

# The Master and Servant Ordinance and Labour Shortages in the Gold Coast

Suleman Lawani

Centre for Studies in African Development

Regent University College of Science and Technology, P.O.Box DS1636, Dansoman, Accra

## Abstract

In the 1900s the Gold Coast experienced acute labour shortages. The complain of the non-availability of wage labour came from all sectors of the Gold Coast economy. The colonial government complained, so was the capitalist entities represented mainly by the mining companies. The colonial government and commercial enterprises resorted to other avenues for recruiting labour. These included forced recruitment in the Northern Territories of Ghana, Nigeria and even experimentation with Chinese Labour. I argue that in the 1920s colonial labour policies and recruitment drive failed to ensure adequate supply of wage labour because of the failure of employers to adhere to the principles of resolving labour disputes enshrined in the Master and Servant Ordinance 1877.

**Keywords:** Master and Servant; Labour Shortages; Wage labour; Gold Coast; Slaves

## 1. Introduction

The Gold Coast experienced several revolutionary changes when it was declared a British colony in 1874. Politically, the institutions and structures of British colonial administration took shape during this period. The executive, legislative councils and the judicial arms of government became strengthened. Economically, the period saw the maximum exploitation of the raw materials of the Gold Coast. This exploitation of the natural resources of the land ensured the development of a transport system of roads and railways. It also led to the introduction of currency and banking. Socially, there was the spread of Islam, Christianity, medical practices and western education. Although these were activities that missionaries engaged in before colonial rule, from 1874 the colonial government increasingly became interested in these social activities. A major revolutionary change in the social settings of the Gold Coast concerned labour. Governor George Cumine Strahan proceeded from 1874 to abolish slavery and slave dealing in the Gold Coast.<sup>1</sup> He accomplished these with two Ordinances, “The Slave Dealing Abolition Ordinance, 1874” and “The emancipation of Slaves Ordinance, 1874”. Under the second enactment, all slaves were declared free on 5<sup>th</sup> November, 1874.

The impact of the abolition of slavery has been a subject of discussion in several literature. Most scholars have argued that the abolition and emancipation ordinances had little effect on the institution of slavery or on the socio-economic or political status quo in the late nineteenth century Gold Coast.<sup>2</sup> However, servile response to emancipation was widespread, spontaneous and massive. Accounts of the Basel Mission indicate that in most areas, slaves left their masters upon hearing of the emancipation proclamation.<sup>3</sup> The Basel missionaries on several occasions manumitted slaves and also helped emancipated slaves to resettle by way of training. Indeed mission stations, particularly in Kukurantumi and Anyinam became places of refuge for runaway slaves<sup>4</sup>

In abolishing slavery, there was the hope that there would be a smooth transition from servile labour to the nascent wage labour category that had emerged in the Gold Coast.<sup>5</sup> This transition was necessary for the

<sup>1</sup> Slavery and slave dealing has been part of Gold Coast for a longtime. In 1807 the British government abolished the Trans-Atlantic Slave trade, an international trade that involved the buying and transportation of African slaves from Africa to several parts of the Americas. Then again, in 1833 the British government abolished slavery as an institution. For further discussion of slavery and its abolition see: Akosua A. Perbi, *A History of Indigenous Slavery in Ghana from the 15<sup>th</sup> to the 19<sup>th</sup> Century* (Accra: Sub-Saharan Publishers, 2004); Gerald M. Mcsheffrey, ‘Slavery, Indentured Servitude, Legitimate Trade and the Impact of Abolition in the Gold Coast, 1874-1901: A Reappraisal’, *The Journal of African History* vol. 24, No. 3 (1983) pp.349-368

<sup>2</sup> See W.W. Claridge, *A History of the Gold Coast and Ashanti*, (2 Vols. London, 1915), II, 177-86; David Kimble, *A Political History of Ghana: 1850-1928* (London, 1953), 303-4.

