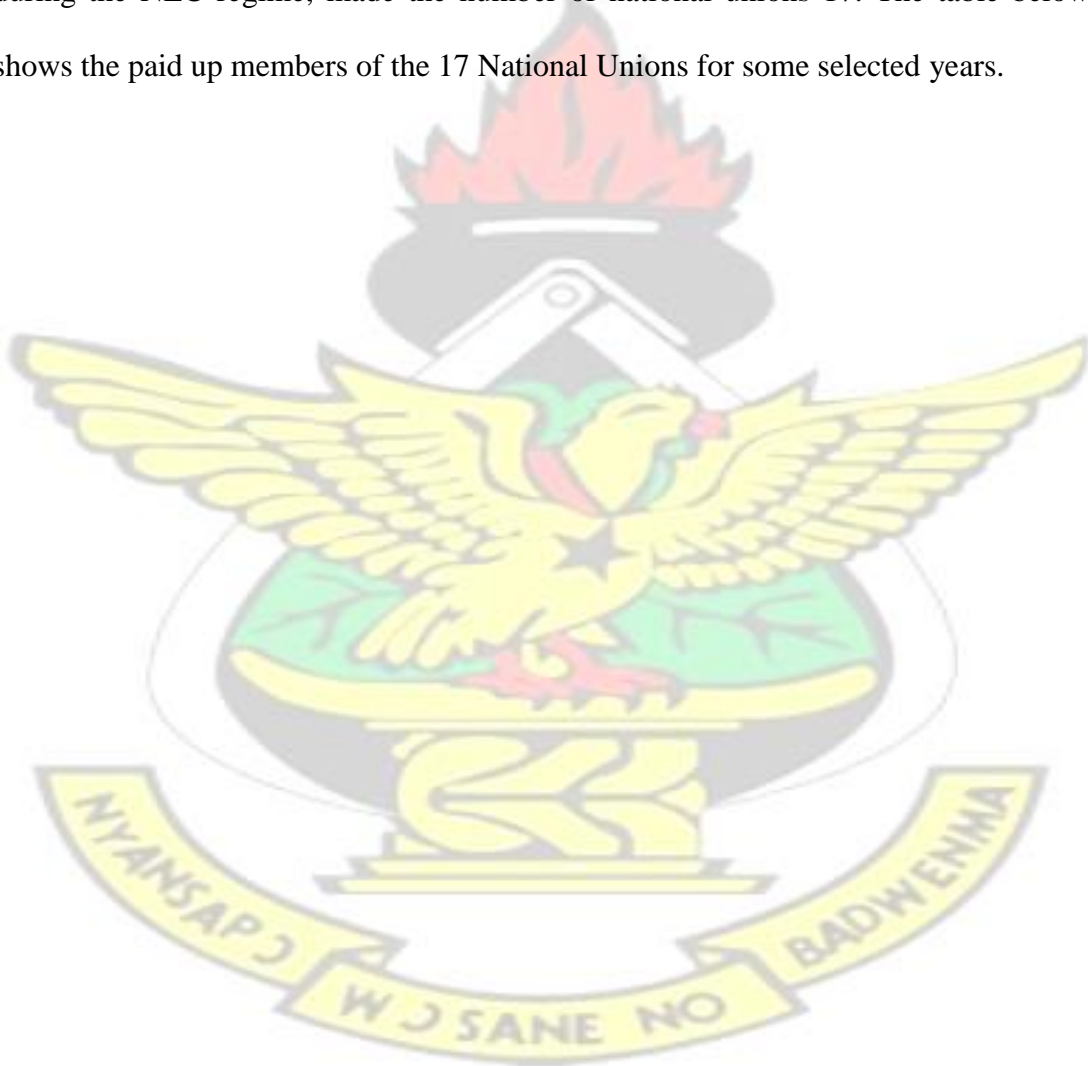
²⁵⁸ Ibid, p. 113; Interview with Daniel Osei Gyimah, member of National Union of Postal and Telecommunications Workers', at his residence, Accra, 17th February, 2009, Age: 80-90 years.

²⁵⁹ PRAAD, Kumase, ARG. 1/8/1/19 Gold Coast Colony Report on the Labour Department for the year 1946-47.

²⁶⁰ Britwum, *Sixty Years*, p. 113.

²⁶¹ Ibid.

With the passage of the Industrial Relations Act, 1958, there were attempts by the TUC to reduce the numbers of the many unions. Subsequent amendments to the Act in 1960, 1963 and 1965 reduced the number of unions from 24 to 10 National Unions. As a result of the reorganisation of the National Unions and the TUC in 1966, the number rose from 10 to 16.²⁶² The break-away of the Railway Enginenen"s Union from the mother union, that is, the National Union of Railway and Port Workers Union during the NLC regime, made the number of national unions 17. The table below shows the paid up members of the 17 National Unions for some selected years.



²⁶² Arthiabah and Mbiah, *Half a Century of Toil*, p. 34.

Table 4.3 National Unions and their membership for selected years

Regn. No.	National Unions	Date formed	Paid-up Members		
			1985	1988	1990
1	Ghana Private Road Transport Union	1935	56,138	24,000	93,000
2	Railway Enginemen's Union	1935	898	898	892
3	Railway Workers' Union	1939	8,955	8,855	5,761
4	National Union of Seamen	1940	5,011	1,566	1,566
5	Health Services Workers' Union	1944	30,000	32,174	32,174
6	Ghana Mineworkers' Union	1944	27,018	22,720	22,720
7	Communication Workers' Union	1945	7,000	7,056	6,500
8	Local Government Workers' Union	1947	35,000	35,000	35,000
9	Timber and Wood Workers' Union	1952	18,000	20,010	18,000
10	Construction and Building Workers' Union	1954	39,553	47,030	33,383
11	Maritime and Dockworkers' Union	1958	31,085	20,710	28,000
12	Public Utilities Workers' Union	1958	20,000	20,000	9,698
13	Teachers' and Educational Workers' Union		40,300	-	37,000
14	Public Service Workers' Union	1959	63,000	74,524	133,481
15	General Agricultural Workers' Union	1959	100,000	84,105	101,000
16	Industrial and Commercial Workers' Union	1959	120,000	120,502	120,000
17	General Transport, Petroleum and Chemical Workers, Union	1967	29,183	29,685	29,235
			635,143	594,983	707,610

Sources: TUC: Reports on Activities to the Third and Fourth Quadrennial Delegates Congress and the Executive Board Meeting of the Fourth Quarter of 1944; Gold Coast Labour Department, *Annual Reports*, 1945-1959. Ghana Labour Department, Reports, 1985 – 1990.

A comparative analysis of Tables 4.2 and 4.3 indicate that, with the amalgamation of the small unions into national unions, the unions became stronger in terms of membership hence on collective bargaining activities. The unions became more effective, influential and respected.

4.2 The Labour Department

The existing documents do not give a clear view about the rationale for the establishment of the Department. There are two schools of thought on the subject.

The first school of thought led by authors such as B. C. Roberts and J. F. Maitland-Jones argued that the creation of Labour Department by the British administration was aimed at encouraging Ghanaians to form labour unions.²⁶³ He also argued that, the labour Department was established because of the colonial officers' overt concern in the 1930s and 1940s to improve the conditions of workers in the colonies. The department was staffed with labour inspectors whose obligation was to examine the conditions in the industrial and commercial centres as well as the smaller and more remote business undertakings.²⁶⁴

The other school of thought takes the position that labour departments were created because of increased economic and political agitation in all the British colonies. The proponents of this idea includes authors like Jeffries, Agyeman, Ziskind and Roberts. Jeffries points out the colonial secretary's reason for setting up Ghana's labour department was that:

The recent spread of labour unrest through the British colonial empire points to the necessity of an organisation with accurate knowledge of labour conditions should the day come when we have to face serious labour disputes in the Gold Coast.²⁶⁵

²⁶³ B. C. Roberts, *Labour in Tropical Territories of the Commonwealth* (London, Bell and Sons, 1964); J.F. Maitland-Jones, *Politics in Ex-British Africa* (London, Weidenfeld and Nicolson, 1973), p. 140.

²⁶⁴ PRAAD, ARG. 1/8/19 Report on the Labour Department for the year 1946-47, p. 6; Interview with Kwasi Andoh, member of General Municipal and Local Government employees' Union, at his residence, Cape Coast, 11th February, 2010, Age: 80-90 years.

²⁶⁵ Jeffries, *Class, Power and Ideology* (1978), p. 39.

The decision to establish the department was in response to protest by the Ghanaian to resist British hegemony. The labour department was not established to operate as neutral organisation which mediated disputes or worked to protect workers through the enforcement of employer fair labour practices.²⁶⁶ It was primarily set up to regulate the rising tension in the colony and to ensure reliable supply of labour for businesses both private and public. The British sought to immunise the colonial government from strikes by African workers. Also, trade union members enjoyed longer job tenure and received more training than their un-unionised counterparts.²⁶⁷ Similarly, employers favoured dealing with unionised than their non-unionised workers because it was realised that highly representative unions could reduce industrial unrest and facilitate communication between management and workers.²⁶⁸

This was perhaps one of the major reasons for the government of Ghana's interest in encouraging the formation of trade unions.

The establishment of the Department and the passage of various welfare and labour statutes by the end of the World War II lent credence to the argument put forward by the second school. Their explanation is perhaps the most tenable explanation to why the British waited for almost 100 years, that is from 1844 to late 1930s before passing labour laws and development acts in Ghana. Given the conditions in the British colonies prior to the beginning of the Second World War, instructions arrived from London for the colonial secretary, "to take every possible step to guard against the

²⁶⁶ E. A. Cowan, *Evolution of Trade Unionism in Ghana* (Accra, TUC, 1960), p.12; Jeffries, *Class, Power and Ideology*, p. 39; Panford, *African Labour Relations*, p. 78.

²⁶⁷ Interview with Mr. Francis Annan at his residence Cape Coast on 24th May, 2011, Age: 7080 years.

²⁶⁸ Interview with Mr. Christian Addai-Poku, at Nkawie Senior High School Kumasi on 26th April, 2011, Age: 40-50 years.

contingency of the possibility of friction between employers and workers in Colonial Dependencies.”²⁶⁹ Indeed, one British TUC Secretary-General made a statement to clearly express the selfish intent of the British labour policies:

I would say that the sooner some people get away from the traditional idea of the bowl of rice, the mango and the coconut being the unit of traditional measurement of the standard of living of colonial peoples, the better for all concerned.... I think we should realise that if our exports are to be kept at a high level over a long period (upon which our own standards of living depend) it can only be done by fostering the standards of living in those markets which are likely to absorb the products of our industry to an increasing extent. Vital amongst those markets are colonies and dependent territories.²⁷⁰

Such statements are suggestive of the fact that the interest of the colonial authorities was always paramount. As indicated earlier, the executive positions at the labour department in the Gold Coast Colony were often occupied by British TUC officials. These officials, however, reflected British values and interests which were incompatible with African interests.

The Labour Department was established by the British colonial administration on 1st April, 1938.²⁷¹ The headquarters of the department under the British administration was in Accra. Three offices had been opened in Sekondi-Takoradi, Kumasi and Accra by 31st March, 1947.²⁷² These cities were chosen because they had

²⁶⁹ PRAAD, Accra, ADM 5/1/76, Macdonald to Colonial Secretary, 16 January 1940.

²⁷⁰ V. Tewson, “Trade Unions in the Colonies,” *New Commonwealth*, 27 (April, 1954), pp. 317318.

²⁷¹ Obeng- Fosu, *Industrial Relations in Ghana*, pp. 2-3; Ghana Labour Department, *Laborscope* (May 1989), p. 16.

²⁷² PRAAD, Kumase, ARG. 1/8/1/19, Report by the Labour Department for the year 1946-47.

considerable number of industrial population within the limits of the cities.²⁷³ As part of the Departments 10 year plan, two senior offices were appointed in 1947 to be stationed at Sekondi-Takoradi and Kumasi.²⁷⁴ The hierarchy of the staff of the Department was:

- Commissioner of Labour who was also the Registrar of Trade Unions
- Deputy Commissioner of Labour
- Labour Officers
- Chief Resettlement Officer
- Resettlement Officers
- First Division Clerks
- Labour Inspectors
- Second Division Clerks
- Resettlement Assistants

Most of these positions were reserved for British officials with trade union experience. It was not until 1947 that two Africans namely Mr. J. S. Annan and Mr. J. V. L. Phillips were appointed as labour officers.²⁷⁵ Available evidence suggests that the department was bedevilled with staffing problems. For instance, the position of the Deputy Commissioner of Labour was vacant between 1946 and 1947.²⁷⁶ G. N.

Burden, Commissioner of Labour in 1946 noted that “There can be little doubt that lack of executive staff and the unsuitable siting of all the three labour offices results in many causes of complaint never being brought to the notice of the labour officers.” The offices of the department were sited in locations outside the central business centre. This was the reason why the Ashanti Regional Office of the Department, was

²⁷³ Ibid.

²⁷⁴ Ibid.

²⁷⁵ PRAAD, Kumase, ARG. 1/8/1/19, Report on the Labour Department for the year, 1946/1947.

²⁷⁶ Ibid.

relocated to allow for easy accessibility to workers. The U. S. Department of labour described the Gold Coast Labour Department as functioning to ensure the exploitation of Africans since the department was used as a major Labour recruitment agency.²⁷⁷

It must be noted that, prior to the establishment of the Labour Department, Labour disputes especially those regarding wages and conditions of work, were addressed by the Colonial Secretary. This, however, changed when the department was established. The procedure for reporting grievances was from worker, through his/her departmental officer, to their head of department and finally to the Chief Inspector of Labour.²⁷⁸ It was the duty of the department to endeavour to settle all disputes that arose and most especially to ensure that workers remained at post.²⁷⁹

Although the Labour Department was established in 1938, organized trade union activities in Ghana, is usually dated from 1941 when the Trade Union Ordinance (Cap 91) was passed by the British. The Ordinance provided for the registration of unions, which could be formed by any five workers. The 1941 Ordinance and the establishment of the Labour Department in Kumasi allowed trade unions to operate lawfully in Ghana for the first time.²⁸⁰ The Ordinance, however, did not confer bargaining rights on the unions. As noted earlier, the Ordinance permitted only junior workers to form trade unions. Under the British colonial administration, there was a steady progress in the

²⁷⁷ U. S. Department of Labour, Bureau of Labour Statistics, "Ghana: Country Labour Profile," (Washington, DC, 1980), p. 6.

²⁷⁸ PRAAD, Kumase, ARG. 1/37/4, Strike of Railway Employees, 1941.

²⁷⁹ Ibid.

²⁸⁰ Panford, *IMF – World Bank and Labour's Burdens in Africa*, p. 27.

formation of new unions and in the consolidation and expansion of the existing ones as shown in Table 4.2. However, it could not be concluded that the unions were developing too rapidly to be healthy or that they were becoming irresponsible and failing to be accentuated by motives other than the welfare of workers.²⁸¹ Lack of responsible leadership, financial ineptitude and internal dissension were major setbacks to the development of unions during this period.²⁸² These setbacks were as a result of inexperience, lack of confidence and an all-pervading fear that trade union officials will be subjected to victimisation if they were active in putting forward claims to their employers.²⁸³

According to G. N. Burden, Commissioner of Labour in 1947, the chief difficulty encountered by officers in his department was the distrust of their motives whenever they gave a frank advice against the written submission of extravagant claims by workers.²⁸⁴ He posited that there was an assumption by union leaders that if an employer does not grant 100 per cent of the demands advanced, the only alternative was for them to go on strike.²⁸⁵ He further noted that, there was little understanding by leadership of the various unions about what was involved in the processes of negotiation and collective bargaining. It must be noted that by 1947, negotiation machinery in the form of local and central committees had been established in the Railways Department, the PWD, the Postal Employees' Union and the Municipal

²⁸¹ PRAAD, Kumase, ARG 1/8/1/19, Report on the Labour Department for the year 1946-47.

