Historical Appraisal of Military and Civilian Governments Intervention and Contributions to the Growth of Industrial Relations in Nigeria

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Abstract
Governance differs in approaches, methods and policy focuses because they are guided by different administrative and philosophical orientations. The resultant shifts in government policies and programs have consequences on all aspects of the country’s socio-economic, political and technological development. Industrial relations constitute one of the most delicate and complex problems of the modern society which merits national concern for proper examination and balancing. Tracing government intervention in Nigerian industrial relations, this paper weighs the contributions of military dictators and their civilian counterparts to the growth of Nigerian industrial relations. With an historical account of how government’s principle of voluntarism metamorphosed into principle of interventionism, the paper identifies and quantifies policy actions of both military and civilian governments which significantly, contributed to the Nigerian model of industrial relations today. Despite the worldwide condemnation of the military for its involvement in industrial relations politics, its achievements outweigh that of its civilian counterparts. It is, therefore, recommended that being the most desirable form of government, the Nigerian civilian government should be more pragmatic in policy formulation and implementation that is capable of ensuring long-lasting harmonious industrial relations while curtailing acrimonies and rifts in industrial relations.

Keywords: Civilian Government, History, Industrial Relations, Interventionism, Military Government, Voluntarism,

Introduction
As at January, 1914 when the southern and northern protectorates were amalgamated to mark the birth of Nigeria as a nation, industrial relations was not of note in Nigeria till the 1920s. The late start of industrial relations as an activity in most less developed countries (LDCs) may be explained largely by the late experience of industrialization and sometimes commercialization in their economies (Fajana, 2006). However, since the birth of Nigeria, various administrators, ranging from colonial, military to civilian governments have paddled the canoe of the nation’s affairs. According to Yesufu, cited in Obasi (1999), the industrial relations system of various economies are more meaningfully differentiated on the bases of two major philosophical

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underpinnings, the democratic framework and autocratic model. Since governments of different era are guided by different administrative and philosophical orientations, their approaches, methods and policies defer, necessitating unavoidable shifts in policies and programmes. The resultant periodic changes in power definitely tell on all aspects of the Nigerian socio-economic, political and technological development including industrial relations. Hence, after a century of existence as a nation, and close to six decades of existence as a sovereign state, it behooves on Nigerians to begin recounting the course of events in the country so that they can begin to put national affairs in a right perspective and footing. Since industrial relations constitute one of the most delicate and complex problems of the modern society, it has grown to merit such national concern for proper examination and balancing.

It is against this backdrop that this paper, in retrospection, attempts at weighing the contributions of the military dictators and their civilian counterpart in the growth of industrial relations with a view to develop labour and industrial relations policy guidance for future direction. The intention is neither to point accusing fingers on bad policies nor praise good ones, but to enlist and weigh government policies that have contributed to the growth of industrial relations in Nigeria.

In this paper, the term government contribution shall be considered as any meaningful government policy formulation and implementation, whether considered good or bad, whether tangible or intangible, which, in its effects, has significantly influenced the industrial relations modus operandi and which has formed a major part of what is today known as the Nigerian model of industrial relations. On the other hand military government shall be deemed as a form of government exercised by the use of force, violence or that which came to power through coercion. Civilian government in its own case is considered as a form of government that comes to power through a democratically elected process.

**Government as Concerned Party in Industrial Relations**

When examining to ascertain which of the military and civilian governments contributed to the growth of industrial relations in Nigeria, a fundamental question must be asked and answered: how did employment relations metamorphose into an arena where government participatory roles become inevitable? Naturally, activities in the place of work and the ensued interactions, actions and inactions therein are solely that of who seeks to take job and who makes it available both of whom are bonded by contract of employment. In other words, employment relationship in its natural form is strictly bipartite having to do with only the day-to-day relationship between the employers and the employees. What then is the interest of the government in industrial relations?