<sup>3</sup> The Basel Mission have had a long presence on the Gold Coast and campaigned vigorously against slavery and pawing. Its pre-colonial campaign consisted of buying and freeing slaves or rescuing pawns from bondage by the payment of their debt. Sources of the Basel Mission has contributed greatly to understanding servile reaction to the emancipation proclamation, especially in the eastern province of the Gold Coast. This is because the mission receive several runaway slaves as a result of the proclamation.

<sup>4</sup> R. Addo-Fening, *Akyem Abuakwa 1700-1943: From Ofori Panin to Ofori Atta* (Trondheim: Norwegian University of Science and Technology, 1997) p. 194

<sup>5</sup> F. Cooper, *Decolonisation and African society: the labour question in French and British Africa* (Cambridge: Cambridge University Press, 1996) p. 26

survival of the legitimate economy of the Gold Coast. However, the emancipation proclamation did not necessarily boost the supply of labour for wage employment. Some emancipated slaves preferred rather to stay in their master's house under special arrangement or voluntarily aligned themselves to the court of an influential chief.<sup>1</sup> Per this arrangement the master or the influential chief provided shelter, clothing and food while the manumitted individuals offered services on farms, fetched water and wood for him. Some emancipated slaves went into farming, while others preferred to migrate and work in the cocoa farms of Asante.

## 2. Methodology

This paper is qualitative and relied on the orthodox approach to historical enquiry that combines primary archival data and secondary sources. Colonial records on labour issues were sourced from the Public Records Administration and Archives Department (PRAAD) in Kumasi and Accra. Information gleaned from the records of PRAAD were used to enrich, evaluate and supplement information gotten from secondary sources like books and journals.

## 3. Context

The refusal of the African to willingly go into wage labour has been explained in so many ways. The conventional view which has persisted includes the perception that the African was a target worker.<sup>2</sup> It is argued that the African enters wage employment for limited end. That is, to obtain enough money to pay his taxes, to purchase a bride, to buy a bicycle or shirt. Immediately these ends are fulfilled he finds no value in work. Also the African worker was highly inefficient, lazy and absented himself from work regularly as compared to the other races.

The availability of land also aggravated the problem of the shortage of wage labour.<sup>3</sup> Most slaves had easy access to land and thus went into farming. What has not been discussed as part of the causes of labour shortages is the labour legislations of the period and how the civil procedures enshrined in the Master and Servants ordinance of 1877 was totally disregarded by the colonial government and European capitalist entities. This is what this paper seeks to address and also argued that the colonial government and European capitalist enterprises preferred the use of penal sanctions which further discouraged the African from wage labour.

## 4. Early development of Wage Labour and Labour legislations

Right from the beginning of European enterprise in West Africa there had always been a group of Africans that worked as wage earners in European and African commercial firms. Some worked as clerks, craftsmen or labourers for these firms.<sup>4</sup>

The cannoemen have been identified as one of the early groups of individuals that offered their services for a fee.<sup>5</sup> Indeed the services of cannoemen were indispensable to the activities of capitalist enterprises in West Africa. They served as transporters, carting goods and passengers from European ships that had anchored in mid-ocean because of lack of natural harbours and the powerful surf that made it difficult to berth at the coast.<sup>6</sup>

Another group of workers that partook actively in the emerging commercial enterprise that Europeans facilitated were carriers. Long before the development of a transport network of road and railway in the Gold coast during the second decade of the 20<sup>th</sup> century, head-loading or portage was a major means of transporting goods from one place to the other. Thus, carriers were an important part of the European enterprise. At the coast, carriers head loaded the merchandise of European ships to the ware houses. They also facilitated the transport of goods to and from the hinterland.