²⁸² Ibid.

²⁸³ Interview with Mrs Agnes Agyapong at her residence, TUC, Kumase, 24th October 2010, Age: 70-80 years.

²⁸⁴ PRAAD, Kumase, ARG/1/8/1/19, Report on the Labour Department for the year 1946-47.

²⁸⁵ Ibid.

Workers' Union at Sekondi-Takoradi. In the Mines Employees' Union, local committees of branch representative had been formed to periodically meet with the mine managements.

It can be inferred that the colonial labour department was only successful to the extent that it encouraged the formation of trade unions in the country. However, due to the issues raised above, they were unable to help develop strong trade unions on the same footage as that of British trade unions.

4.3 Obstacles to the development of trade unions

Several obstacles existed in colonial Ghana that hampered the development of trade unionism in Ghana in the period leading up to 1943. In the first place, there were not many non-agricultural wage-earners prior to the expansion of employment opportunities during and after the Second World War. The 1921 Census, for instance, recorded 37,450 urban wage-employees, though this did not include the mineworkers, which was estimated at 10,000 in 1921.²⁸⁶ Also, those who did work for wages, with the exception of the mineworkers and the railway and harbour workers, were generally employed in very small businesses or highly dispersed amongst the various branches of the civil service and the expatriate firms. Such a situation was not congenial to the development of collective organisation or a sense of labour solidarity.²⁸⁷

²⁸⁶ David Kimble, *A Political History of Ghana 1850 – 1928* (London, Oxford University Press, 1963), p. 40.

²⁸⁷ Jeffries, *Class, Power and Ideology*, p. 26; Interview with Mrs. Veronica Ayikwei Kotei.

Similarly, even where large concentrations of workers were to be found, in the mining townships for example, the short-term migrant character of much of the labour force militated against the growth of interest in trade union activity.²⁸⁸ In 1939, some 54 per cent of the mines' work force continued to come from the Northern Territories, Northern Nigeria or the French colonies.²⁸⁹ These workers generally aimed merely to save a certain financial "target", and then to return home.²⁹⁰ Those who stayed longer in southern Ghana tended to change their job frequently, and the mining companies, adapting themselves to this fact, operated a card system by which an employee could have a friend or relative substitute for him.²⁹¹ In consequence, the mines' labour force was (until very recently) characterised by an extremely high turnover rate. Such a situation did not encourage the formation of trades unions. This single most important point perhaps lends credence to the assertion that trade unionism did not come naturally to Ghana.

Furthermore, the situation in the mines that did not auger well for strong labour institutions was subsequently worsened by the fact that, the workers who migrated from the Northern Territories organised themselves in the mine townships in a modified form of their traditional system, dividing into small groups under a "headman," who acted as their intermediary with the management.²⁹² This arrangement had to be radically transformed, if not entirely destroyed, before a more

²⁸⁸ Jeffries, *Class Power and Ideology*, p. 26.

²⁸⁹ J. I. Roper, *Labour Problems in West Africa* (Harmondsworth, 1958), p. 35.

²⁹⁰ Jeffries, *Class, Power and Ideology*, p. 26.

²⁹¹ Jeffries, *Class, Power and Ideology*, p. 26.

²⁹² *Ibid*, p. 27.

efficient, centralised organisation could be developed.²⁹³ Moreover, while most of the underground and unskilled labour was supplied by workers of northern descent, the majority of skilled workers were from the south.²⁹⁴ This tendency for ethnic and cultural divisions to coincide with occupational divisions exacerbated sectional jealousies and vitiated labour solidarity.²⁹⁵ This was however not a major contributory factor to the late development of unions in Ghana. Economic motive of workers surpassed all other ethnic and cultural divisions of workers. There was also the existence of labour surplus condition in the Gold Coast after 1925. As noted earlier, within the waged- sector most of the workers were unskilled labour. The supply of labour from northern Ghana was in excess of demand by employers for their services. This condition placed wage-earners in a very weak bargaining position. This was because employers could easily replace the workers with those who were ready to accept lower wages for the same jobs.²⁹⁶

Adam Smith, the 18th century economist and author of *Wealth of Nations* noted that, unions were illegal for many years in most countries but went on to argue that schemes to fix wages or prices by employees or employers should be set up.²⁹⁷ He argued on the premise that the activities of trade unions were bound to bring about unemployment. There were several penalties for attempting to organise unions, up to

²⁹³ A. L. Epstein, *Politics in an African Urban Community* (Manchester, University Press, 1958), pp. 48-101.

²⁹⁴ Jeffries, *Class Power and Ideology*, p. 27.

²⁹⁵ Ibid.

²⁹⁶ Jeffries, *Class, Power and Ideology*, p. 27.

²⁹⁷ Smith, *Wealth of Nations*, p. 208.

and including execution. In Ghana, for instance, the then British colonial authorities captured a lot of workers in the essential services category thus limiting the ability of workers to form or join trade unions.²⁹⁸ In places where unions were allowed to operate, there were several legal restrictions on membership and union activities. For instance, the “Positive Action Campaign” of 1950 which was a two week joint effort by the labour unions and Kwame Nkrumah’s CPP in the form of a general strike and national protest against colonial rule led to many of the trade unionists being imprisoned by the British.²⁹⁹ Given these obstacles, it appears that the colonial government had a major role to play in the development of labour movements in Ghana. Thus, trade unions that emerged during the early periods had to adopt government models of unionisation. This conception suggest that Ghanaian workers showed little or no spontaneous inclination to organise themselves in furtherance of their collective interests. Those who make this argument suggest that despite instances of strike actions and labour organisation prior to the establishment of the Labour Department, substantial expansion of official labour union membership only occurred after the Department encouraged workers to form unions.³⁰⁰

It is, however, not exactly true that prior to the intervention by the Labour Department, union organisations had no durable footing in the Gold Coast Colony. This is because, up until 1943, there was no official provision for trade union registration.³⁰¹ Jeffries for instance, argued that the Colonial Government initiative

²⁹⁸ Panford, *African Labour Relations and Workers’ Rights*, p. 59.

²⁹⁹ Britwum, *Sixty Years*, p. 138.

³⁰⁰ Jeffries, *Class, Power an Ideology*, p. 24.

³⁰¹ *Ibid*, p. 25.

was a matter not simply of introducing unions where no intrinsic potential was apparent, but rather of responding with the government's preferred alternative to indications of widespread labour unrest and indigenous organising activity.³⁰² This was specifically designed to counter the threat that union organisation might spread outside government influence, under the leadership of nationalist politicians, or, even worse, the radical leadership of the Sekondi-Takoradi unionists. In any case, even where Colonial Government encouragement was clearly crucial in the original establishment of union organisation the rank and file showed themselves quite capable, in many cases, of taking over such tutelary organisation and moulding it to express their own, rather than the government's conception of union operation and objectives.

4.4 Effects of colonialism on Ghana's labour administration and workers' rights

The popular view in the literature of labour relations as held by scholars like B. C. Roberts, C. Cambridge and I. Davies, is that the colonial labour policies were rooted in the principles of „voluntary“ or „liberal“ trade unionism in the exact image of British labour relations.³⁰³³⁰⁴ To a very large extent, the colonial government was satisfied with its contribution to the development of trade unionism in the Gold Coast.³⁰⁵

³⁰² Ibid, p. 26.

³⁰³ B. C. Roberts, *Labour in Tropical Territories of the Commonwealth* (London, Bell and Sons,

³⁰⁴), Davies, I., *African Trade Unions* (Baltimore, Penguin, 1966); Cambridge, C., "Emerging Trends in the Industrial Relations Systems of former British Colonies," *Journal of African Studies* (Fall, 1984)

³⁰⁵ PRAAD, Kumase, ARG 1/8/1/19, Report on the Labour Department for the year 1946-47.

However, on the grounds that the above mentioned authors failed to comprehend the real context of British colonialism in Africa, Panford rejects the views of the British colonial practices they present.³⁰⁶ He noted that a thorough examination of the roles of British labour advisers and the labour offices created was the sure way to make a valid assessment of British policy. He also drew attention to the fact, that, the labour practices in Ghana, took place within the confines of a much broader phenomenon, that is, colonialism.³⁰⁷ Hence to appreciate the colonial labour experience one needed a comprehensive understanding of the broad socio-political, legal and historical contexts of British colonialism.³⁰⁸ Trade unions could function legitimately only when they enjoyed a great deal of autonomy and as such were able to use strikes to back their demand. However, because of colonial domination, trade unions in the country, were restricted and could barely rely on pure economic pressure to defend their interests. The labour officer wielded much power especially on the registration of trade unions in the country. As noted earlier, the officer had power to revoke the certificate of registration of a trade union when the office deemed it necessary.³⁰⁹ The use of such restrictive labour legislation only served the purpose of making workers' struggles for their legitimate rights tortuous and violent.³¹⁰

³⁰⁶ Panford, *African Labour Relations*, p. 71.

³⁰⁷ Ibid.

³⁰⁸ Walter Rodney, *How Europe Underdeveloped Africa* (Washington D. C., Howard University Press, 1982), p. 27.

³⁰⁹ Panford, *African Labour Relations* (1994).

³¹⁰ Ibid.

Another major impact of colonialism on the function of trade unions was the institutionalisation of labour organisations as the representatives of workers' aspirations. This implied the acceptance of trade unions as a legitimate and integral part of industrial relations. As a result, labour grievances were easily identified and dealt with in a collective manner. Leadership of the unions also ensured that the rank and file behaved in a way that ensured peace in the labour market. The structure, operations and constitution of the TUC of Ghana had been reminiscent of that of the British Trade Union Congress despite the restrictions imposed on the ability of the Ghanaian unions to gain recognition. In Britain, the trade union had secured a substantial degree of recognition and ability to engage in collective bargaining under the 1871 and 1875 legislations.³¹¹ By 1900, the British TUC had set up the Labour Representative Committee (LRC). Trade unions secured their legal objectives in the Trades Disputes Act, 1906. Employers' attitudes were affected by the fact that they were faced with long-established trade unions which were clearly not socialist. By the end of colonial rule, the TUC had established itself as the major organ representing workers in Ghana.³¹² However, this view that the British TUC advisers helped to establish industrial relations reminiscent of relations in Britain is not entirely true. For instance, whereas in Britain the TUC fiercely participated in partisan politics culminating in the launching of the Labour Party; in Ghana, officials of the TUC colluded with their bureaucratic counterparts in the attempt to divert the unions from politics. Roberts provides an explanation:

The reaction of the TUC to the problems of trade union organisation and industrial relations has inevitably been heavily influenced by British experience, beliefs and values. Since the labour policy of the Colonial

³¹¹ Jean-Louis Robert (eds.) "The Emergence of European Trade Unionism," *Studies in Labour History*, Vol. 1. Ashgate, Aldershot, pp. 233-250.

³¹² Britwum, *Sixty Years*, p. 16.

Office has been influenced by the same factors, it is not surprising that the attitude of the British TUC has often coincided with that of the British government.³¹³

It is important to note that, even if within British industrial relations, labour adopted a more radical stance and thus opposed private capital as being exploitative, in the colony, labour cooperated fully with British, other foreign firms and the colonial government to exploit the natural resources.³¹⁴ Although there have been fundamental changes in labour laws and policies after independence, colonial laws and practices still constitute important sections of existing labour policies. For instance, the 1941 Trade Union Ordinance and the Industrial Relations Act of 1965 are currently some of the most important industrial relations laws.

Besides British rule, colonial economic and political activities have been strong constraints on contemporary labour policy choices. British hostility and patronising attitudes contributed to the emergence of weak unions in the country. The pioneers of modern day unions initiated government's intervention in the form of the 1958 Industrial Relations Act to overcome the excessive and counterproductive union multiplicity situation which one labour commentator described as: "...a good deal of jealousy between rival unions and each will outbid the other trying to gain support from the unfortunate rank and file."³¹⁵

³¹³ Roberts, *Labour in Tropical Territories*, p. 16.

³¹⁴ Agyeman, "A Case Study of the Ideo-Praxis of Pan-Africanism," pp. 70-71.

³¹⁵ Robert, *Labour in the Tropical Territories of the Commonwealth*, p. 190.

4.5 The Trade Union Congress (TUC)

In 1945, officers of the Labour Department urged the 14 trade unions registered under the Trade Unions Ordinance 1941, to form a federation in order to enhance their strength.³¹⁶ The Trade Union Congress (TUC) which is the umbrella body of trade unions in Ghana was formally inaugurated in 1945 and was known as the Gold Coast Trade Union Congress (GCTUC). Its operations started in the offices of the RWU at Sekondi. The numerical strength of the union was 6,030 at the time of inauguration. The President and the Secretary of the union were C. W. TachieMenson and Manfred Gaisie respectively.³¹⁷ It is essential to note that, the Trade Union Ordinance (Cap. 91) did not contain any provision for a federation or confederation of Trade Unions or National Trade Union Centres. As a result, the TUC was not registered. However, the centre was recognised by the colonial government.

The GCTUC became very prominent in the struggle for independence. This need was expressed by J. S. Annan, member of both the Railway Union and TUC Executive Councils, in a report to the Railway working Committee:

I believe that the time is now ripe when organised labour in the Gold Coast should commence to struggle against economic and socially militating forces: there should be no room for fear: we know these reactionary forces - the might of Imperialist Capitalism that has exploited the working-classes for years must be stayed. Let me say, however, that our struggle is not only against foreign capitalism and merciless exploitation - it is also against unbridled Capitalism of our own people, the Africans: we do not intend to remove foreign Capitalism that exists to make excessive profits at the expense of African cheap labour and put similar Capitalism in black skin: our fight is directed against Capitalism of any description that refuses to give fair and adequate remuneration to labour. Our slogan must be, "Workers of the Gold Coast unite: You have nothing to lose but your Chains."³¹⁸

³¹⁶ Britwum, *Sixty Years*, p. 13.

³¹⁷ Arthiabah and Mbiah, *Half a Century*, p. 17; Jeffries, *Class, Power and Ideology*, p. 43.

³¹⁸ PRAAD, Accra, ADM1/4/17, J. S. Annan's report to the Railway Union Working Committee, 27th October 1945.

He presented this report upon his return from the 1945 World Federation of Trades Unions Conference held in Paris. The rendition above shows that trade unionists in the Gold Coast were much focused on improving the welfare of workers in the country. As a colonial state, however, there was the need to deal with the issue of colonialism before any further gains in the labour market could be achieved.

The GCTUC had considerable influence and legitimacy among Ghanaians, most especially the working population. On 11th May, 1948, the Executive Board warned of an organised protest for the release of political leaders of UGCC. These leaders popularly referred to as the Big Six in Ghana's political history were Akuffo-Addo, Kwame Nkrumah, Arko Adjei, J. B. Danquah, William Ofori-Atta and ObetsebiLamptey.³¹⁹ On 18th March, the government invited the Executive Board of the TUC led by Mr. Frank Wood to the Castle. Subsequently, the Watson Commission was set up to look into the matter. Upon the recommendation of the Commission, the leaders were released on 11th April, 1948.³²⁰ Consequently, provisions were made by the government to include GCTUC representatives in "the planning and execution of public works."³²¹ Furthermore, as noted earlier, GCTUC as a gesture of solidarity embarked on a general strike on 7th January, 1950 to support the Meteorological Department Workers Union who had been dismissed for embarking on a strike. However, on 8th January, 1950, the CPP also declared "Positive Action." The strike

³¹⁹ Arthiabah and Mbiah, *Half a Century of Toil*, p. 20.