Dunlopian perspective on actors in industrial relations postulates that industrial relations comprises of people who have different stakes to jointly safeguard in the contractual employment arrangement and who, in spite of the symbiotic relationship between them, were exposed to heterogeneous experience, carry in their heads, different and sometimes opposing ideologies, and guided by antagonistic orientations (Dunlop, 1958). The resultant dialectics, no doubt, affects the way and manner in which they perceive the world of work, the approaches they adopt in dealing with one another and in addressing issues therein. Such incongruity and tension
emanating from the day-to-day work related activities in various organisations have significant impact on individuals, and groups, the institutions and the communities where they are located. Since organisations are microcosms of the society, whatever transpires therein has dire effects on the inhabitants of the larger society. This position is well established by Dunlop (1958) in his system theory of industrial relations when he postulates that industrial relations is, in itself a system, and a sub-system of the larger society just as other subsystems as economy, law, polity, religion, family, among others. This means that industrial relations system, being a sub-system of the social system, along with other sub-systems, function interdependently towards the effective functioning of the larger social system -society. A dysfunction, which is not to be confused with non-function, of a particular industrial relations subsystem disrupts the social structure and functioning of the larger society and consequently tell on inhabitants therein.

Since industrial relations is inherently and characteristically conflicting, with potent tendency to disrupt the social structure and functioning of the larger society, the state whose number one objective is to cater for the citizens; protect lives and properties while defending the territory against both internal and external aggressions, understandably comes into play in industrial relations. The role of government is to guide and regulate the affairs of labour unions and their employers in the interest of the state and the general public, which is usually done through its various ministries and agencies. The role of government is also well captured in Fajana (2006) when he states that:

In pre-industrial societies of the now developed countries, the state was in most parts, a branch of the economic system as merchants. But as distinct industrial class emerged, the state’s role shifted to legal regulation of hours and conditions of work. Subsequently, as government assumed overall responsibilities of the economy, the role of the state had expanded to include co-ordinations of the activities of employers, employees, political parties, etc. In the newly developing countries, the overall impact of the state is on a far greater scale than at the dawn of industrialization in the now industrialized West. The omni-present role of the state in industrial relations in the Third World has been dictated by the development needs of their economies, as anxiously perceived and pursued by their leaders... The LDC (Less Developed Countries), eager for rapid industrial development, would understandably want to exercise reasonable control so that the actions of other actors in industrial relations do not retard the pace of economic development.

Hence, it is with the intent of ensuring harmony, orderliness and tranquility in the institutions of industrial relations, capable of fast-tracking the pace of development and welfare of citizens in the state that the government intervenes. Without doubt, the intervention of government, whether military or civilian, has some contributory effects on the growth and development of institutions of industrial relations in Nigeria. It is through such interventions that the state tries to ensure that industrial relations policies and practices are consistent with social and economic development objectives which are rooted in profit maximization via capital accumulation (Obasi, 1999).

**Government Intervention in Industrial Relations: from Voluntarism to Interventionism**

Though, industrial relations emerged in the late 18th century with the advent of industrial revolutions in Britain, the activity seemed not in existence in the traditional Nigerian society. What existed among the indigenous Nigerians in those days was purely an agricultural system of work and family was a unit of production. In this earlier time, and to an extent presently in some
rural areas, labour services were rendered on family agricultural farms and no wages was paid. Extra farm labour was seldom hired and in such cases, payments were made in kinds, i.e., in terms of food, clothing and shelter (Fajana, 2006). There was division of labour as the father being the head of the family, hunted for animal, the mother gathered fruits and vegetables, while the children handled house chores like sweeping, cooking and sometimes fetch water with the mother. According to Iwuji, cited in George, et al, (2012), the employer/family head was at his discretion all-in-all as he determined the reward system, recruitment, selection, promotion, and not necessarily based on merit or seniority; he provided food, housing and security for all the employees (mostly family members) and even determined when they would get married and to whom.

Industrial relations began to surface in Nigeria with the emergence of Southern Civil Service Union (SCSU) in 1912 which was probably formed for social and economic protection of members of the colonial public services and later changed its name to Nigeria Civil Service Union (NCSU) after the amalgamation of the protectorates in 1914 (Ogunyomi, & Kolawole, 2003). There were also the formation of two other unions- the Railway Workers Union (RWU) and Nigeria Union of Teachers (NUT) in 1931 and lastly the formation of Marine Workers Union (MWU) in 1932 (Fasoyin, 1986). These were the main unions operating in Nigerian industrial relations and became legalized with the promulgation of the 1938 Trade Union Ordinance which gave legal recognition to any five groups of workers in unionism (Akinbode & Ebeloku, 2010)