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<sup>1</sup> Report by His Britannic Majesty's Government on the Administration under mandate of British Togoland for the year 1924, London: His Majesty's Stationery office 1925. Report of His Britannic Majesty's Government to the Council of the League of Nations on the Administration of Togoland under British Mandate for the year 1927, London: His Majesty's Stationery Office, 1928. See D. Kimble, *A Political History of Ghana 1850-1928*, Clarendon Press. Oxford, 1963. P 10.

<sup>2</sup> See K. Atkins, *The moon is Dead! Give us our Money! The cultural origins of an African Work Ethic*, Natal, South Africa, 1843-1900, Portsmouth: Heinemann, 1993. J. Heigham, *Productivity of Labour in the Gold Coast (Accra, 1953)*; J. Orde Browne, *The African Labourer* (London, 1946) and *Labour conditions in East Africa* (London, 1946); W. Hudson, "Observation on African Labour", *Journal of the National Institute of Personal Research*, March 1955; B. Gussman, *Industrial Efficiency and the Urban African. A study of conditions in Southern Rhodesia*, *Journal of the International Institute*, vol.23, No.2, 1953. Pp 135-144.

<sup>3</sup> Jeff Crisp, *The Story of an African Working class: Ghanaian Miners Struggles. 1870-1980*, London: Zed Books Ltd, 1984. P. ; Orde Browne, *Labour conditions in West Africa*, London: His Majesty's Stationery Office, 1941, p87

<sup>4</sup> Raymond E. Dumet, 'John Sarbah, the Elder, and African Mercantile Entrepreneurship in the Gold Coast in the Late Nineteenth Century', *The Journal of African History*, Vol. 14, No.4 (1973), pp. 653-679

<sup>5</sup> Peter Gutkind, "The cannoemen of the Gold Coast (Ghana): A survey and an Exploration in precolonial African Labour History", *Cahiers d'Etudes Africaines*, Vol. 29, cahier 115/116, Rivages 2 (1989), pp. 339-376

<sup>6</sup> W. W. Claridge, *A History of the Gold Coast and Ashanti from the Earliest Time to the Commencement of the 20<sup>th</sup> Century*. Vol. I, London: F. Cass, 1915. Pp.43

The foregoing outlines the activities of freemen that offered their services to others for a fee. They were mostly not permanent wage workers. The cannoemen for example were fishermen by profession and engaged in wage employment to augment what they got from fishing. Thus, the supply of their services was not consistent, and added to that they were aware of the important part they played in the commercial enterprise on the Coast. They “understood very well that they had the power to bargain, to negotiate the terms of their employment and that if the terms were not to their liking they were able and willing to withdraw their labour”.<sup>1</sup> Most carriers were also peasant farmers that offered their services during the lean season also to augment what they got from farming.

However, pre-colonial engagements were dominated by slave workers who carried out such services as transporters for their masters. In the aftermath of the emancipation proclamation and the challenge of the transition from servile labour to wage labour, the colonial administration started batting around with the idea of the desirability of enacting an ordinance to facilitate agreement of hiring and service for limited periods. This discussions culminated in the labour ordinance of 1875. The basis of the law was the Master and Servant law of 1867 which by this time had become a thing of the past in Britain, the seat of the empire. It had been replaced in 1875 by the Employer’s and Workmen Act after a prolonged labour agitation. The new Act recognized workers’ rights to collective representation and expunged the punitive sanctions of the Master and Servant laws. While the full impact of the 1875 ordinance cannot be ascertained the colonial government passed another ordinance two years later.

On January 1, 1878 the Master and Servants Ordinance 1877 came into effect in the Gold coast.<sup>2</sup> It provided the legal framework for recruiting and maintaining labour in the Gold Coast. It also sought to regulate the relationship between employers and the employed, and was also clear in its effort to encourage wage employment and the money economy. Section xv of the ordinance stipulates that unless otherwise agreed, employed persons should be paid their wage with money.

Although the Master and Servant Ordinance was concerned with a wide range of wage workers,<sup>3</sup> its application covered what was then the largest area of employment, carriers. Carriers as has been mentioned earlier were instrumental in the transportation of goods throughout the Gold Coast.