³²⁰ Ibid.

³²¹ Britwum, *Sixty Years*, p. 14.

which lasted for about 13 days was “very effective only for about three days, when transportation was paralysed, shops and markets were closed and the streets were deserted.”³²² Government declared a state of emergency and imposed a dusk to dawn curfew on the big towns. When an announcement was made on the Broadcasting Station of the Gold Coast, Radio ZOY, that, people were being recruited into the civil service, some of the striking workers started reporting to work.³²³ As a result, the general strike was quelled.

The events indicated above eventually led to the formation of another National Labour Union, that is, the Ghana Trades Union Congress (GTUC). Following the 1950 general strike, the Police arrested some leaders of the GCTUC namely Anthony Wood, Pobee Biney, H. P. Nyemtei as well as CPP leaders like Casely Hayford, Kwame Nkrumah, Kojo Botsio, Dzenkle Dzewu, and N. A. Welbeck.³²⁴ The strike action had failed in achieving its objective of reinstatement of the striking workers of the Meteorological Department. The outcome affected union membership negatively.³²⁵ This argument is supported by J. Fiorito, when he noted that “employees’ perceptions that unions are working to better the lot of all working people positively influence an interest in voting for union representation.”³²⁶ The arrest of some of the leaders of GCTUC brought a major setback to the development of labour

³²² Arthiabah and Mbiah, *Half a Century of Toil*, p. 22.

³²³ *Ibid*, p. 23.

³²⁴ Arthiabah and Mbiah, *Half a Century of Toil*, p. 23; Interview with Kwabena Nyamtei, member of Railway Workers Union 1941, at his residence Cape Coast, 16th February, 2011, Age: 70-80 years.

³²⁵ Interview with Lewis Awuni, employee at Meteorological Department, 1949, at his residence Cape Coast, 16th February, 2011, Age: 80-90 years.

³²⁶ J. Fiorito, “Unionism and Altruism,” *Labour Studies Journal*, 17, (1992), pp. 19-34.

movement in the country. As noted by John A. Fossum, employees often look for avenues other than union membership to attain valued outcomes from employment.³²⁷

Workers who were laid-off as sanctions for their participation in the strike formed the Gold Coast Unemployed Association (GCUA) with Isaac K. Kumah as President and Turkson Ocran as Secretary.³²⁸ Its headquarters was at Sekondi. They worked assiduously to get some of the dismissed workers to be either reinstated or re-engaged. After chalking some success in getting some of the workers back into their jobs, they realised that they were in the field of Trade Unions and so changed their name from GCUA to Ghana Trades Union Congress“ (GTUC). Thus, between the period, 1945 and 1953, two national labour unions, that is, GCTUC and GTUC existed.

Under the auspices of the CPP Minister of Labour A. E. Inkumah in August, 1953 convinced the leadership of the two rival unions to merge. It adopted the name Ghana Trades Union Congress. The following officers were elected

- Mr. F. E. Tachie-Menson as President
- Mr. I. K. Kumah as Vice President
- Mr. E. C. Turkson Ocran as General Secretary □ Mr. John K. Tettegah as Assistant General Secretary
- Mr. J. C. Rudolf as Treasurer.

Mr. Turkson Ocran was later removed and his position was taken by his assistant Mr. J. K. Tettegah after the former sneaked to Moscow to attend a Conference of the World Federation of Trade Unions, when the Executive of the TUC had taken a decision not to attend that meeting for fear of being branded a Communist

³²⁷ John A. Fossum, *Labour Relations: Development, Structure, Process*, 9th ed. (New York, McGraw-Hill, 2006), p. 11.

³²⁸ Arthiabah and Mbiah, *Half a Century of Toil*, p. 24.

Organisation.³²⁹ The headquarters of the TUC was relocated from the office of the Railway Workers' Union in Sekondi to Accra in 1953 as a result of the gradual shift in the geographical concentration of the industrial labour force to Tema and Accra. As a centre for the confederation of unions, GTUC coordinates activities of its affiliates, guides them on all labour matters, and speaks on behalf of all organised labour in Ghana.³³⁰ The union held its 14th Annual Congress at the Cape Coast Town Hall from 25th to 26th January, 1958 to adopt a New Structure of the Ghana Labour Movement.

A first constitution of the New Structure of the TUC was adopted on 10th April, 1959. The unions' objectives included but were not limited to;

- The TUC of Ghana unites and welds all the Trade Unions whose members thrive on their work, without taking advantage of other people's work in order to arrange all the public economic and cultural matters of the working class in Ghana, to build a working class Society in Ghana.
- The National Unions shall be united in the TUC. The Congress serves its members by developing the economy and encouraging varied co-operative initiative, improving working conditions, fostering Ghanaian culture and language, absorbing all the working population, developing social insurance and establishing friendly relations between the workers and the International Labour Movement.
- To secure complete organisation of all workers in Ghana into the ranks of a united trade union movement, through mergers of existing unions and the amalgamation of them into the TUC of Ghana.
- To assist the National Unions of the TUC in securing improved wages, shorter hours and better working and employment conditions for the workers within their jurisdiction.
- To promote, aid and encourage the establishment of co-operatives and other economic enterprises owned wholly or partly by workers or by the congress on their behalf, to encourage the sale and use of Union goods and services.
- To maintain the TUC as one of the wings of the C.P.P. dedicated to the building of a Socialist State in Ghana.
- To secure the ratification of ILO Conventions, the enactment of legislation for the defence and promotion of the rights and interest of labour and of the

³²⁹ Arthiabah and Mbiah, *Half a Century of Toil*, pp. 24-25.

³³⁰ Patrick Obeng-Fosu, *Industrial Relations in Ghana: the Law and Practice* (Accra, Ghana Universities Press, 1999), p. 34.

objectives of the congress, as laid down in this Article; and oppose through constitutional means, legislation and policies contrary to the interests of labour and to the objects of the Congress.³³¹

The Industrial Relations Act, 1958 (Act 56) was enacted to give legal backing to the New Structure of the TUC. The set objective of the TUC gave credence to the fact that up until the adoption of the New Structure of the Congress, there existed union multiplicity in the country. Indeed, prior to the adoption of the first constitution after the new structure, the General Secretary J. K. Tettegah noted that, “Despite all our efforts there are still a multiplicity of Trade Unions in a small country.”³³² The major effect of this was that it resulted in the multiplicity of strikes and demonstrations. Each small union tried to negotiate with their employer leading to a series of negotiations at any point in time. Anytime such negotiations ended in a deadlock workers took to the streets resulting in several stoppages (figure 1). On membership, the Congress was to be composed of 16 National Industrial/Occupational Unions to be referred to as the National Unions of the TUC. However, as noted above, the break-away of the Railway Enginemen’s Union from the mother union, that is, the National Union of Railway and Port Workers Union during the NLC regime increased the number of National Unions of the TUC to seventeen.

4.6 TUC and some post-colonial governments’ relationship

As society develops, it goes through several changes. This is to say that no society is static. Such changes could be social, economic, cultural and political. On the political scene, Ghana has witnessed several changes in government over the period of review.

³³¹ Arthiabah and Mbiah, *Half a Century of Toil*, pp. 41-44.

³³² John K. Tettegah, *The New Charter for Ghana Labour* (Accra, TUC, 1958), pp. 14-15.

In Ghana, a change in government often results in changes in most social and economic policies. Such political changes have had immense effect on the labour market in Ghana due to the fact that these governments have adopted various policies that relate to workers. As a result of the different policies each government adopts concerning labour in the economy, the levels of disputes per government differ.

After the country gained independence in 1957 under the Convention Peoples Party (CPP) led by Dr. Kwame Nkrumah, Ghana practised the British/Westminster type of government with Dr. Nkrumah as the Prime Minister. Ghana became a member of the International Labour Organisation (ILO) and the United Nations (UN) and other agencies the same year. The country thereafter adopted several conventions of the ILO. Under this regime, the Ghanaian economy witnessed a major turning point in its economic policies. Dr. Nkrumah and the CPP embarked on a course intended to change what they considered to be the exploiter capitalist regime of the British government to a pro-socialist one. Workers were therefore faced with a major problem of identifying their role in a pro-socialist economy after struggling to free itself from colonialism and capitalist policies.

In 1966, Nkrumah and the CPP government were overthrown in the first military coup of independent Ghana. The military acted in concert with the police. The overthrow was made possible with the assistance of the United States' Central Intelligence Agency (CIA).³³³ Dr. Nkrumah was on an international assignment in

³³³ Roger S. Gocking, *The History of Ghana* (Westport, Greenwood Press, 2005), p.139.

Hanoi negotiating for peace between the two Vietnams when the National Liberation Council (NLC) overthrew his government.³³⁴ The takeover of government by the NLC had also had immense effects on workers in Ghana primarily because the CPP and labour unions were regarded as one entity by the new administration. As a result, NLC sought to reverse most of the CPP policies that favoured workers in the country.³³⁵ The NLC „period of reconstruction“ saw thirty per cent devaluation and a massive retrenchment of workers in State-Owned Enterprises. Over 60,000 workers were laid-off in 1966-67.³³⁶ In 1969, the Second Republican administration under the Progress Party (PP) headed by Dr. K. A. Busia succeeded the NLC. The new administration was perceived to be very much anti-Nkrumah and anti-labour.³³⁷ They saw labour agitations as attempts to make their government unpopular and therefore clamped down heavily on workers. In September, 1971, the PP dissolved the TUC through a certificate of urgency issued by the Ghana Parliament.³³⁸ The administration, however, did not last for long as it was overthrown in the second military takeover by the National Redemption Council (NRC) in 1972.

In 1975, the NRC changed its name to the Supreme Military Council (SMC) and remained in power until its overthrow in 1979.³³⁹ The Armed Forces Revolutionary

³³⁴ Arthiabah and Mbiah, *Half a Century of Toil*, p. 99.

³³⁵ Kwamina Panford, *Ghana: Labour Law, Labour and Industrial Relations* (Deventer, Kluwer Law and Taxation Publishers International, 2008), p. 31.

³³⁶ Cowan, *Evolution of Trade Unionism in Ghana*, pp. 93-94.

³³⁷ Interview with Madam Theresa Fofie, Public Service Workers Union member 1964, at her residence in Accra, 12th August, 2011, Age: 60-70 years.

³³⁸ Kwamina Panford, „State-Trade Union Relations: The Dilemmas of Single Trade Union Systems in Ghana and Nigeria,“ *Labour and Society*, 13(January 1988), pp. 37-53.

³³⁹ Panford, *Ghana: Labour Law, Labour and Industrial Relations*, p. 32.

Council (AFRC), led by Flt. Lt. Jerry John Rawlings overthrew the SMC and ruled the country for three and half months. In the same year, the AFRC held a presidential and parliamentary election to return the country to civilian rule. The Third Republican government headed by Dr. Hilla Limann took over the administration of the state. The Limann government stayed in office for twenty-seven months.³⁴⁰

In 1981, the J. J. Rawlings-led Provisional National Defence Council (PNDC) military government replaced the Limann government.³⁴¹ The country remained under the military rule of the PNDC until the government began a transition to civilian/constitutional rule in 1992.³⁴² In 1992, the PNDC was converted into a political party, that is, the National Democratic Congress (NDC) with J. J. Rawlings as the founder.³⁴³ The NDC won the presidential election which was held in December, 1992. Similarly, the NDC won the keenly contested presidential election in 1996 and continued to govern the country under the leadership of Rawlings. This represented the second term of Rawlings as a democratically elected president of Ghana. He was therefore by virtue of the electoral laws of Ghana disallowed from contesting on the Party's ticket for the year 2000 election. The New Patriotic Party (NPP) under the leadership of John Agyekum Kuffour won that election ending the eight year rule of the NDC.

³⁴⁰ Arthiabah and Mbiah, *Half a Century of Toil*, p. 113.

³⁴¹ Ibid.

³⁴² Panford, *Ghana: Labour Law, Labour and Industrial relations*, p. 32.

³⁴³ Ibid.

4.6 TUC-CPP Relationship

Arthiabah and Mbiah, trace the development of the relationship between the CPP and TUC to the days of „Positive Action“, that is January, 1950.³⁴⁴ They noted that, since the leaders of the two institutions were arrested and detained at the Usher and James Fort Prisons in Accra during the period of “Positive Action”, they had become personal friends.³⁴⁵ Also, the party under the direction of Komla Gbedemah during Kwame Nkrumah’s detention turned its attention to the Mineworkers’ Union for the purpose of “capturing” it and ensuring its participation in “Positive Action No. 2”.³⁴⁶ For, in 1950-1, Gbedemah and Nkrumah had little reason to think that the apparent failure of the “Positive Action” strike would soon become a glorious victory for them.³⁴⁷ They blamed what they saw as the dismal failure of that strike on Biney’s and Woode’s failure to bring out the mineworkers and judging that a furthermore solid bout of “Positive Action” was required, Gbedemah instigated a drive to capture the Gold Coast Mines’ Employees Union.³⁴⁸ In a series of elections, the old officers were driven out, and staunch CPP men such as D. K. Foevie and J. K. Arthur took over control.³⁴⁹ The relationship between the CPP and TUC was often referred to as a

³⁴⁴ Arthiabah and Mbiah, *Half a Century of Toil*, p. 87.

³⁴⁵ *Ibid*, p. 61.

³⁴⁶ Jeffries, *Class, Power and Ideology*, p. 58.

³⁴⁷ *Ibid*.

³⁴⁸ PRAAD, Accra, ADM5/26/5 Chamber of Mines Report, June 1952.

³⁴⁹ Jeffries, *Class, Power and Ideology*, p. 58.

“Siamese Twins” relationship.³⁵⁰ At the 12th Annual Conference of the TUC in 1956, the leadership resolved to appoint a Committee charged with the responsibility of writing an alliance with the CPP with the view of encouraging the National Unions of the TUC to seek direct affiliation with the view of maintaining the CPP Socialist Party.³⁵¹ In the resolution that stated the rationale for the establishment of the relationship, they noted:

that whereas historically the Trade Union Movement must maintain a political wing in Parliament to ensure its views being heard in any country’s legislature; whereas the policy pursued by Colonial Labour Advisors in the past about Trade Union neutrality has resulted in the misunderstanding of the political aims of our Trade Union Movement; whereas it is an historically established fact that Trade Unionism is inseparable from politics and further that the political set-up determines the freedom under which Trade Unions operate; whereas in the Gold Coast the CPP is in the main and in our view a Workers’ Party, considering the bulk of the membership of the working population.³⁵²

The statement above re-enforces the philosophy of the working population that, workers stood a better chance of enhancing their working condition in an independent State. According to John A. Fossum:

Unions are simultaneously economic and political organisations. They have economic ends they want to secure for their members, while at the same time they seek to create and maintain power to influence the direction of laws and regulations, to provide a vehicle for advancing their leaders’ purposes, and to survive and grow.³⁵³

³⁵⁰ Arthiabah and Mbiah, *Half a Century of Toil*, p. 89.

³⁵¹ E. A. Cowan, *Evolution of Trade Unionism in Ghana*, (Accra, TUC, 1960), pp. 93-94.

³⁵² *Ibid*, p. 93.

³⁵³ Fossum, *Labour Relations*, p. 3.