Before the passage of this law, the four unions were operating on the bases of mere workers association or more like bread and butter unions while the colonial government turned a carefree attitude towards industrial relations. This was probably because the number of employers then was insignificant as industrial organisations were not very many. The participation of government could then be described as a ‘laissez-fair doctrine’ and on ‘voluntary’ basis (Obasi, 1999). However, the activities of the union became more prominent and disturbing as their activities collided with the quest and struggle for independence. Hardly would anyone find a trade union leader who, by then, was not a nationalist. Trade disputes between employers and labour unions became aggravated and a thorn in the flesh of colonial government. The colonial government, still informed by the principle of voluntarism, intended to curb these disturbing union agitations, passed into law the Trade Union Ordinance in 1938 which came into effects on April 1st, 1939. The purpose of this law was to guide and regulate the affairs of trade union members and consequently, the law changed the face of industrial relations for all British colonies like Nigeria. It gave all workers freedom to unionize and, for the purpose of collective bargaining, compel employers of labour to recognize the unions as partners in progress (Ogunyomi, & Kolawole, 2003). The colonial administrators were non-partisan to trade unionism and industrial relations, and participation was basically on principle of voluntarism.

The reason for such principles of voluntarism of the colonial administrators was not far-fetched. According to Egbo cited in Obasi (1999), under the doctrine of voluntarism, the employers and labour union have reasonable latitude to determine their own affairs within a framework
established by the state as indicated in the laws. Hence the doctrine emphasized the freedom of labour and management to determine, as much as possible, the conditions under which labour will work as well as other issues of labour relations. It is based on a theory that those closest to industry are in best position to solve any problem arising from labour and management relations (Obasi, 2009) This philosophy guided the orientation of government from inception till Nigeria gained independence in 1960.


As a colony of Great Britain, the main feature of Nigerian industrial relations system was *voluntary machinery* inherited from the colonialists and which guided the affairs of parties to employment relations from 1960 till the advent of civil war in 1967. A year after the beginning of the war, the Nigerian military government observed that, with the hostility of the civil war, people were continuously killed on trivial issues based on the aggression on ground. Thus, the government introduced a statutory means of conflict resolutions in 1968, the promulgation of Trade Dispute (Emergency Provisions) Decree No.21, of 1968 which marked the beginning of a truly *interventionist policy* on the part of Nigerian government (Obasi, 1999). The interventionist policy became more manifest, when in 1969, strikes and lockouts were banned and arbitration was made compulsory under the Trade Dispute (Emergency Provisions Amendment) Decree No.53 of 1969.

Between 1970 and 1975 there were series of problems among the existing trade unions in Nigeria emanating from ideological differences among the Nigerian trade union leaders. The lingering allegations and counter-allegations against trade union leaders provoked the Federal Government of Nigeria under General Obasanjo to adopt what it called New National Labour Policy in 1975. By this, government interventionist policy took a new turn and crystalized into what is called ‘*principle of limited intervention and guided democracy*’. This new policy stressed the undisputed right of government to intervene in the affairs of labour and management relations (Fasoyin, 1986; Fajana, 2006). Ever since the adoption of the New Labour Policy of guided democracy, successive governments had been intervening fully in industrial relations, majorly, to root-out radical and militant unionism (Obasi, 1999). For instance, following the inter and intra-union crises that erupted in Nigeria, the then Minister of Labour, General Henry Adefowope, had come out on air to proscribe all trade unions, banned trade union activities in Nigeria for a period of time and set up a committee to look into trade union matters.

This five-men panel, headed by Justice Duro Adebiyi of the Lagos High Court, was to examine trade union activities in Nigeria and recommend the way-forward on how government could tackle the inter and intra-union conflicts that were disturbing the peace of the nation. The following were the major recommendations of the committee.

1. Eleven labour leaders including Pa Michael Imodu and Wahab Goodluck were to be banned from participating in trade union activities in Nigeria.
2. That the trade union movement should be structured along industrial axis while the number should be reduced significantly.
3. That there should be one central labour movement across the federation
4. That there should be a demarcation or classification between junior and senior staff in terms of membership of unions, and
5. That the check-off dues must be automatic.