The Master and Servant Ordinance of the Gold Coast encouraged recourse to civil proceedings in matters of dispute between the employer and the employed. Breach of contract was subject to civil proceedings, based on complains of the aggrieved party and required the complainant to attend the court in person. Thus the punitive sections of the 1876 law was not maintained in the Gold Coast as was done in Kenya.<sup>4</sup>

Aside the interest of the Master and Servant Ordinance in encouraging wage labour the colonial government took several steps to develop this new class of workers. In other colonial territories, the colonial government resorted to land control mechanism to curtail the Africans land rights. This was mainly implemented in the eastern and southern part of Africa. The rationale was that without title to land the African will not be able to live a subsistence life style and will thus be forced into wage employment. In West Africa and the Gold Coast there was no recourse to land alienation. In the Gold Coast, as in the rest of Africa, land ‘was a symbol of the continuity of the family, and in this lay a good deal of its religious significance’.<sup>5</sup> Indeed in the Gold Coast, unlike, Southern Africa, land was easily available because it was left in the hands of its aborigine owners. The colonial government’s policy of controlling land and fostering the exploitation of its wealth by capitalist interests was heavily challenged by the locals. This land control protest eventually led to the formation of the Aborigines Rights Protection Society in 1897.<sup>6</sup>

Taxation was another means by which colonial governments sort to coerce the African to venture into wage employment. The colonial government imposed head tax on all adult male for a period. This tax was to be paid with money and the belief was that it will force the African to seek wage employment. In 1852, there was the first experiment with direct taxation in the Gold Coast when the Poll tax ordinance was passed. The rationale was not to directly force the African into wage employment as was done in other colonies. The idea was to generate enough revenue to support an expanding government machinery and also to provide more roads, schools, hospitals and dispensaries in the Gold Coast. The poll tax was heavily resisted by the Gold Coast chiefs and people from 1854 when they realized they were not deriving direct benefits from the tax collected. Rather

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<sup>1</sup> Gutkind, The cannoemen of the Gold Coast

<sup>2</sup> An Ordinance for regulating the relations between Employers and Employed under contract, 23 July, 1877, Public Records Administration and Archival Department, Hereafter PRAAD, Accra, ADM 4/1/6

<sup>3</sup> Servant, Artificer, Journeyman, Handicraftsman, Canoeman, Hammockman, Carriers, Messengers, Labourer, Apprentice or other person

<sup>4</sup> D. M. Anderson, ‘Master and Servant in Colonial Kenya’, *The Journal of African History*, vol.41, No.3 (2000)

<sup>5</sup> Kimbe, A Political history, p17

<sup>6</sup> A. Adu-Boahen. Ghana: *Evolution and Change in the Nineteenth and Twentieth Centuries*. (Accra: Sankofa Educational Publishers Ltd, 2000), p62

most of the expenses was in the area of paying government officials.<sup>1</sup> It was not until 1898 that the issue of direct taxation was revisited.<sup>2</sup>

In addressing its labour needs, the Gold Coast colonial government resorted to compulsion at several stages<sup>3</sup>. This was accomplished through several ordinances. There was the Public Labour Ordinance of 1881 and the Public Labour Bill of 1883, which emphasized the importance of obtaining labour for public service. However, the most successful of these early forced labour laws was the Compulsory Labour Ordinance 1895. It was initially successful in getting labour for government service. This was especially so during the Asante expedition. However, the colonial government's inability to pay labour on time and inadequate remuneration made it difficult to recruit in subsequent years.