Thus, in order to be able to influence State policies, there was the need to align the unions to the CPP. It must, however be mentioned that, the CPP also favoured the relationship and saw it as being at the very heart of its survival as a political party.

Hon. Kojo Botsio, Secretary of the Central Committee of the CPP examined the importance of the relationship with the TUC. At a Conference under the auspices of the Committee of Workers' Organisation held on 11th January, 1959 at Aburi, he noted that, "the CPP and the TUC are one. In the same spirit, the CPP and the Farmers' Council are one, so also are the Ex-Servicemen and Co-operative Movement, for they are all the same people."³⁵⁴ Dr. Kwame Nkrumah explained this in a more laconic manner. He noted that, national development and workers interests were inseparable.³⁵⁵ He asserted that:

Nobody has the right to call himself a true labour fighter if he is not also an honest and loyal member of the Convention People's Party, because fundamentally, the Convention People's Party is the political expression of the Trade Union Movement.

The CPP-TUC relationship was perceived to be mutually beneficial to the two parties. Efforts were made by the leadership of the parties to strengthen the relationship. The TUC helped in the formation of a major wing of the party, that is, the "Committee of Workers Organisations" which existed at all workplaces especially in the civil service.³⁵⁶ Members of the committee served as watch-dogs for the CPP.

The TUC became very much integrated to the Party that with time, TUC identification cards were replaced with Party membership cards.³⁵⁷

³⁵⁴ Cowan: *Evolution of Trade Unionism in Ghana*, p. 94.

³⁵⁵ Arthiabah and Mbiah, *Half a Century of Toil*, p. 94.

³⁵⁶ *Ibid*, p. 61.

³⁵⁷ Britwum, *Sixty Years*, p. 21.

Authors such as Panford and Arthiabah and Mbiah have established that the political and economic influence of trade unions and workers in Ghana peaked during the 1960s when the CPP and TUC had established a formal alliance.³⁵⁸ The alliance resulted in the following gains to the trade union movement;

- There was a statutory recognition of the TUC as the sole representative of the Trade Union Movement in the country.
- Employers were compelled by Law to recognise the National Unions of the TUC and bargain with them.
- The financial security of the TUC was greatly enhanced with the institution of the Check-off System. The system made it possible for the union to deduct their dues at source. For instance, the TUC income rose from £497 in 1958 to £162,579 in 1961 through union dues.³⁵⁹
- A six story-building worth half a million dollars built in Accra was presented to the TUC.³⁶⁰ The Hall of Trade Unions as it was referred to houses all the National Unions of the TUC. The Hall was officially opened by Dr. Kwame Nkrumah on 9th July, 1960.
- Compulsory trade union membership was introduced for Civil Service Employees under Section 24 of the Civil Service Act. Thus paid-up union membership increased from 100,763 in March, 1959 to 320,248 by September, 1961.³⁶¹
- Inclusion of trade unionists in the CPP's highest political organs such as the Party's Central Committee. This act enhanced the political clout of the TUC.

Indeed several members of the TUC were given various political appointments. From 1960 to 1970, as many as seventeen Trade Union Officials were made Ambassadors Extraordinary and Ministers Plenipotentiary, Labour Attaches and Charges d'Affairs mostly to African countries in accordance with Dr. Nkrumah's desire for an African Revolution.³⁶² This included Charles Hyman, Head of African and International

³⁵⁸ Kwamina Panford, *IMF-World Bank and Labour's Burdens in Africa: Ghana's Experience* (Westport, Praeger Publishers, 2001), p. 28; Arthiabah and Mbiah, *Half a Century of Toil*, p. 95.

³⁵⁹ John Kraus, "The Political Economy of Industrial Relations in Ghana" in U. Damachi, et al, (eds.), *Industrial Relations in Africa*, (New York, St. Martin's Press, 1979), pp. 106-168.

³⁶⁰ Cowan, *Evolution*, pp. 108-109.

³⁶¹ Kraus, "The Political Economy of Industrial Relations in Ghana," pp. 106-168.

³⁶² Arthiabah and Mbiah, *Half a Century of Toil*, p. 90.

Departments of the All African Trade Union Federation (AATUF); Ofei Henaku, General Secretary, Public Transport and General Workers' Union of TUC; Ohene Yeboah, General Secretary, Bank and Insurance Union of TUC; G. K. Dorkunor, International Department of TUC; J. D. Thompson, TUC Regional Secretary; N. N. Eburay, Head of Education Department of TUC and General Secretary, Union of Distributive, Retail and Allied Workers; W. A. Sasu, Head of Staff Department of TUC; S. B. Magnus George, Deputy Secretary-General of TUC and General Secretary of the Local Government Workers Union and B. L. K. Adanuvor, Chairman, Public Utility Workers' Union of TUC.³⁶³ Furthermore, J. K. Tettegah, the Secretary General of the TUC was made a member of the CPP Central Committee which between 1957 and 1966 was the most potent political body next only to the Office of the President in the country. He was first appointed as Head of the Builders' Brigade in 1959 and in 1960 was appointed Minister without portfolio. Also, Benjamin A. Bentum, a founding member of GAWU and a member of the TUC Executive Board was appointed Minister of Forestry.³⁶⁴

It can be concluded that the CPP government for the first time, gave workers' leaders the opportunity to serve their country and Africa. The government in turn gained tremendously from the services of the leadership of the TUC. These leaders were very dynamic individuals who had worked hard to ensure the growth of the Trade

³⁶³ Charles Hyman, "Workers and Politics in Africa: A Pan-African Historical review of Working Class Contribution to Social Struggles in Emergent Africa." *Unpublished book*, pp. 145-146.

³⁶⁴ Arthiabah and Mbiah, *Half a Century of Toil*, p. 90-93.

Union movement in the country. It must, however, be mentioned that the appointments of the leaders to political position received different interpretations. One school of thought saw the appointments as an attempt by the CPP to compensate the leaders for the part they played in the fight for independence.³⁶⁵ Others believed it was an act by the CPP to weaken the TUC in the fight for better working conditions for workers.³⁶⁶

Regardless of the side of the argument you consent to, it is an established fact that trade unionism received a massive boost under the CPP government. With the exception of the 1961 strike by rail workers in Sekondi, the first years of independence witnessed the most cordial government-worker relations in the nation.³⁶⁷ The government made conscious effort to fulfil its promise of improving the working conditions of workers.

A United State Department report noted that:

The Nkrumah government developed the infrastructure and made important public investments in the industrial sector. With assistance from the United States, the World Bank and the United Kingdom, construction of the Akosombo Dam was completed on the Volta River in 1966. Two U. S. Companies built Valco, Africa's largest smelter, to use power generated at the dam.³⁶⁸

This generated jobs for the growing labour force. To top it up there was enhanced social service policy in the country. Social security coverage was formally extended to several workers who already enjoyed some retirement benefits and received extensive subsidized services. The services ranged from health care, education, child care,

³⁶⁵ Britwum, *Sixty Years*, p. 25.

³⁶⁶ Arthiabah and Mbiah, *Half a Century of Toil*, pp. 90-93.

³⁶⁷ Panford, *IMF- World Bank and Labour's Burdens*, p. 29.

³⁶⁸ U. S. State Department, *Background Notes; Ghana*, Bureau of Public Affairs (February, 1990), p. 5; Panford, *IMF-World Bank and Labour's Burdens*, p. 28.

housing, transportation and food (canteen) services at work.³⁶⁹ The provision of such services was enough to cushion workers against economic hardship. Even when salaries were frozen between 1960-61 workers' living standard was not so much affected. The Industrial Relations Act 1965 still forms a major part of the 2003 Labour Act. However, one cannot absolutely conclude that the CPP-TUC relationship was absolutely harmonious. For instance, the nine years between 1957 and 1966 under the CPP administration recorded a total of 207 strikes involving 66,262 workers.³⁷⁰ There was a general discontent among the rank and file of the National Unions of the TUC. Union members perceived their leaders as sympathising more with the government than with labour. Indeed the rank and file were distant from the activities of leadership, a situation which still persists in the body politic of trade unions in the country.³⁷¹ Thus, although the alliance between the TUC and CPP brought about massive structural and material gains to the trade union movement, the gains came at the cost of trade union autonomy.³⁷²

4.6.1 TUC-NLC Relationship

After the 1966 bloody coup d'état, the NLC instituted measures to consolidate its administration by disbanding institutions known to have had close affiliation with the

³⁶⁹ P. A. Twumasi, *Medical Systems in Ghana* (Tema, Ghana Publishing Corporation, 1975); Kwamina Panford, *African Labour Relations and Workers' Rights; Assessing the role of the ILO* (Westport, CT, London, Greenwood Press, 1994a).

³⁷⁰ Arthiabah and Mbiah, *Half a Century of Toil*, p. 105.

³⁷¹ Panford, *African Labour Relations*, p. 121.

³⁷² Benjamin A. Bentum, "Trade Unions in Chains: How Kwame Nkrumah Destroyed Free Trade Union Movement in Ghana and Attempted to Extend this on the African Continent" (*Unpublished*, 1967); Kwasi Adu-Amankwah, "The State, Trade Unions and Democracy in Ghana, 1982-1990" *MA Research Paper*, Institute of Social Studies, The Hague (December, 1990).

CPP government. Consequently, the United Ghana Farmers' Council and the National Cooperatives Council were disbanded.³⁷³ The TUC was, however, left untouched. This earned the NLC the support of the rank and file of the TUC. The trade unionists were looking forward to improved working conditions and greater union autonomy under the new administration. In March 1966, the District Council of Labour (DLC) organised a massive rally on the principal street of Takoradi and culminating at the Star of the Sea Catholic Church, the members unanimously endorsed a resolution to throw their weight behind the new political administration. According to Arthiabah and Mbiah, the new mood that permeated the ranks of the trade unionists and members of other mass organisations was summed up in those words, "The times change and we change with them."³⁷⁴

Major amendments were made to the constitution and the by-laws of the TUC with the aim of giving the National Unions of the TUC greater autonomy and decentralising the unions' funds.³⁷⁵ In order to achieve this, they appointed Benjamin A. Bentum, who was the Minister of Forestry under the CPP administration as the new Secretary-General of the TUC. It is imperative to mention that Bentum was the only CPP Minister who was not arrested by the NLC. There is therefore the suggestion in the annals of the history of trade unions that Bentum was party to the ousting of the

³⁷³ Britwum, *Sixty Years*, p. 27.

³⁷⁴ Arthiabah and Mbiah, *Half a Century of Toil*, p. 101.

³⁷⁵ Britwum, *Sixty Years*, p. 27.

government of Dr. Kwame Nkrumah.³⁷⁶ Indeed, he lured the entire leadership of the TUC to a meeting at which they were arrested with ease.³⁷⁷

According to Arthiabah and Mbiah, he exposed to the world the training grounds and sites of the freedom fighters from apartheid controlled Southern African countries. Perhaps what was not known was the fact that, Bentum had personal links with the Police head and a staunch member of NLC, J. W. K. Harley.³⁷⁸

Indeed Bentum rather than denying his role in the overthrow of the Nkrumah led government, explained his reasons for the actions that he took. In his work, “Trade Unions in Chains,” he mentioned his dislike for the way and manner Nkrumah and the CPP used the TUC as a tool to extend communist rule to the rest of Africa.³⁷⁹ He noted that under the CPP government, the TUC completely lost its autonomy and direction as a mass workers movement. He cited for example, the fact that at a point in time the CPP administration could dismiss and appoint leaders for the TUC. To him this was an unwelcome development.

4.7 Conclusion

To function properly, trade unions needed a great deal of autonomy. They should also be able to use strike to back their claims. An assessment of British labour policies in the Gold Coast indicates that the administration left a vast majority of fragile labour unions. The unions formed under the colonial administrators were weak, restricted and

³⁷⁶ Ibid.

³⁷⁷ Ibid.

³⁷⁸ Britwum, *Sixty Years*, p. 28.

³⁷⁹ Bentum, “Trade Unions in Chains: How Kwame Nkrumah Destroyed Free Trade Union Movement in Ghana,” p. 89.

unable to rely on pure economic pressure to defend their interests. Colonial economic and political activities have been strong catalysts to contemporary Ghanaian labour choices. In the post-colonial era, Dr. Kwame Nkrumah's CPP government interfered in the trade union affairs. The CPP approach was a continuation of the approach to labour relations that was instituted by the British colonial authority.

Also, the view that the British TUC officials helped to establish industrial relations on the exact image of relations is incompatible with available evidence. Colonial workers did not for instance enjoy the right to use strikes to back their claims. Union leaders were often harassed and fired from their work which was often not the case in Britain. Similarly, the Department of Labour was not established with the view to regulating labour relations to ensure fair play between workers and their employees. The Department served the colonial administration's interest of depoliticizing workers union from aligning with nationalist movements in their struggle for independence.

Until the TUC's "General Strike" and CPP's "Positive Action" in 1950, the colonial administrators, the British TUC advisors and the foreign business in the Gold Coast had succeeded in controlling trade unions and preventing them from aligning themselves formally with the nationalists.

CHAPTER FIVE

LABOUR DISPUTES AND RESOLUTION IN GHANA

5.0 Introduction

“Strikes are the means of social change used by most people especially workers apart from the ballot box. In the eyes of many workers, a strike is a good deal more effective than the ballot and they use it with more conviction, though it involves them in more trouble and sacrifice.”³⁸⁰ Strikes are collective expressions of workers interest. It is a collective action directed towards well defined ends. Strike is one of the essential means available to workers and their organisations for the promotion and protection of their economic and social interest.³⁸¹ Besides collective bargaining, strike is the major tool used by employees in Ghana to drive home their demand. For the purposes of this study, the ILO definition of strike is used. The organisation defines strike to include what may be called “go slows” (work-to-rule), sit down and short strikes lasting a few hours or days. Its definition incorporates any form of withdrawal of labour to protect workers and demonstrations to voice their concerns in public.

In a colonial economy, strike was perhaps the most important tool used by workers to influence the colonial administration. During the period, rights and duties of employers and employees were not enshrined in the laws of the land and so whenever it was

³⁸⁰ Robert Leeson, *Strike: A live History, 1887-1971* (London, Allen and Unwin Publishers, 1973), p. 13.

³⁸¹ ILO, *Labour Relations in Africa: English Speaking Countries* (Geneva, ILO, 1983), p. 62.

necessary, employers would take advantage of workers. Strike actions during this period were normally a spontaneous reaction by workers against the colonial government since the government was the major wage employer. One major reason that accounted for strikes in colonial Ghana was the poor working conditions and the bad treatment of employees at their workplace. It must be mentioned that the modes of strikes that prevailed in the period was work-to rule and sit down.

Prior to the country's independence, it was unlawful for workers in Ghana to go on strike. The colonial government used state apparatus to clamp down heavily on workers who engaged in stoppages. Workers involved in an illegal strike were imprisoned without trial. Despite, the threat of imprisonment and other punishments, table 3 below shows that workers were still ready to go on stoppages to back their demands. Workers were very much aware that the only way to improve their conditions was to first redeem themselves from the shackles of colonialism. The data in table 5.1 below shows the number of recorded strikes in colonial Ghana.

Table 5.1: Strikes in Ghana (1944-1957)

Year	No. of Strikes	Workers Involved	Man-Days Lost
1944-45	2	700	-
1945-46	3	7,750	-
1946-47	7	946	-
1947-48	37	48,865	-
1948-49	27	7,650	44,728
1949-50 (Individual workplaces)	54	38,557	123,310
1949-50 (General strike)	1	40,000	460,000
1950-51	19	5,482	11,017

1951-52	39	15,404	38,185
1952-53	83	32,548	129,676
1953-54	63	25,529	125,927
1954-55	35	7,263	29,107
1955-56 (Individual workplaces)	23	1,039	13,191
1955-56 (Miners)	2	29,216	2,479,224
1956-57	45	11,858	33,005

Source: PRAAD, Accra, ADM. 5/1/ 221. Gold Coast and Ghana Labour Department, Annual Reports

1944-1975.