These recommendations automatically became government white paper. After this, government appointed Micheal Abiodun as the sole administrator between 1976 and 1978. He particularly did the trade union restructuring in 1978, reducing the number of trade unions from 1000 to 42 industrial unions with the Nigeria Labour Congress (NLC) being the Central Labour Organisation (CLO). It seemed palpable that the multiplicity of trade union organisations that were characterized by ideological divisions, ethnic chauvinism and unhealthy rivalries led to the formation of the NLC. Since a united effective central labour organisation failed to emerge under the inherited tradition of voluntarism, unity then came to be forced by a decree under the military regime of Obasanjo (Yesufu, 1984). The principle of voluntarism inherited from the Great Britain, by this time, had been totally abandoned in favour of interventionism.

With the emergence of economic recession of the 1980s, government had been very dominant in playing its interventionist roles. Obasi (1999) makes a crystal explanation on the emergence of interventionist policy at its peak:

> With economic recession, government imposed a wage freeze and occasionally promulgated one labour decree or the other. This was in addition to the fact that a wage determination process in the public sector was largely characterized by unilateralism- a situation in which government fixed wages by unilateral administrative decisions rather than by collective bargaining process. Further its proclivity towards proscribing one labour union or the other, was no doubt a major shift from limited intervention and guided democracy to unlimited interventionist policy.

It appeared that the urgent need to ensure peace necessary for capitalist development is a dominant factor explaining the interventionist role of the state. It is also for the same reason that government introduced the statutory means for conflict resolutions so that peace can, at least, reign. This process had begun since 1976 and lasted till 1978 when trade union restructuring was introduced. It is also during this period that Product, Price, and Income Board (PPIB) also came to the fore as well as the National Industrial Court (NIC) (Kester, 2006; Akinbode & Ebeloku, 2010). Michael Imoudu Institute of Labour Studies was also established in 1978. In fact Fasoyin (1986) observed that by and large, the government has dictated what forms industrial relations took within the socio-political and economic frame work in the Nigerian society.

**The Civilian Government (1999-till date)**

In discussing the Fourth Republic which began in 1999, there is need to recall the civilian administration of President Sheu Shagari between the years 1979 to 1983 for the Second Republic. Although the issue that led to the promulgation of the law had been a debate since 1974 under the military government of Yakubu Gowan, the Pensions Act was enacted in 1979, and later amended in 1990 with subsequent amended by the Pensions Regulations of 1991 and Pension Reform Act of 2004 (Aborishade, 2008), it provided for benefits in terms of gratuity and pension payments. Gratuity is a single, lump sum payment while pension is a periodic payment, normally on monthly basis for life. The scheme was a compulsory and non-contributory one,
which created a right to monetary collection by public servants and an obligation on the part of
government to make payment (Aborishade, 2008).

By 1999, the story had changed because of the return of democracy. However government still
promulgated a New Trade Union (Amendment) Act of 2005 which was claimed to be an attempt
to recognise the independence of unions and freedom of association. This amendment, according
to Abu (2007) has been said to be politically motivated because government considered the NLC
as constituting itself into an opposition party that must be crushed since there was no provision
for it in the 1999 constitution. Be that as it may, there seems to be no much notable issues in the
development of Nigerian industrial relations from this stage till now.

**Appraisal of Government Contributions to Industrial Relations**

From the historical account given above about the participation of governments, both military
and civilian, in the practice or conduct of industrial relations in Nigeria, certain policy thrust and
actions are notable which have contributed to what is accepted today as the Nigerian model of
industrial relations. Ten of these policy actions and implementation are presented in tabular form
for easy comparison between civilian and military’s effort towards the growth of industrial
relations. It is worthy of reiteration that the intention in this paper is neither to point accusing
finger on bad policies nor praise good ones; its intention is to enlist these government policies as
contributory variables in the growth of industrial relations in Nigeria.