### 5. The labour question in the Gold Coast

With the establishment of colonial rule, the Gold Coast expanded in all directions. The government expanded politically by opening up its administration to all parts of the country. The extractive industry also realized full expansion, especially when the Ashanti Gold Fields Corporation Mines at Obuasi introduced their Steam-Machinery on the 1<sup>st</sup> May 1898.<sup>4</sup> Following the passing of the Concessions Ordinance in 1900, European prospectors rushed into the country looking for concessions from chiefs and land owners in the Colony and Asante. By 1907 there were over 20 mining companies operating in the Colony and Asante.<sup>5</sup>

With the granting of concessions, capital inflows into the Gold Coasts increased drastically. A major question to be solved to complete the means of production was the 'labour question'. What expatriate capital wanted was a constant supply of cheap labour. Thus, for their enterprise to be successful and profitable they needed a regular and adequate supply of native workers, a labour force that was efficient and reliable and one that was willing to work for low wages. The participation of Europeans in a hitherto African field of activity revolutionized the mining industry in the Gold Coast. The industry became highly mechanized and the indigenous African miners were reduced to wage workers.

The agricultural sector also expanded greatly when the cocoa industry picked up. Early attempts to grow cocoa in the Gold Coast was made by the Basel missionaries at their base in Akropong in 1859. However they never succeeded in arousing the interest of the local farmers in cocoa cultivation. Sustained interest in cocoa growing was aroused when Tetteh Quarshie of Accra returned from Fernando Po in 1878 with cocoa seeds and experimented with them.

All this activities required a good supply of labour. The competition for wage labour was so keen that by the 1920s the colonial documents were littered with complains of labour shortages. The labour question came to be posed as a land question.<sup>6</sup> In the Gold Coast, between the two factors of production, land and labour, there was more land than labour to cultivate it.

This paper takes the position that the labour shortages complained of, was artificially created by the actions of the colonial government and European capitalist enterprise. That although the Master and Servant Ordinance was specific in its prescription that disputes between the Employer and the Employed were to be settled by civil action in the court, there were several instances where Employers resorted to whipping and flogging of native workers for trivial offences. This deterred native labour from desiring to work for the colonial government or European capitalist enterprises.

Also wage rates with the colonial government and European enterprises were not competitive. The native workers sought engagements that were more rewarding. As early as 1898, the Gold Coast Colonial government decried the lack of supply of carriers for its use.<sup>7</sup> Carriers had been a major workforce for the colonial government and European Enterprises in the Gold Coast. Indeed the largest workforce for the colonial government was carriers or porters who were used in the transportation of goods throughout the Gold Coast. The immediate response of the colonial administration to the shortage of carriers was to resort to the use alien labour.

<sup>1</sup> Kimble, A Political history, p168-191

<sup>2</sup> Kimble, A Political history, p168-191

<sup>3</sup> K. O. Akurang-Parry, 'Colonial Forced Labor Policies for Road Building in Southern Ghana and International Anti-Forced Labor Pressures, 1900-1940', *African Economic History*, No. 28(2000); R. G. Thomas, 'Forced Labour in British West Africa: The Case of the Northern Territories of the Gold Coast 1906-1927', *The Journal of African History*, vol.14, No.1 (1973); H. J. Bevin, 'The Gold Coast Economy About 1880', *Transactions of the Gold Coast & Togoland Historical Society*, vol.2, No. 2(1956); E. J. Berg, 'The Development of a Labor Force in Sub-Saharan Africa', *Economic Development and Cultural Change*, Vol.13 No.4, Part 1

<sup>4</sup> Governor Hodgson to S. of S. (20 June 1898) Adm. 1/497 No.258. In 1895 E. A Cade had secured from a group of Africans concessions from the chiefs of Adansi and Bekwai. This represents one of the most lucrative bargains ever struck by an European prospector. Later in 1897 he formed the Ashanti Gold fields Corporation.