Three general strikes, one in 1949-50 and two in 1955-56 were recorded during the period under review (see table 5). From table 5 above, the number of recorded strikes within the period of 1944-1957 was 440 involving 272,807 workers. The strikes resulted in substantial loss of 3,487,370 man-days work during the period under review. Thus, regardless of the legality or illegality of strikes, workers embarked on strikes when the need arose. It therefore pays for governments to enact policies to prevent the need for workers to strike than to adopt a straitjacket approach of making strikes illegal.

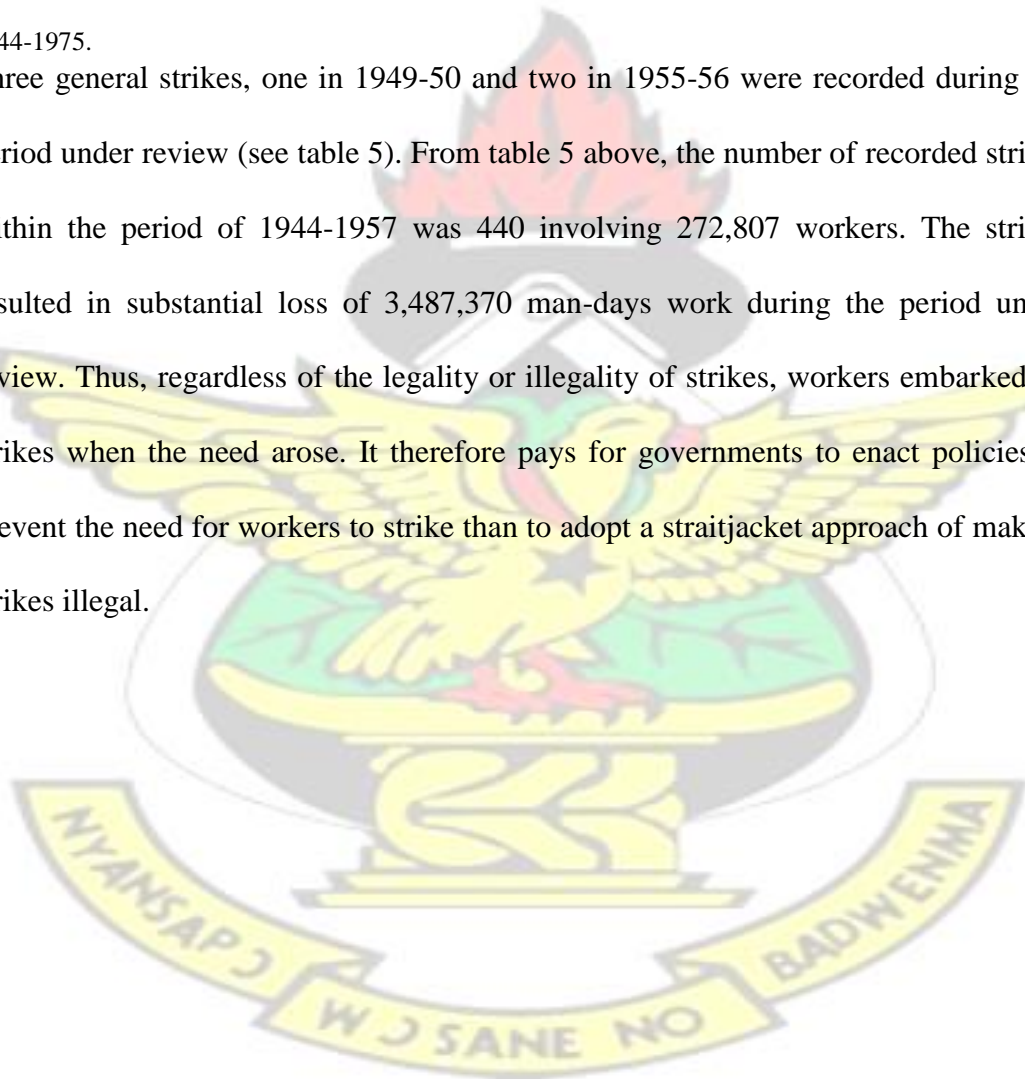
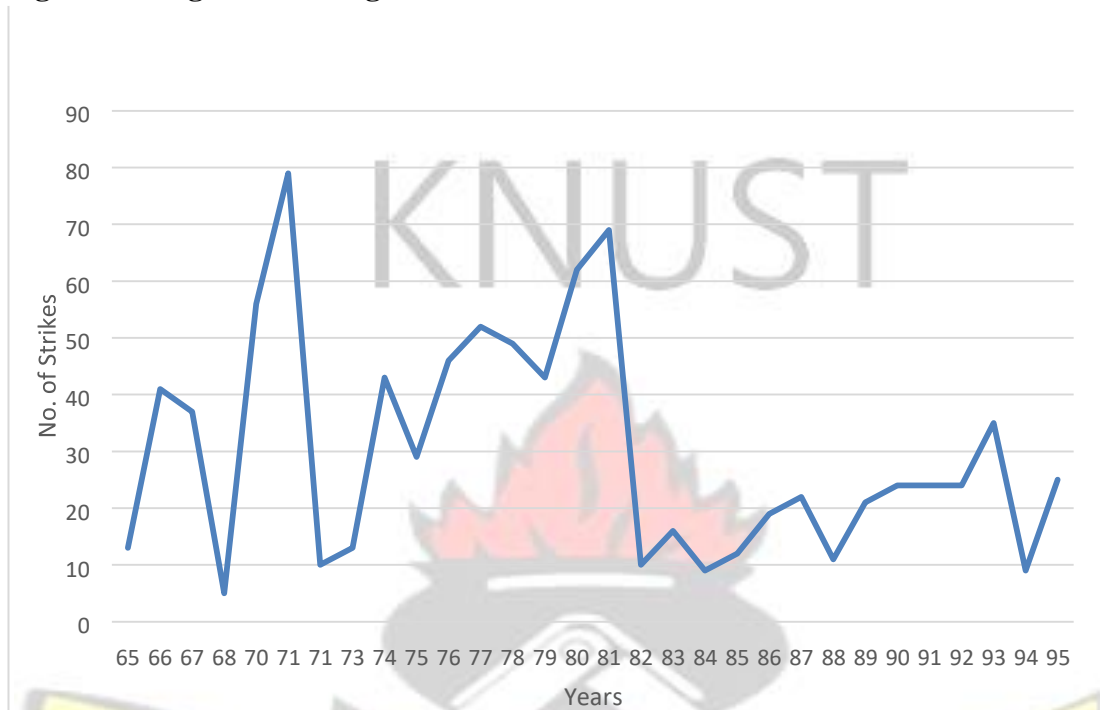


Figure 2: Diagram showing Strikes in Ghana 1965-1995



Source: Kwamina Panford, *Ghana Labour Law, Labour and Industrial Relations*, (Netherland, Kluwer Law and Taxation Publishers, 2008), p. 149.

Figure 2, gives a pictorial representation of the number of strikes in Ghana 1966-1995. In 1979, cocoa exports had fallen to 189,000 tons, there was a decline in timber, gold, diamond and other minerals.³⁸² There was a decline in the world market price of cocoa. Also, road networks in the country had deteriorated to such an extent that about 70% of farm produce to the domestic market had to be head-loaded.³⁸³ In an attempt to cushion workers against the harsh economic conditions, the minimum wage was raised from 4 cedis to 10 cedis and by the end of 1980, it was at 12 cedis.³⁸⁴ Despite this attempt, the country recorded a series of strikes as shown in the figure above. Also, the figure shows that from 1982 onwards the number of strikes in the country were

³⁸² Roger S. Gocking, *The History of Ghana* (London, Greenwood Press, 2005), p. 185.

³⁸³ Ibid.

³⁸⁴ Ibid.

declining. This was basically due to the implementation of the SAP/ERP programmes which led to a reduction in union membership, hence, their strength in bargaining.

5.1 General Constitutional Provisions on labour disputes in Ghana. Compliance with labour laws and valid labour contracts and the resolution of disputes represent important elements of the labour market regulatory framework. Effective enforcement of labour laws on disputes resolution enhance the regulatory practices relating to employment protection and wage determination. As noted by Dr. K. A. Busia in 1970, in all the labour unrest Ghana, especially in the 1960s, all the procedures laid down for settling disputes were not used.³⁸⁵

5.1.0 Enforcement

There have been innovations as to the best practices on enforcement especially in the area on occupational health and safety front. These new ideas affect the nature of the enforcement task including the relative roles of education, standard-setting and sanctions.

In the health and safety field, emphasis is on long term competitive advantages of healthy, safe and legally compliant work places as opposed to the short run benefits of undercutting competitors. Emphasis is now placed on technical assistance as opposed to sanctions in solving the increasing complexity in enforcement in the labour field and the stretched resources of inspection services. These new approaches do not, however, exclude sanctions because the threat of their imposition remains essential for

³⁸⁵ PRAAD, Accra, ADM. 5/4/377. The way of Industrial peace by K. A. Busia, 1970.

demonstrating the rule of law. Similarly, workers can be allowed to develop their own policies and implementation plans which will save resources required of the inspectorate and increase the likelihood of compliance by employees who “own” the strategy. Thus, instead of inspectors judging firms by the generality of the legal requirements, they will judge them by the enterprise’s performance against its own plan that is specific to its needs and circumstances. Inspectors take on a more “service minded” approach in which they work with the enterprise. Advisory, educational, and mediating skills become more important.³⁸⁶ Government still has to develop a clear framework of obligations, rights, structures, powers and mechanisms for enforcement. Concerning resources required for enforcement, costs of enforcement must be in proportion with the risks.³⁸⁷ In terms of the source of funds for financing labour protection, the general practice is that costs should be borne by employers.

5.2 Labour Disputes

For the purposes of this study, labour disputes refers to disagreements between public or private servants“ unions or associations and public or private employers arising out of the determination of employment conditions or other labour related issues. The term also covers conflicts stemming from the refusal of employers to negotiate.

³⁸⁶ Hammer, J.D.G. and C. Ville, “The Role of Labour Inspection in Transition Economies.” *ILO Government and Labour Law and Administration*, 48 (1998). www.ilo.org/public/english/govlab/papers/1998/labins/index.htm. 24th October, 2011.

³⁸⁷ Von Richthofen, W., “New Prevention Strategies for Labour Inspection, Introduction,” *ILO Government and Labour Law and Administration*, 56 (1999). www.ilo.org/public/english/govlab/papers/1999/labins/index.htm. 9th November, 2011.

As already noted in the preceding chapters, the labour market is a series of exchanges between capital and labour.⁴⁰⁰ Owners of capital otherwise referred to as entrepreneurs employ the services of workers to produce surplus value leading to a series of exchanges and hence economic growth. The effective management and organisation of the capital labour relationship is paramount to ensure economic growth. Unlike other markets like the capital or money markets, the labour market is affected by a host of cultural, institutional, legal and political mechanisms. In diagnosing labour conflicts, a psychotherapist could view the conflict through a communication lens, a type of conflict lens, an “interests” lens, a personality lens, a structural lens, a cultural lens and a dynamic of conflicts lens.⁴⁰¹ This is primarily as a result of the fact that the labour market deals with regulating two most significant

⁴⁰⁰ Gordon Betcherman, et al, “Labour Market Regulation: International Experience in Promoting Employment and Social Protection,” (November, 2001). http://www.wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2002/05/20/000094946_02050304123161/Rendered/PDF/multi0page.pdf. 9th November, 2011.

⁴⁰¹ Gary T. Furlong, *The Conflict Resolution Toolbox* (Ontario, Wiley Ltd, 2005). human factors of production, that is labour and entrepreneurs each can act on their own initiative.

Regulations in the labour market range from how employers contract for the services of labour to the nature of exchange, that is, the rights and responsibilities of the parties, the terms and conditions of work and disputes resolution. When the players in the labour market are informed about this range of regulations, then all things being equal there will be industrial harmony. As will be shown in this chapter, the absence of such regulations has led to numerous labour disputes in the Ghanaian economy. Also, the lack of commitment to such regulations, that is, when they have been established, leads

to labour disputes. Public policy considers the need to regulate the labour market vital because of how it affects the welfare of workers and their families as well as the general economic development of the country.

Civil society intervenes in labour market regulations for two major reasons namely market failures and injustice/exploitation. Labour market failure occurs when the forces of demand and supply of labour are unable to efficiently regulate the market leading to exploitation. Society tends to respond to these failures both formally and informally. The informal mechanisms for controlling exploitative behaviours of employers and employees take the form of longstanding cultural practices including traditional values of respect and justice. The Ghanaian adage, “*wamma wo ycnko antwa nkron a wonso worentwa du*”³⁸⁸ illustrates the need to control exploitative behaviour. The informal mechanism for controlling the labour market is, however, limited because economic, social and communal link weakens as society develops.

The words of freedom and justice now mean vary little to the average worker as people are poised in making wealth by whatever means possible. The rapid development of urban centres has weakened social links rendering the informal method of control weak. The two most prevalent formal modes of regulating the labour market are collective voice, that is, through representation of the parties and voluntary collective bargaining coupled with direct government intervention through statutory regulation.³⁸⁹ In all societies, these two formal modes will co-exist with market and

³⁸⁸ This is translated to mean, “If you hinder other people from progressing in life, you will also not progress.”

³⁸⁹ Alan Bogg et al, “Worker Voice in Australia and New Zealand: The Role of the State Reconfigured?” in *The Adelaide Law Review*, 34 (2013), pp. 1 - 21.

informal mechanisms. Regardless of the processes adopted, public policy establishes the enabling framework.

Concerning the formal modes of labour regulations, Ghana has an elaborate legal framework for collective bargaining.³⁹⁰ All the Industrial Relations Acts have sections that require unions to be certified as a condition for bargaining with employers. The historical records portray that the enactment of the first Industrial Relations Act was a response to labour agitations in the colony.³⁹¹ The Acts were meant to restore some decorum on the labour front. The Industrial Act 1958 which gave legal status to labour unions also encouraged the formation of employers unions since it made it compulsory for all employers to bargain with their employees.³⁹² Section 3(1) of the Industrial Relations Act 1965 which replaced the 1958 Act, stipulated, that, employers and their employees should set up “Standing Negotiating Committees.” According to section 5(1) the Act states that, within each bargaining unit:

It shall be the duty both of the trade union appointed in a certificate issued under section 3 and of the employer of the employees of the class to which the certificate relates to nominate representatives authorised to negotiate on their behalf and such representatives shall be members of a standing negotiating committee which shall be set up to negotiate on matters referred to them under this Act.

The law further gives the Attorney General authority to impose fines enforced by law courts if, within 14 days, an employer and the union concerned fail to create these

³⁹⁰ Panford, *African Labour Relations and Workers' Rights*, p. 39.

³⁹¹ *Ibid.*, p. 77.

³⁹² N. T. A. Kusi and A. K. Gyimah-Boakye, *Collective Bargaining in Ghana: Problems and Perspectives* (Geneva, ILO, 1991), p. 18; Panford, *African Labour Relations* (1994a).

committees for bargaining purposes. The law also states the details of the duties of the labour relations parties. The state also mandates the parties to submit copies of the collective agreements with the registrar “for his information.”³⁹³ This demonstrates the depth of legislation and the extent to which public authorities intrude into the structure and scope of collective bargaining between unions and employers. It also shows that to a very large extent, formal modes are employed in dealing with labour disputes.