**Table 1: Notable Policy Actions of Military and Civilian Governments since Independence**

<table>
<thead>
<tr>
<th>S/N</th>
<th>Government Contribution in Industrial Relations</th>
<th>Policy Year</th>
<th>Government of the Time</th>
<th>Significance of Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction of the statutory means of conflict resolutions</td>
<td>1968</td>
<td>Military</td>
<td>This policy institutionalised conflict resolutions in Nigeria till date.</td>
</tr>
<tr>
<td>2</td>
<td>Introduction of compulsory arbitration under the Trade Dispute (Emergency Provisions Amendment) Decree No.53.</td>
<td>1969</td>
<td>Military</td>
<td>Research has found conciliation as the most widely adopted means for conflict resolutions.</td>
</tr>
<tr>
<td>3</td>
<td>Introduction of the New National Labour Policy and Guided Democracy</td>
<td>1975</td>
<td>Military</td>
<td>By this policy, government interventionist policy took a new turn and crystalized into what is called ‘principle of limited intervention and guided democracy’. This new policy stresses the undisputed right of government to intervene in</td>
</tr>
<tr>
<td></td>
<td>Event</td>
<td>Year(s)</td>
<td>Type</td>
<td>Description</td>
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<td>---</td>
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<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4</td>
<td>Appointment of Micheal Abiodun as the Sole Administrator between 1976 and 1978.</td>
<td>1976</td>
<td>Military</td>
<td>The Sole Administrator particularly did the trade union restructuring in 1978 reducing number of trade unions from 1000 to 42 industrial unions with the Nigeria Labour Congress (NLC) being the Central Labour Organisation (CLO).</td>
</tr>
<tr>
<td>5</td>
<td>Product, Price, and Income Board (PPIB) also came to the fore</td>
<td>1976/76</td>
<td>Military</td>
<td>This policy has been found to undermine the principle of collective bargaining in Nigeria.</td>
</tr>
<tr>
<td>6</td>
<td>Establishment of the Industrial Arbitration Panel (IAP) and National Industrial Court (NIC)</td>
<td>1976</td>
<td>Military</td>
<td>These panel and court have been influential parties in shaping the affairs of industrial relations in Nigeria.</td>
</tr>
<tr>
<td>7</td>
<td>Trade Union Restructuring</td>
<td>1978</td>
<td>Military</td>
<td>This has significant impact on unionism and affiliations in Nigeria till date</td>
</tr>
<tr>
<td>8</td>
<td>Michael Imoudu Institute of Labour Studies was also established in 1978</td>
<td>1978</td>
<td>Military</td>
<td>This institute is the first institute of labour studies in Nigeria.</td>
</tr>
<tr>
<td>9</td>
<td>Pension Reform Act was promulgated in Nigeria</td>
<td>1979</td>
<td>Civilian</td>
<td>This law seeks to protect the retirement benefits of the senior civil servant in Nigeria.</td>
</tr>
<tr>
<td>10</td>
<td>New Trade Union (Amendment) Act of 2005 which was claimed</td>
<td>2004/05</td>
<td>Civilian</td>
<td>This amendment seeks to secure the citizens’ freedom of association even as scholars found this rebuttable.</td>
</tr>
</tbody>
</table>

**Conclusion and Recommendation**

Although military incursions in industrial relations politics have received worldwide condemnation, it is evident from the above table that their contributions in the growth and development of industrial relations in Nigeria outweigh that of civilian. The military governments seem to be an unwanted evil who has, from history, become agents of notable
growth and development of industrial relations in Nigeria. Being the most desirable form of government, it can only be recommended that the Nigerian civilian governments should, at least, prove to all Nigerians that they are actually up to the task by formulating development-oriented policies and ensure that such are implemented to the letter. Being in existence as a nation for a century, and as a sovereign state for close to six decades, it becomes more than necessary for civilian governments to be more pragmatic in their performance towards formulating policies capable of ensuring long-lasting harmonious industrial relations in a manner that all forms of acrimonies and rifts in industrial relations will be controlled and curtailed to the barest minimum. It is also noteworthy that the 2005 Trade Union (Amendment) Act, which was intended to promote freedom of association among all Nigerian workers has its shortcomings as Scholars perceive this policy amendment as an orchestrated plan of civilian government under Olusegun Obasanjo to weaken the trade unions in Nigeria especially the vibrant NLC. It is necessary that civilian government should concentrate on providing enabling environments where adequate recognition will be given to trade unionism in Nigeria and formulate policies that will aid trade union promotion and recognition by employers and states. This can be done by aiding union autonomy as was established by the British colonial masters who promulgated the first trade union laws in 1938.
References