<sup>5</sup> Francis Agbodeka, Ghana in the Twentieth Century, Ghana universities press, Accra, 1972. Pp. 27

<sup>6</sup> Crisp, African working class, p15

<sup>7</sup> Acting-Governor Hodgson to S. of S. (27 Jan. 1898) Adm. 1/497 No.49



Mainly Mendis who were brought down from Sierra Leone and Krooboys from Liberia. But the opinion of Acting-Governor Hodgson was that, “there is no dearth of labour and of good labour in this country and the following recent instances shows in my opinion the unwisdom of importing alien labour so long as local labour is obtainable”.<sup>1</sup>

Why was there shortage of labour then? The low wage rates offered the native for their services was a major factor that contributed to the shortage of carriers. Aside the desire to use alien labour due to the shortage of labour, there was also the attempt to compel the native chiefs and kings to provide cheap labour for government service. In the early 1900s the colonial government tried to solve the shortages by engaging labour contractors to recruit able bodied men for the government as and when the need arises. The practice for a very longtime was to offer 1 shilling a day and 3 pence subsistence to carriers who were employed in government service. In 1903, H. M. Hull, the Secretary for Native affairs, representing the colonial government agreed on the following wage rates with James Addo, a labour contractor of Christiansborg, Accra.<sup>2</sup>

Table 1. Scale of wages for a carrier for a load not exceeding 60lbs

|                     |     |     |     |        |             |
|---------------------|-----|-----|-----|--------|-------------|
| 1 <sup>st</sup> day | ... | ... | 2/6 | and 3d | subsistence |
| 2 <sup>nd</sup> "   | ... | ... | 2/3 | "      | " "         |
| 3 <sup>rd</sup> "   | ... | ... | 2/- | "      | " "         |
| 4 <sup>th</sup> "   | ... | ... | 1/9 | "      | " "         |
| 5 <sup>th</sup> "   | ... | ... | 1/6 | "      | " "         |
| 6 <sup>th</sup> "   | ... | ... | 1/3 | "      | " "         |

Table 2. Rate for hammockmen and carriers of loads not exceeding 60lbs from Accra to the undermentioned places or towns as an entire bargain or contract

| Towns or Places                 | Hammockmen and Carriers |               | Subsistence including return journey. |
|---------------------------------|-------------------------|---------------|---------------------------------------|
|                                 | Return without load     | Load each way |                                       |
| Ada                             | 11/3                    | 13/3          | 6 days O 3d                           |
| Kwitta                          | 15/3                    | 17/3          | 10 " " "                              |
| Akuse                           | 11/3                    | 13/3          | 6 " " "                               |
| Kpong                           | 11/3                    | 13/3          | 6 " " "                               |
| Winneba                         | 8/6                     | 10/6          | 4 " " "                               |
| Saltpond                        | 11/3                    | 13/3          | 6 " " "                               |
| Cape Coast                      | 13/3                    | 13/3          | 8 " " "                               |
| Dodowa                          | 3/-                     | 5/-           | 2 " " "                               |
| Aburi - Hammockmen<br>Carriers  | 4/-                     | 5/-           | 2 " " "                               |
|                                 | 2/-                     | 3/-           | 2 " " "                               |
| Prampram-Hammockmen<br>Carriers | 4/-                     | 5/-           | 2 " " "                               |
|                                 | 2/-                     | 3/-           | 2 " " "                               |

The highest a carrier or hammockman could earn was 15 shillings 3 pence for journeying from Accra to kwitta, a 10 day work covering a distance of 181km. For the same journey with a load on the return journey the carrier or hammockman earns 17 shillings 3 pence.

These wage rates were not competitive enough to attract wage labour for government service. By 1919, the shortages of carriers for government service still persisted and James Addo, had to plead for an increase in the wage rates for carriers. According to Addo, the carriers were “always complaining about it and through this I cannot get them regularly this time when I have been called upon to engage them”.<sup>3</sup>

The introduction of industrial mining in the Gold Coast from the 1890s enlarged the demand for labour and drastically altered the nature of employment. By the 1920s the Mining companies also complain about labour shortages. This distinct shortage of wage labour in the mines was apparent right from the beginning of the 1900s. This shortage compelled the colonial government to recruit labour for privately owned mines and for government purposes. The recruitment was done effectively through the chiefs by political officers.