The law also mandates compulsory settlement of labour conflicts. Dispute settlements which cover conciliation, mediation, arbitration and strikes are enshrined.

For example section 12(1) states that:

Every collective agreement under this Act shall contain a provision for final and conclusive settlement by arbitration or otherwise, of all differences between the persons to whom the agreement applies concerning its interpretation.

When disputes are not settled through arbitration and are likely to lead to strikes or lockouts, the minister of labour is accorded some discretionary powers and influence aimed at resolving the issues at stake. In situations where workers have exhausted the requirements preceding legal strikes that is, conciliation, arbitration and additional conciliation, they are only authorised and become legal if both parties to the dispute refuse to refer it to the minister.³⁹⁴ After referral to the minister, workers have to wait four weeks before they can strike because of a mandated 28-day waiting period.³⁹⁵ If a strike or lockout lasts for more than seven days, both feuding parties are subject to compulsory arbitration if the dispute is not resolved. The legal provisions demonstrate

³⁹³ Panford, *African Labour Relations*, p. 40.

³⁹⁴ *Ibid.*, p. 42.

³⁹⁵ *Ibid.*

that Ghana relies extensively on formal regulations to check workers and employers’ attitudes towards each other.

These legal statuses have been shaped on the models adopted by the colonial secretary in resolving labour conflict in the Gold Coast. On 13th October, 1938 the first quasi legal framework regarding the procedure to be adopted in managing labour disputes in the mining undertakings was issued by the colonial office.³⁹⁶ Similarly, on 7th March, 1939 another framework for managing conflict in the commercial undertakings was issued.³⁹⁷ A supplementary instruction on the above subject was issued by the colonial office on 11th July, 1939.³⁹⁸ From the colonial secretary’s office, the procedure to be adopted in the case of labour disputes included the following:

- Heads of departments should take steps to ensure that departmental officers maintain a close touch with their workers. An employee having a grievance should be able to ventilate his complaint and no obstacle should be put in the way of an appeal from the decision of a departmental officer to the head of department himself.
- Heads of Department responsible for essential public services were to make adequate preparation to ensure that an efficient, if restricted, service be carried out on the event of a labour strike. Unskilled labour could be obtained, when necessary, on application to the Chief Inspector of Labour and prison labour would be available in certain large towns. They were to employ Europeans and pensionable Africans and to borrow from other departments to replace skilled artisans.
- Policy in relation to the settlement of labour disputes was to be governed by the general principle that the parties should be encouraged to compose their difference by mutual effort. Heads of Departments were enjoined to settle disputes in their Departments. Labour petitions that needed the governor’s decision, especially those relating to labour conditions and pay, were to be forwarded to the Chief Inspector of Labour. Here, emphasis was laid on assuring the workers that their petitions had been forwarded and that it was under consideration.

³⁹⁶ PRAAD, ARG. 1/8/2/3, Labour Strikes and Labour Disputes- Government Department, 1929-1945.

³⁹⁷ Ibid.

³⁹⁸ Ibid.

- Heads of Department were to inform the senior administrative officer in the District and the Chief Inspector of Police by telegram in the event of a strike action.
- Where a deadlock has been reached and the dispute appears likely to have serious effect on the public interest, the services of the administrative officer were to be enlisted as a conciliation officer.

These procedures were strictly adhered to in some jurisdictions. When workers of the Labourers and Artisans of the Obuasi Sanitary Board went on strike on 11th February, 1949, prevailing oral and written accounts show that the processes of dispute resolution were strictly adhered to by the colonial masters as well as the workers in trying to resolve the impasse.³⁹⁹ The men who went on strike consisted of labourers, market boys, latrine boys, carpenters, masons and scavengers with their headmen.⁴⁰⁰ The strike was for a demand for increase of wages and better conditions of service. The matter was at once reported to the Senior Labour Officer of Kumasi and on his arrival he asked the men to go back to work while he held a meeting with some representatives of the various branches.⁴⁰¹ The workers agreed to the instructions and at about 3:00 pm, the Senior Officer, the Assistant District Commissioner, a Labour Inspector from Kumasi and the Labour and Resettlement Officer at Obuasi met the representatives of the workers at the District Commissioner's office for negotiation.⁴⁰²

³⁹⁹ PRAAD, Kumase, ARG. 1/8/2/3, Labour Strikes and Labour Disputes- Government Department, 1929-1945.

⁴⁰⁰ Ibid.

⁴⁰¹ Ibid.

⁴⁰² PRAAD, Kumase, ARG. 1/8/2/3. Labour Strikes and Labour Disputes- Government Department, 1929-1945.

The workers stated that prior to the strike, they had written a letter of petition to the Secretary and the President of the Board demanding increases of wages and better conditions of service but their demand had been nipped in the bud and as a result, they were compelled to go on strike. The Labour Officer then took the trouble of interviewing them one after the other, but during the course of the interview the men insisted on the increase of wages and better conditions of service which they thought the Board had neglected to look into.

It was finally agreed that the Board should consider certain changes in the conditions of their services and administer increase of wages to men who have worked with the Board for more than two years. The representatives agreed and went back to work. Regardless of the elaborate legal framework, most of the business entities had little or no understanding of the role of workers. The input of labour in ensuring business success was completely disregarded. Most of these employers disregarded workers and managed their businesses on the basis of sole-proprietorship even when the entity was not regarded as such. Workers' opinion was hardly sought on matters regarding the management of business entities. The ideology of management was that labour was just employed to undertake a specific task at the work place and as much as possible should be made to work as such.⁴⁰³ Such entrenched attitudes of employers have over the years worsened the capital and labour relationship in Ghana.

⁴⁰³ Interview conducted with Mr. J. E. Appiah, member of railway union, 29/02/2011 at Cape Coast, Age: 60-70 years.

5.2.0 Forms of labour disputes

There are two broad categories of labour disputes. The categorisation is based on the nature of disputes and the factors that cause the disputes. This categorisation has become necessary in order to allow for establishment of procedures for settling the disputes according to the categories. The outstanding distinctions of the types of labour disputes are individual and collective disputes, as well as between right or legal disputes and interest or economic disputes.⁴⁰⁴ A dispute is considered individual when it involves a single worker or a number of workers if the issues concerned touch each of them in their individual capacities while a dispute is considered collective if it concerns a group of workers. Rights disputes are those dealing with the implementation or interpretation of an existing legal right.⁴⁰⁵ Interest disputes, however, arise from the failure of collective bargaining. A critical examination of the types of disputes reveals the existence of some connections between the individual disputes or collective disputes and right disputes or interest disputes. Rights disputes can be either collective or individual whereas interest disputes are always collective. In essence there are three types of labour disputes, namely; collective rights disputes; individual rights disputes; and interest disputes.⁴⁰⁶ The other forms of labour disputes which are often overlooked are the go-slows, work-to rules and overtime bans. These are overlooked because they are not generally reported. As noted earlier, the colonial administration admonished the Heads of Department to consider dealing with employees collectively in the event of labour disputes.⁴⁰⁷

⁴⁰⁴ Robert Heron and Hugo van Noord, *National Strategy on Labour Dispute Prevention and Settlement in Cambodia* (Phnom Penh, ILO, 2004), pp. 9 – 12.

⁴⁰⁵ *Ibid.*, p. 10.

⁴⁰⁶ *Ibid.*, p. 26.

⁴⁰⁷ PRAAD, ARG1/8/2/3, Labour Strikes and Labour Disputes- Government Department, 19291945.

The examination of the labour disputes in Ghana revealed that the labour market was dominated by interest disputes. This is perhaps due to the fact that Ghana was under colonial rule and the development of a legal framework for workers came rather late not to mention the fact that British colonial policy aimed at exploiting resources which included labour at a rather cheap cost.⁴⁰⁸ One of the earliest disputes which was interest based was the 1937-1938 cocoa boycotts during which local farmers refused to sell their produce to foreign monopoly cocoa-buying agencies.⁴⁰⁹ The holdup lasted for seven months, from October 1937 to April, 1938. In 1938, the government appointed a commission of inquiry to investigate the marketing of cocoa in the Gold Coast. Gocking, however, noted that, this was not the first time cocoa farmers had resorted to holdups.⁴¹⁰ He noted that, in 1921, Akwapim cocoa farmers had formed an association to oppose the formation of a cocoa purchasing cartel which was led by the United African Company (UAC). Similarly, in 1929, the colony's cocoa farmers formed the Gold Coast and Ashanti Cocoa Federation and subsequently organised to oppose the formation of cocoa cartel. In 1930-31, they organised a colony-wide holdup albeit with limited success.⁴¹¹ The 1948 riots which resulted from the shooting of the three ex-servicemen was another example. The remote cause of the riot was the inability of the colonial office to properly resettle the ex-servicemen, especially those in the British Colony. Similarly, in 1949, workers at the Meteorological Department organised

⁴⁰⁸ Walter Rodney, *How Europe Underdeveloped Africa* (Washington D.C., Howard University Press, 1982); G. Padmore, *The Gold Coast Revolution* (London, Dennis Dobson, 1953).

⁴⁰⁹ Panford, *African Labour Relations and Workers' Rights*, p. 77.

⁴¹⁰ Gocking, *The History of Ghana*, p. 64.

⁴¹¹ PRAAD, Accra, ADM. 5/3/63, Aitken Watson's Report of enquiry into Disturbances in the Gold Coast, 1948.

against the colonial administration over conditions of service.⁴¹² This was followed by the 14-day strike by the railwayworkers of Sekondi-Takoradi in 1961.⁴¹³ The disputes mentioned above bordered on interest disputes, although, there also existed in some circles individual labour disputes within the union organisations themselves.

5.2.1 Nature and causes of disputes

Economists have argued that human wants or needs are insatiable. This is to say that the moment one need is satisfied, the mind craves for another. As a result of this basic economic issue, labour often has a tall list of demands from their employers. In most cases, if the demands are not met, and employers are unable to manage the situation professionally, it results in disputes which could take many forms. Similarly, labour disputes arise when owners of capital take decisions perceived by workers to have negative impact on their standard of living.⁴¹⁴ This is at the heart of the many capital labour disputes the world has experienced in times past and in contemporary society.

Information gathered from the labour department indicates that the major causes of strike in Ghana included employees' support of or against:

- Arrears of pay approved by the government and management.
- The implementation of existing collective agreements.
- Overtime allowance, current or overdue.
- Review of expired collective agreements.
- Delayed approved bonuses.
- Payment of government sanctioned minimum wages.
- Government approved housing allowance.
- Food subsidies.
- Improved working conditions.

⁴¹² Arthiabah and Mbiah, *Half a Century of Toil*, p. 20 – 21.

⁴¹³ Jeffries, *Class, Power and Ideology*, p. 84 – 101.

⁴¹⁴ Interview with Mr. Joseph Morrison, a local head of Nagrat at his residence in Kumasi 20th March, 2010, Age: 40-50 years.

- Tax exemptions on overtime wages.
- Transport subsidy.
- The removal of corrupt/incompetent management.
- Unlawful dismissal.
- Payment of agreed to end of service benefits.
- Violation of Ghana's labour laws.
- Unilateral decisions by management toward workers.

Disagreements over the issues mentioned above are considered normal in an economy in which market forces dominate the resource allocation process. However, in a mature labour relations system, such disagreements, complaints and conflicts do not necessarily have to result in major labour disputes. It must be mentioned that, most of the causes of disputes mentioned above, however, relate to collective interest.

There is the need for the country to focus some attention on individual disputes.

It follows from the causes listed above that labour disputes have not arisen only in the course of negotiations or discussions on union demands for better employment conditions, but also as a result of decisions taken by the government or public employers that employees believe might have negative effect on their employment conditions. In recent years, one major factor underlying disputes in Ghana has been the budgetary difficulties confronting the government in the face of prolonged worldwide economic recession, which have committed her to policies aimed at reducing public expenditure. This has been done in part by restricting public sector pay and employment, often as a consequence of the conditions imposed on borrowing by governments by International Monetary Institutions.⁴¹⁵

⁴¹⁵ Kwamina Panford, *IMF-World Bank and Labour's Burdens in Africa: Ghana's Experience*, (Westport, Praeger Publishers, 2001).

The rise or fall in labour disputes in industrial relations had been mainly influenced by mass unemployment, changing economic structure and alternative disputes resolution mechanism. Unemployment creates labour imbalance between employer and employees. Changes in economic structures can make it difficult for trade unions to organise. Also, alternative resolution settlement procedures may reduce the need for workers to resort to industrial action.

The Government of Ghana does recognise the importance of instituting dispute resolution mechanisms in order to reduce the need for workers to resort to industrial action. Creating circumstances and arrangements where disagreements are resolved peacefully and fairly will prevent labour disputes. To what extent, have these provisions in the laws of the land been effective in managing labour conflicts in Ghana? What monitoring mechanisms have been put in place to ensure that such laws are well implemented?

5.2.2 Labour disputes in Ghana resulting from colonisation

British authorities gave strong incentives for the population to engage in commerce, as evident in the cocoa growing areas of southern Gold Coast. According to Polly Hill, these cocoa growing farmers proved to be innovative participants in production and exchange.⁴¹⁶ Economic activities like the introduction of new crops developed in the economy were, however, highly disarticulated. Attempts by the colonial government to remedy the situation had to be cheap, hence, the payment of low wages

⁴¹⁶ Polly Hill, *Migrant Cocoa Farmers of Southern Ghana: A Study in Rural Capitalism* (Cambridge: Cambridge University Press, 1963).

and the use of forced labour to get people into public works projects. This did not help to produce an integrated labour market. Instead, people had every incentive to flee the very areas, where export production was taking place.

When economic activities slowly picked up, the British Colonial government feared that rural villagers would not send forth labourers now in demand, but their focus on the low wage, low cost economy was such that, they did little to improve incentives. This resulted in a series of strikes and other urban mass movements. This at last forced the colonial authorities to rethink their policies. The World War II which lasted from the year 1939 to 1945 also brought a series of social and economic crises in port cities, mine towns and railway lines. The post war periods, with high inflation, shortage of manufactured goods and acute pressure on urban resources, brought on the continued wave of strikes and urban unrest. The British government believing that Ghanaian and other African workers were just like any workers, everywhere else, sought to solve the problem by using the same mechanism used to tame industrial conflict in Europe.⁴¹⁷ In sum, the economic activism and political participation presented opportunities for African political parties and Trade Unions to escalate their demands for higher wages, education, public services and power.

One of the most important labour disputes in colonial Ghana which is commemorated every year in contemporary Ghana was the 1948 march by the exservicemen which culminated in riots. All rules and regulations concerning the resettlement of the ex-servicemen were well documented. An extract from a speech by Labour Resettlement

⁴¹⁷ Frederick Cooper, *Decolonisation and African Society, the Labour Question in French and British Africa* (Cambridge: Cambridge University Press, 1996).

Officer of Ashanti and the Northern territories about the resettlement of ex-servicemen, portrayed their commitment to following the due course for their resettlement:

You will find some changes in your returning soldier; that is inevitable. But these changes are superficial, and at heart every returning soldier is the same West African boy who left a few years ago. Their ideas and views about things may have been seasoned by experience and travel but they have by no means been revolutionised.⁴¹⁸

Attempts were made by the Colonial authorities to re-engage the ex-servicemen in some productive ventures. In a letter dated 22nd May 1946, Kenneth Bradley the Acting Colonial Secretary indicated that, “wherever possible, preference is given to ex-servicemen when filling vacancies in government employment.”⁴¹⁹ The Resettlement Officer was to ensure the enlistment of all the able bodied exservicemen into government Departments and in some cases private employment. However, some officials at the resettlement centres did not follow the directive. For instance, on 2nd July, 1946 (Sgd) W. Tremayne Field, Town Engineer and Resettlement Officer in Ashanti, maintained that:

for the purpose of greater efficiency at the Department, the question of whether an applicant is a civilian or an ex-serviceman is not allowed to influence us in making a choice, except where two candidates are approximately equal in all other respects.⁴²⁰

Thus, even though the colonial government showed signs of commitment to the resettlement of the ex-soldiers, some members of the colonial administration were not committed to this course.

⁴¹⁸ PRAAD, ARG. 1/9/1/118/1, Ex-Servicemen Employment Exchange, 1944-1950.

⁴¹⁹ Ibid.

⁴²⁰ PRAAD, ARG. 1/9/1/118/1, Ex-Servicemen Employment Exchange, 1944-1950.

In September, 1946, employment figures for ex-servicemen were very low. The Department was able to employ a total number of 167 out of 541 ex-soldiers who sought for employment in Ashanti and Northern Territories.⁴²¹ The resettlement officer could not advance reasons for this situation since the said period was approaching the cocoa season and as such demand for labour was expected to be high.⁴²² The office, however, explained that vacancies at the government departments and most of the firms had been filled. There was also a decline in employment by the mining firms due to a serious fall in the stock of ex-soldier caused by the disgraceful behaviour of some of those who had been employed. Most of the ex-soldiers were sacked for various offences including: sleeping on duty, insolence to administration, unsatisfactory work, misconduct, sitting down on duty, misconduct to District Commissioner and senior staff among other things.⁴²³ The inability of the Resettlement Department to find employment for the ex-servicemen, however, led to a slight discontent among the ex-soldiers.

An alternative in resolving the matter with the use of a comprehensive card registration system of ex-servicemen to be undertaken in each of the 23 Resettlement Advice Centres was inaugurated on 1st November, 1946.⁴²⁴ Through the implementation of this policy, the figure for placing in employment was 51.4% of all ex-servicemen of the three services who had applied for work from 1st April, 1946

⁴²¹ Ibid.

⁴²² Ibid.

⁴²³ PRAAD, ARG. 1/9/1/188//1, Ex-Servicemen Employment Exchange, 1944-1950.

⁴²⁴ PRAAD, ARG. 1/8/1/19, Report on the Labour for the year 1946-47.

until 31st March, 1947.⁴²⁵ The centre bemoaned the refusal of the ex-servicemen to work outside their hometowns. If they had accepted employment wherever it may be offered the percentage of work found would have been higher. Nonetheless, the 1947 statistics showed a remarkable improvement in the number of jobs offered to exservicemen.

Other issues aside from employment were raised by the ex-servicemen. They vehemently protested the payment of taxes and communal work in the villages. This was always an issue of contention between the ex-soldiers and the civilian population. According to the ex-servicemen, they were promised exemptions from the payment of taxes and communal labour by the colonial government on their way back to the Gold Coast.⁴²⁶ Since most of their farms had been destroyed, the majority of those who did not immediately find employment on arrival found it difficult to pay taxes. However, the colonial officers insisted that as part of efforts to make all the ex-servicemen settle down as ordinary civilians, they could not offer them any special privileges as being exempted from the payment of taxes and communal labour.⁴²⁷ Similarly, in January 1948, they demanded for a back pay. To this the colonial government insisted that there was nothing more due to the ex-servicemen from the Army.

All the agitations for employment and better living conditions culminated in the disturbances in February 1948. How the colonial government dealt with the exservicemen on their way to the Castle to present their petition to the government led

⁴²⁵ Ibid.

⁴²⁶ PRAAD, ARG. 1/9/1/188/1, Ex-Servicemen Employment Exchange, 1944-1950.

⁴²⁷ Ibid.

to a situation where almost the whole country was engulfed in upheavals, confusion and misunderstanding. The Resettlement Officer in Ashanti noted in his report that, the grievances and requests of the ex-servicemen followed the same general lines; the payment of levy was a universal complaint. He also noted that: “if it is true that on the voyage home from India they were told that they would be exempted from levy then I think that a great disservice was done to the men and the country in general.”⁴²⁸ On the issue of falling standard of living, he noted that:

I have received many complaints from ex-servicemen of the rising cost of living. This directly affects employment, inasmuch as men are reluctant to accept a job in places where food is difficult to obtain and expensive to buy. It would be thought that outside the towns the prices would be lower and the food situation easier but this is not so. The tendency is for the farmer to send the bulk of his produce to the towns where he can get a high price, the remainder he sells locally and the competition for this remainder is so strong that the prices are exceedingly high. The farmer seems to get his profit both ways, to the detriment of the citizen.⁴²⁹

This goes to show that the ex-servicemen had genuine concerns that needed upmost attention. There was the need for the colonial government to dialogue with the men and find an amicable solution to the issues raised. This was however not the case. In the case of the ex-servicemen, the very procedure laid down by the colonial administration in settlement of labour disputes was not adhered to. This brings into question the commitment of colonial authorities to implement the laid down procedures even in situations where such rules existed, especially for labour issues. Also, after the “Positive Action” strike the Colonial Government declared a state of emergency and arrested a number of trade union leaders, including Biney and Woode, as well as Nkrumah and several other CPP leaders. These were brought before the

⁴²⁸ Ibid.

⁴²⁹ Ibid.

courts, convicted and sentenced, Biney to six months" imprisonment, Nkrumah to one year on each of three separate counts. All government employees participating in the strike were dismissed and later re-employed only on conditions which entailed their losing long-service increment and other benefits.

On the labour front, the Gold Coast Unemployment Association also referred to as the Dismissed Workers" Assembly emerged. This Association had originally been formed to campaign for the re-engagement of those workers dismissed after the "Positive Action" strike. Having achieved this objective, its leaders, E. C. Turkson Ocran and I. K. Kumah, decided to expand the aims of the organisation to opposing the resuscitated "collaborationist" TUC and developing an alternative radical trade union centre. In July 1951 its title was changed to the Ghana Federation Trade Union Congress, with Kumah as president and Ocran as general secretary. Therefore, the acts of threats and imprisonment of striking workers did not achieve the intended purpose in the long run. It rather strengthened the workers front to continue to oppose government policies that were inimical to their general welfare.

In post-colonial Ghana, the strike action by the workers of Ashanti Goldfields over the withdrawal of the payment of Tuberculosis (TB) allowance by management, demonstrated how employers tended to take unilateral decisions. Management delivered letters of the suspension of the payment of the allowance to affected persons in September, 1979, despite pleadings by the labour union officers.⁴³⁰

⁴³⁰ Arthiabah and Mbiah, *Half a Century of Toil*, p. 171.

Consequently, on 3rd October, “when everyone had got his pay, they rang a bell which indicated that the Mineworkers were on strike.”⁴³¹ This action forced the management to immediately withdraw the letter and to re-instate the T.B. Allowance.

Indeed, the report by the Commission of Inquiry stated that, “since the payment of the allowance had become a long standing custom and tradition at the mine, management should have had sufficient consultations with the union before attempting to withdraw it”⁴³² This was to say that, this strike action, which lasted for 13 days and cost the Corporation over six million dollars, could have been avoided if the Corporation had dialogued with the workers.⁴³³ This case in point is one example of how in post-colonial Ghana we continue to witness undertones of British colonial labour practices.

5.3 Approaches to the resolution of labour disputes in Ghana

There is a cliché that history does not exactly repeat itself, but it can inform thinking about current issues. In so far as labour disputes persist in our contemporary society it is imperative that the community as a whole most especially major players in the labour market, draw on past experiences in managing the disputes. As noted in the earlier chapters, effective management of labour disputes enhances the labour markets. An in-depth analysis of the dispute resolution mechanism is undertaken in this chapter. One major industrial disturbance under each political regime was considered.

⁴³¹ Ibid.

⁴³² Ibid, p. 172.

⁴³³ Ibid.

O. Kitching, a labour officer in the Gold Coast in 1949 noted that, “Strikes do not solve difficulties; they are only a means to tackling a problem.” This statement goes to suggest that it is the management of strike that brings about progress in the labour market and not the activity itself. For this single most important reason, workers are always called upon to continue with negotiations with management despite the declaration of strike action. Dialogue has remained the best tool in solving labour disputes in every society.

Under colonialism, the use of force was paramount in dealing with labour disputes. In this state of affair, the police was often relied on to deal with all labour disputes in the colony. They often arrested the ringleaders of the strike or lockout and ordered the rest of the participants to get back to work. Such officers were given prison sentences of several years with hard labour to serve as a deterrent to their colleague workers. The indigenous people detested serving prison sentences because it brought filth to the people involved. The term prison in Akan phraseology is *efiase* literally translated as going under dirt. For this reason, ex-convicts had to undertake certain rituals to cleanse them from such filth before they could be properly integrated into the wider society. This is perhaps the single most important reason why as at now, ex-convicts find it extremely hard to be accepted into the wider society. Workers generally detested this act of dealing with strikes actions and worked assiduously to prevent such government action.

Striking workers were also made to pay heavy fines and advised to be of good behaviour at work over a period of time to merit any promotion in their work place.

On other occasions, they were transferred to remote villages far away from relatives and friends. Despite the range of punishments meted out to workers, the administration recorded an average of seven strike actions of considerable size per annum.

With the establishment of the Labour Department, the colonial government instituted several measures to deal with labour disputes in the Ghanaian economy. First and foremost, the administration directed all government departments to take steps to ensure that officers of government Department's maintained a close touch with their labour.

Furthermore, the colonial administration admonished department heads to allow employees having grievances to ventilate their complaint.⁴³⁴ No obstacle should be put in the way of an appeal from the decision of a department officer to the head of the department himself. That consideration was to be given to the question of dealing collectively with employees. This goes to strengthen the point made in chapter three that emphasis has been placed on dealing with collective disputes to the neglect of individual disputes in Ghana.

Heads of Department of essential services were to ensure that restricted service was carried out in the department in the event of a strike by labour. As noted, the loss of skilled workers to labour strike, the Head of Department was advised to employ the services of Europeans, pensionable Africans and to borrow the services of other departments. The general philosophy relating to the settlement of labour disputes at

⁴³⁴ PRAAD, Kumase ARG. 1/8/2/3 Labour Strikes and Labour Disputes-Government Department, 1929-1945.

least on paper was that the parties to the dispute be encouraged to compose their differences by mutual effort. Since issues relating to working conditions and salaries were major concern for workers, a special provision was made to ensure that such issues were quickly dealt with. The Heads of Departments were enjoined to ensure that labour petitions that related to the above issues were immediately sent to the chief inspector of labour on receipts. In the event of a strike action, the Heads of Department were to immediately inform the police about the event. How the colonial government dealt with members of the Railway Union in 1939 gives credence to the issues raised above. In November, 1938 the Railway workers went on strike to drive home their demand for “the restoration of the 1929 rates of pay, and an increase in the number of pensionable posts.”⁴³⁵

When no reply had been received by the beginning of May 1939, the union threatened strike action. On 9th May “all classes of workers, from the highly paid engine drivers and artisans to the porters and labourers, with the exception of twenty drivers who were on the pensionable establishment, downed tools.”⁴³⁶ Two days later, the governor agreed that the 1929 rates of pay should be restored and promised to establish a board of enquiry to investigate the remaining grievances. But the men refused to return to work, according to the management “intimidated by the ringleaders, until the union leadership had had time to consider the proposals.”⁴³⁷ Led by their general secretary J. C. Vandyck, the members of the union further requested the general manager of the

⁴³⁵ Report of the Labour Department, 1939-40 cited in E. A. Cowan, *Evolution of Trade Unionism in Ghana*, p. 12.

⁴³⁶ Ibid.

⁴³⁷ Report of the Labour Department, 1939-40 cited in Cowan, *Evolution*, p. 14.

Railways Corporation to “recognise the Gold Coast Railway African Workers Union as the body to which all matters affecting the interest of individual workers in his employment should be referred.”⁴³⁸

When the General Manager replied that existing laws did not provide for the recognition of trade unions, the strike continued. Eventually, a demonstration of workers was routed with considerable violence, by the police, and eighteen unionists imprisoned. The reaction of the colonial government was mainly intended to reduce the likelihood of similar occurrences amongst other government employees. As an official report stated,

There were naturally repercussions in other government departments and there were one or two cases where anxiety was caused. Steps were taken immediately to put into effect the decisions of the Wages Board and, so far as possible, to place other departments on the same footing as the Railway. Any danger of a general upheaval died away though it has taken time to settle down, and even yet petitions are being received from Government employees, the principal demand usually being to be made pensionable.⁴³⁹

It must, however be mentioned that the administration did not always rely on the use of violent forces in dealing with labour issues. As has been mentioned earlier on in this work, governor Guggisberg handled the 1921 upheavals with much tact and maturity. His administration worked assiduously to ameliorate the plight of the Ghanaian workers in general.

The colonial administration also relied on the traditional authorities in solving some of the issues relating to labour unrest in the country. This was basically because during

⁴³⁸ PRAAD, Accra, ADM 11/975, Vandyck to General Manager, 15 May 1939.

⁴³⁹ Cowan, *Evolution*, p. 13.

the period of colonisation, the British authority was extremely short of manpower. As a result Ghanaian traditional leaders or rulers played several roles in the settlement of disputes in the Gold Coast. Most often than not, workers relied on the chiefs and local authority to plead their case in reducing the punishment that was to be meted to them as a result of causing a dispute. In some instances, chiefs threw their support behind the subjects as in the case of the cocoa hold-ups in Asante between 1927 and 1938, when farmers and brokers refused to sell cocoa beans to European firms.

In post-colonial Ghana, the political authorities sought to infiltrate the rank and file of the labour unions in order to be able to monitor their activities and avert possible strike actions. On a number of occasions especially during the era of the CPP government force was used to quell labour unrest. It must be mentioned, however, that Ghanaian workers gradually gained rights to negotiations during this period. Labour issues were gradually often handled by the law courts in the country.

5.3.0 Dispute Resolution

Three key principles are to be followed to ensure effective dispute resolution. First, prevention is always better than resolution. Adequate enforcement of labour laws goes a long way to prevent disputes. Second, if dispute is unavoidable, the parties to a dispute ought to attempt to resolve it themselves. Third, if a dispute cannot be resolved, third party intervention sought to involve the disputing parties as much as possible.⁴⁴⁰

⁴⁴⁰ Robert Heron and Caroline Vandenabeele, *Workplace Cooperation: A Practical Guide* (Thailand, ILO, 1999).

New approaches to dispute resolution involve a move away from the court-based procedures and adversarialism and towards alternative non-court approach that emphasises fact-finding, conciliation and arbitration. Thus, the new approaches build on the expertise of industrial relations specialists as opposed to legal experts. There is also growing interest in approaches that place the primary responsibility for the resolution of disputes with the social partners (i.e., management and labour), with the government playing a role of catalyst and resource.

The dominant innovation in many countries over the past half-century has been the introduction of administrative labour tribunals as an alternative to litigation. Typically, legal review of the decisions of these tribunals is available through the court system. A World Bank study of labour dispute resolution in the Dominican Republic found that services offered by the Labour Ministry, either administrative procedures or alternative dispute resolution (ADR) approaches such as mediation, are an effective means of decongesting overburdened labour courts.⁴⁴¹ Another related innovation is “extrajudicial conciliation.” Labour inspectors can hear dismissal claims in order to determine the legality of the dismissal and the amount of wages/severance/welfare benefits due. These inspectors could summon both the employer and employee to appear. This process has been cited as a “good practice” in labour law administration by the ILO.⁴⁴²

⁴⁴¹ Betcherman et al, *Labour Market Regulation*, p. 17.