Labour shortages in the mines were not a general problem. The kind of labour that the management of the mines was concerned about was mainly underground labour. For surface labour was almost always available and recruited locally on a daily basis. Like shortages of carriers for government service, shortages in the mines also had an early beginning. Interestingly the discussion of mine labour from the beginning took on a racial defect analysis. That is, other races were superior in terms of work to the native labour. The African was seen as inefficient and usually absented himself from work. This informed early discussions on the use of Chinese labour in the Gold Coast in 1895.<sup>4</sup> Some colonial officials also preferred the use of Indian labour. However, governor

<sup>1</sup> Ibid

<sup>2</sup> Memorandum of Agreement, PRAAD, ADM 11/1/761

<sup>3</sup> James Addo to Secretary of Native Affairs, PRAAD, ADM 11/1/761

<sup>4</sup> Proposal to import Chinese Gold Prospectors, PRAAD, ADM 1/496, K. O. Akurang-Parry, “We Cast about for a

Hodgson in 1898 was confident in the use and abilities of native labourers by the Ashanti Gold Fields Corporation. He concluded that under suitable conditions and treatment the output of native workmen is comparable to any other group.<sup>1</sup> The mines however were always short of underground labour. Thus, they mostly depended on ‘coerced’ labour from the northern territories of Ghana and ‘imported’ labour from the French colonies and Nigeria. Native workers were reluctant to work in the mines for several reasons. Underground work was the most dangerous activity within the mining setup. The wage rates offered by the mining companies were not enticing enough for the native to take up the dangerous underground work in the mines. At this time the mines were offering a basic underground wage of between 1shilling 6 pence and 1shillings 9 pence a day, which rose to between 2 shillings 9 pence and 3Shillings for trained labour such as ‘rock drill boys’.

Another reason for the shortage of carriers for government service was the disregard for the Master and Servant Ordinance 1877 and later 1893. The law provided for the use of civil proceeding in the court in case any party breached a contract. Most employers disregarded this provision and resorted to whipping and flogging of the employed for misconduct and other offences. Indeed this was the concern of the kings of Eastern Krobo when called up to provide men for government due to shortage of carriers. The only condition the kings of Eastern Krobo gave for supplying 250 men for government was that “the men should not be flogged for trivial offences.”<sup>2</sup>

Quiet contrary to the provision of the Master and Servant Ordinance that work disputes should be resolved by civil action most employers resorted to unilateral whipping and flogging of their African employees. Even when the colonial administration resorted to recruitment in the northern territories for its use as well as for the private mining companies the situation did not improve. Most of the recruited labour either deserted enroute to the mines or at the mines itself. As Roger Thomas discussed in his article, out of 540 men that were recruited from the north-east in 1908 for the Abbontiakoon Mine in Tarkwa only 258 reached the mines.<sup>3</sup> By July 1909 all the men had deserted. As one of the deserter reported some of the men deserted because of being flogged by “the white man who gives us chop and sissy money.”<sup>4</sup> Some of the men were given six strokes with shambok while others were given twelve strokes.<sup>5</sup>

Thus, though judicial flogging and whipping under the orders of employers was not allowed under the Master and Servant Ordinance, employers unilaterally resorted to this method of disciplining their African workers. As this unilateral disciplinary action was not legal there was a systematic attempt to replace the Master and Servant Ordinance 1893 with elements of the ‘Coloured Labourers Ordinance’ from 1910<sup>6</sup>. The Coloured Labourers Ordinance as used in southern Africa had a strict compound system and a pass law attached to it. This would have made desertion a criminal offence subject to criminal proceedings instead of the civil proceeding procedure that the Master and Servant Ordinance allowed.<sup>7</sup> Eventually the colonial administration agreed to a compromised amendments to the Master and Servant Ordinance in 1912. This did not make breach of contract subject to criminal proceedings but enhanced the powers of the courts in dealing with breach of contract during civil proceedings<sup>8</sup>.