⁴⁴² ILO (2000b). “Good Practices in Settlement of Individual Labour Disputes: the Case of Chile.” Available at www.ilo.org. 16th February, 2013.

Dispute resolutions outside the courts have several advantages. They can be fast, informal, and simple without requiring expensive technical expertise. As well, they give the parties control of the process; for example, both generally must agree on “neutrals” such as conciliators, mediators, and arbitrators. By definition, ADR is less antagonistic and can preserve working relationships. Since settlements are not usually in the public record, they also protect the privacy of the parties. Some disadvantages, however, exist. One is a lack of transparency. Also, due process considerations including rules of evidence, the right to representation, the right of appeal, and other basic court procedures are not a part of these alternative dispute resolution approaches. However, to address such concerns, some countries and organizations have developed guidelines such as the Due Process Protocol adopted by the American Bar Association to ensure that the rights of each party are protected. Despite these concerns, alternative dispute resolution is largely considered a fair and effective means of resolving employment disputes and reducing the backlog in courts and government-sponsored labour tribunals.⁴⁴³

Introducing Alternative Dispute Resolution may be an appropriate policy option where costs, court backlogs, and complex procedures limit access to the judicial system but it requires careful consideration of many issues: support of cultural and institutional norms; availability of trained mediators; sustainable financing; and adequate legal foundation.⁴⁴⁴ In Ghana, ADR was initiated only after studying of the sources of delay

⁴⁴³ Arnold M. Zack, “Can Alternative Dispute Resolution Help Resolve Employment Disputes?” *International Labour Review*, 136 (1997).

⁴⁴⁴ D. Chigas and D. Fairman, “ADR: A Practitioner’s Guide.” Conflict Management Group, Cambridge, MA, presented at Alternative Dispute Resolution Workshop, World Bank (6th January, 2000).

in the court system.⁴⁴⁵ It must, however, be noted that there exist a lack of trust and co-operation between management and workers and between union leaders and members. Efforts at resolving the labour disputes in Ghana must also be tailored towards building trust between employers and unions. There ought to be a change in the attitude of workers and employers. As noted by Dr. Busia in 1970, the employer must appreciate the fact that the worker is the source of all human necessities and as such he/she determines the standard of living of the population.⁴⁴⁶ **CHAPTER SIX**

CONCLUSIONS AND RECOMMENDATIONS

6.0 Conclusions

The point has been made that the labour market organised production and distribution as an exchange relationship of wages and labour inputs and that suppliers and buyers of “labour” stood opposed. The relationship of competition that has existed in the market necessitated the pursuit of specific rational strategies of demand and supply. The labour market required that employers and employees engaged in continuous and complementary strategic adaptations. This was the only way to harmonise relationship in the labour market.

In the Gold Coast the labour market was characterised by a higher proportion of selfemployed workers as against waged workers. Also within the waged sector most of the workers were unskilled. Similarly, most of all the waged workers in the country were employed by foreign nationals in both the private and public sectors. Ninsin

⁴⁴⁵ N. Shuker, “Judge at the Superior Court of the District of Columbia,” Comments at Alternative Dispute Resolution Workshop, World Bank (6st January, 2000).

⁴⁴⁶ PRAAD, Accra, ADM. 5/4/377. The way of Industrial peace by K. A. Busia, 1970, p. 5.

explained that, Ghana's economy was a dependent capitalist economy and as a result lacked indigenous class of capitalists with the ability to sustain development.⁴⁴⁷ The state power was therefore the only means of promoting and creating conditions necessary for accumulation of capital. The British government therefore had an enormous interest in the country's labour market activities. The state, however, tended to, "act more visibly on the side of capital, in both the economy and politics, and against labour."⁴⁴⁸ The relations between the state and labour therefore became the expression of the changing relations between capital and labour.⁴⁶³

Also, for over 56 years, that is, from 1874 when the Gold Coast was colonised by the British to 1930, no labour laws were passed in the colony. It was in 1931, that the British Parliament instructed the Secretary of State for colonial affairs to issue the "Orders in Council" to colonial governors to encourage formation of trade unions.⁴⁶⁴ The first Labour Advisor to the Secretary of State for the Colonies was appointed in 1936. In fact, up until the beginning of World War II, the labour market was to a large extent unregulated. Upheavals that affected the labour market prior to the war such as the cocoa boycott, 1937-38, resulted in the erection of industrial relations machinery, enactment of labour laws, creation of Labour Departments (1945), and appointment of Labour Inspectors. The number of Labour Ordinances and Laws enacted to regulate the activities of labour as well as employers included:

- The Conspiracy and Protection of Property (Trade Disputes) (Cap 90)
- The Trade Unions Ordinance (Cap 91)
- The Trade Unions (Amendment) Ordinance, 1953 (No. 19)
- The Trade Unions (Amendment) Decree, 1966 (NLCD 110)
- The Trades Disputes (Arbitration and Inquiry) (Cap 93)
- The Industrial Relations Act, 1965 (Act 299)

⁴⁴⁷ Hansen and Ninsin, *The State Development and Politics in Ghana*, p. 32.

⁴⁴⁸ Britwum, *Sixty Years*, p. 41.

- The Industrial Relations Act, 1965 (Amendment) Decree, 1967 (NLCD 189)
- The Labour Decree 1967 (NRCD 157)
- The Labour (Amendment) Decree, 1967 (NLCD 212)
- The Labour (Amendment) Decree, 1969 (NLCD 331)
- The Labour (Amendment) Decree, 1969 (NLCD 342)
- The Labour (Amendment) Decree, 1969 (NLCD 368)
- The Industrial Relations (Amendment) Decree, 1972 (NRCD 22)
- The Labour (Amendment) Decree, 1973 (NRCD 150)
- The Labour (Amendment) Decree, 1976 (SMCD 33)
- The Labour (Amendment) Decree, 1976 (SMCD 42)
- The Public Service (Negotiating Committee) Law, 1992 (PNDCL 309)

⁴⁶³ Ibid.

⁴⁶⁴ Ibid.

In colonial Ghana, only three Labour Acts were enacted. The Ordinances enacted were mainly to help give the government control over activities in the labour market.

These laws had their limitations and Cowan complained that:

this seemingly generous gestures of handing over trade unionism on a gold platter to the “natives” look more like window-dressing to justify the rule of the imperialist government as very benevolent, all conspired to militate against the progressive growth of trade unions in Ghana.⁴⁴⁹

Similarly, Panford explained that the colonial labour laws imposed administrative impediments and severely limited the ability of trade unions to operate freely.⁴⁵⁰ All the enactments mentioned above have been repealed and replaced with the Labour Act, 2003 (Act 651). The Act established the legal framework for harmonising the relationship between employers and employees in Ghana.

⁴⁴⁹ Cowan, *Evolution of Trade Unionism in Ghana*, p. 23.

⁴⁵⁰ Panford, *African Labour Relations and workers' Rights*, pp. 72 – 82.

In post-independent Ghana, the posture of the State in the labour market was not different from that of the colonial authorities. Up until the World Bank and IMF introduced the SAP in 1983, the state employed 70% of waged workers.⁴⁵¹ The State was a major force in the labour market as it was the single highest employer of workers in the country. Some governments, especially the Nkrumah-led CPP government infiltrated the rank and file of the labour unions in order to have some control over their activities. Thus, the Ghanaian state, right from colonial rule set itself the task of defending owners of capital. On the supply side, workers formed coalitions in the labour market to press home their demands. Workers were active participants in all the processes in the labour market.

Working conditions under colonial rule were to a large extent oppressive. There was little or no provision for labour to table their grievances to the State authorities. The colonial authorities used the Police Force to intimidate and crush all forms of collective labour agitations. This was meant to keep workers silent on issues that negatively affected their living standard. The policy also ensured that the British authorities were able to effectively exploit the local resources without much resistance from the indigenous population. Wages of workers were to a large extent kept at lower levels. This affected the worker's ability to save and thus reduced the tendency for labour to resort to strike action for fear of losing one's job, hence lowering their standard of living. Also, workers spent long hours at work, which meant reduced hours of leisure for recuperation.

⁴⁵¹ Britwum, *Sixty Years*, p. 11.

In Ghana, working conditions showed some improvement over what existed in colonial Ghana. A number of avenues existed for workers to seek redress on issues that affected their living standard. This was partly due to the fact that the labour unions formed had gradually asserted themselves to be able to demand for better conditions of work. In general, the average wage rate of civil servants was higher than that of their counterparts in the private sector, despite the fact that, until 1992 civil servants had no collective bargaining instrument. They also had better job security.

Also, women were mostly employed in the informal sector of the economy where they enjoyed some level of flexibility. This allowed them to combine work with family responsibilities. However, those in wage employment also enjoyed maternity protection which, to a large extent, helped them to balance work and family responsibilities. Employment of Women Act, 1913 was the first legal provision that set the tone for employment of women in Ghana. In the formal sector, women were mainly employed as nurses, teachers and to some extent clerks. Up until the 1950s, women who got married while in active service were expected to leave their employment.⁴⁵² Those who got pregnant out of wedlock were also relieved of their duties. As a result some of these workers decided not to marry. Others entered into late marriages especially nurses and teachers in Ghana. Also, those who had children often tended to have smaller family size.

The growth of labour unions, led to improvements in the working conditions in the country. Workers continuously brought pressure on the owners of capital to ensure that their working conditions were improved. Workers were much successful in ensuring

⁴⁵² Discussion with W. J. Donkoh at her Office, KNUST, on 16th October, 2011, Age: 50-60 years.

that the working hours were reduced to a standard eight hours per day. Unions were also given collective bargaining agreements that allowed them to negotiate on working conditions with their employers. This led to a gradual improvement in the average wage rates paid in the country. Apart from those in the essential services, all workers in Ghana have collective bargaining arrangements which allowed them to bargain on conditions of work with their employers.

On the development of trade unions in Ghana, some scholars argued that trade unions in Ghana were developed akin to that of the British trade unions. They emphasised the role that British trade unionists such as I. G. Jones played in the development of trade movements in Ghana to the neglect of local participants.

However, this study has shown that Ghanaian workers were active participants in the development of trade union movements in the country. For instance, the Meteorological Services Department had to embark on a long period of strike in order to gain recognition as a trade union in Ghana. It has also been established that, prior to the recognition of trade unions by the colonial authorities in 1941 labour groupings in the colony formed coalitions to improve their welfare.

Under British colonial administration, there was a development of multiplicity of trade unions in Ghana. As noted, a minimum of five persons could form a labour union and that led to the springing up of many trade unions in the colony. This development was very much detrimental to the growth of unions in the country. Due to the multiplicity of unions, there was rivalry between the labour unions in the country. It also rendered the unions ineffective due to the fact that membership size was small. However, the

ability of unions to influence the decisions of employers depended, to a large extent, on the strength of the union in terms of membership.

Also, the first labour Ordinance that established the legal basis for the registration of trade unions in Ghana only allowed junior workers to form trade unions. This provision adversely affected the development of labour unions in the country since it made it difficult for effective organisation of the workers. It was Section 45 of the Civil Service Interim Regulation enacted in 1960 that allowed both junior and senior staff to join trade unions.

Other obstacles that militated against the formation of trade unions in the country included the non-existence of non-agricultural wage-earners in the colony until after World War II; the small size of businesses that existed and the fact that those businesses were highly dispersed; short term migrant character of the labour force and the existence of surplus labour condition. In the mines, for instance, workers organised themselves according to their traditional system. Each ethnic group was led by their „headman“ who acted as their intermediary with the management.⁴⁵³ Such a system had to be shut down in order to pave way for the formation of strong trade unions.

The study also brought to the fore attempts by various governments in the postindependence era to infiltrate the rank and file of the trade union movements in Ghana. It must be mentioned that, this culture was inherited from the colonial authorities. The practice resulted in the political colourisation of trade unions in the country. The development has over the years affected the growth and progress of trade

⁴⁵³ Jeffries, *Class, Power and Ideology*, p. 27.

unions in the country. It created a culture of doubt within the rank and file of unions about the union executives. As a result, union membership at some point in time questioned the intentions of their leadership in fulfilling their mandate of improving the welfare of the union members. This development as indicated in chapter four of this study has had a very negative impact on membership and growth of labour unions in the country.

The formation of the Ghana Trade Union Congress, to a large extent, helped in solving some of the problems associated with the growth of the labour unions in Ghana. The association embarked on a massive campaign to increase trade union membership in the country. They drew up programmes to encourage the formation of trade unions especially in the informal sector of the economy where the majority of the labour force in Ghana is employed. This has helped to improve workers' participation in decision making in the labour market. It has also led to an improvement in democracy at the work place.

Workers in Ghana, especially waged workers, used strike as a major tool in their demand for better working conditions. The development was as a result of the chequered history of non-existence of proper mechanisms to dialogue on major issues concerning their welfare with employers. Workers have over the years embarked on industrial action on various issues such as; arrears of pay approved by the government and management; the implementation of existing collective agreements; payment of government sanctioned minimum wages, improved working conditions; the removal of corrupt/incompetent management, unlawful dismissal and unilateral decisions by management toward workers. Throughout the history of workers in Ghana, these issues

have persisted leading to a number of strike actions and their effect on the growth of the economy. The conclusion has been drawn that, Ghanaian workers have been considerate in their demands for better working conditions.

The mode of strike has changed over time; however, there are still pockets of the old methods practised in some organisations. The most dangerous forms of strike actions used by workers, especially during the period prior to independence, were the work-to-rule (go slow) and the sit down. These were most often spontaneous actions taken by workers against their employers. It was mainly as a result of the fact that strike was considered illegal during the colonial period. During the period the police was used to heavily clamp down strike actions. Also, people who were perceived to be leaders of strike actions faced sanctions ranging from arrest and imprisonment to transfers to remote districts.

In the Gold Coast, individual labour disputes were prominent. This was because the development of labour unions was in its teething stage. During the period, workers sought the intervention of chiefs in resolving disputes with management. This often led to swift resolution of labour disputes. With time, the courts were empowered to deal with labour disputes. As a result a number of the disputes ended up in the law courts and these tended to delay the processes of resolution of labour disputes. As collective disputes became prominent after independence, the use of the courts to resolve disputes proved much more problematic in terms of the period of time used to resolve the issues. The State as an employer set up various committees to look into some of the issues raised by workers and to resolve the issues. The development led to

the formation of the National Labour Commission with the mandate of resolving labour disputes in the country. To a large extent the dispute resolution mechanism put in place by the commission has been successful in managing disputes in the country.

The study revealed that the more the number of labour force that move into the middle income status, the lesser their willingness to partake in union activities especially in supporting a strike action. Therefore the government must endeavour to improve the economic conditions in the country to prevent workers from going on strike. Also, the concept of equal pay for equal work (Section 24 of 1992 constitution) must be fully implemented to bring harmony in the labour market.

It is recommended that the decision to go on strike must be supported by 2/3rd of a company's workers before such action can begin.

6. 1 Recommendations for further studies

The study focused on the wage workers in Ghana who were mostly employed in the government departments. It is recommended that a further study be conducted in the predominantly non-waged sector of the economy to improve the literature of the labour market.

There is, however, the need for a study to be conducted into the structure of the Ghana TUC to determine its effect on the development of trade unions in the country. Such a study would bring to the fore, for instance, why the political department of the unions was closed down in 1996.

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