Nonetheless, while the government and mining companies complained of labour shortage, the cocoa industry, enjoyed quiet a stable supply of wage labour. By the 1920s cocoa had become the main export crop of the Gold coast economy. Labour recruitment and control in the cocoa industry was entirely done by indigenous producers without state intervention. The cocoa industry experimented with several types of labour. Initial labour in the development of the cocoa industry was co-opted from family, relatives and friends. Polly Hill identifies five major ways of employing labour in the cocoa industry in Ghana.<sup>9</sup>The major source of labour for

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Remedy”:Chinese Labor and African Opposition in the Gold Coast, 1874-1914’, *The International Journal of African Historical Studies*, Vol.34, No.2(2001)

<sup>1</sup> Governor Hodgson to S. of S. (20 June 1898), P. Kilby, ‘African labour productivity reconsidered’, *The Economic Journal*, vol. 71, No. 282 (June, 1961)

<sup>2</sup> Acting-Governor Hodgson to S. of S. (27 Jan. 1898)

<sup>3</sup> T. G. Roger. Forced Labour in British West Africa: The Case of the Northern Territories of the Gold Coast 1906-1927. *The journal of African History*, vol.14, No.1, 1973, p83

<sup>4</sup> *ibid*

<sup>5</sup> *ibid*

<sup>6</sup> This was the period when there was an influx of South African mining capital and personnel into the Gold Coast. To achieve better labour utilization and productivity the South Africans pushed for more punitive and coercive managerial and supervisory techniques. This quest for improved productivity deterred prospective workers for the mining industry because of the intensified discipline and maltreatment.

<sup>7</sup> In Kenya the MASTER AND SERVANT ORDINANCE made desertion subject to criminal proceedings.

<sup>8</sup> It was not until 1921 that the Regulation of Employment Ordinance of 1921 made desertion or breach of contract a penal offence.

<sup>9</sup> The Abusa labourer, the nkotokuano labourer, the annual labourer, the contract labourer and the daily labourer. The Abusa labourer is given a third share of the crop harvested; the Nkotokuano labourer is given a proportion of the load price received by the farmer; the annual, contract and daily labourers are paid wages for clearing new land.

the farms apart from the use of close kin was through the Abusa and Nkontonku system.<sup>1</sup>

Native workers gravitated toward work in the cocoa farms because the work was in sync with the work culture of the African and offered more returns than work in the mines and for government. The cocoa industry paid wages as high as 10 shillings a day for carrying cocoa to market centres. At the beginning of the 1920s the wage rates was as high as 60 shillings a load a day.<sup>2</sup> In fact, apart from the returns the two systems offered the labourer the opportunity to cultivate his own farm. Even when contract labourers were engaged, the daily return in terms of wages was far higher than in the mines and government service. Thus work in the cocoa industry did not create a class of impoverished and exploitable labourers.

## 6. Conclusion

Wage work had been with the African right from the beginning of European enterprise on the Gold Coast. Initial demand for workers was basically for government service and mining capital. The period after 1900 saw great expansion in the Gold Coast economy, particularly with Governor Nathan's programme of rail construction and the rapid growth of the cocoa industry. This worsened the already labour problem in the Gold Coast. It created more and new income-earning opportunities for the African. Most of these new opportunities were more attractive and had a higher remunerative value than working in mines and for government.

The native labourer preferred to work in a conducive environment where the returns on labour was very good. This ensured that most native workers gravitate towards work in the cocoa sector. The seasonal nature of the cocoa industry also helped in attracting labour as labourers were able to maintain ties with their home communities without settling permanently in the new community. Labour shortages as complained of by the colonial government and mining companies was due to several reasons. The most important was the total disregard for procedures for dispute resolution as enshrined in the Master and Servant Ordinance.

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