

EXPLOITATION OF LABOUR AND THE FIFTH REPUBLIC IN NIGERIA

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Abstract

In colonial times, Nigerian labour relations pursue an exploitative philosophy clothed under the jargon of laissez-faire or voluntarism. In Post-colonial times up-to the 4th Republic labour relations was state control and interventionism pursued under the subterfuge of voluntarism to maintain a power structure based on militarism and democracy on the hand and promotion of dependency on western capitalism on the other. Although, the Constitution of the Federal Republic of Nigeria, 1999, Chapter 2, Section 17, stresses on social objectives which are congruent with social justice, empirical studies on Nigerian labour relations depict exploitation of labour which contradicts the concept of social justice and national integration. This paper sets out to examine exploitation of labour and to determine how social justice and national integration can be realized in the Fifth Republic. Also, this paper holds a view that reduction of exploitation of labour will help the Fifth Republic towards achieving social justice and national integration.

Karl Marx is the first Western thinker to systematize exploitation and to centre it on economic determinism. His theory of exploitation is in his book called “Das Kapital”. The thrust of argument is that capitalism is built on use value, labour value, and surplus value, and that capitalist system has two distinct social classes: the bourgeoisie and proletariat. The bourgeoisie/capitalist owns the means of economic production and hires labour – power of proletariat/workers to produce goods which have economic and use – value to satisfy the needs of the consumers. The labour process helps the capitalists to consume labour power. Labour process has these characteristics, namely:

- (i) the labourer works under the control of the capitalist who owns his labour and sees that the means of economic production are utilized purposefully and efficiently; and
- (ii) Academic Excellence the product is the property of the capitalist and not that of the labourer who produced it.

The greatest desire of any capitalist is to amass wealth and grow. To achieve this, capitalists do ensure that the labourers produce commodity which value is greater than the total costs of production. In this way, the labourer creates excessive products beyond the total cost, and the excess is called surplus or capitalist profit which is equal to exploitation of labour, Karl Marx theory of exploitation is based on the experiences he drew from cotton, woolen and flax industries in England where men, women and children from 3 years old were subjected to long hours of work under sub-human conditions for a bare subsistence wage (Engels, 1975).

Another dimension of Karl Marx theory of exploitation rests on reproduction of labour (Engels, 1975:172). But, he did not elaborate it. This is the dimension Claude Meillassoux picked up and elaborated upon. Meillassoux discussed specifically about exploitation in domestic community, slave exploitation, serfdom, and capitalist exploitation through the reproductive system. By Meillassoux’s theory, birth control or any attempts to restrict birth by any system, group, industry, etc is exploitation of labour (Meillassoux, 1979). Both Karl Marx theory of exploitation can be applied to men and women

workers in traditional society as well as in modern industries in cities in contemporary Nigeria because labour relations do exist in both societies. The next section examines the major discrimination that existed in non-traditional sector of Nigerian economy in colonial times.

Exploitation of Labour in Colonial Period 1914-1960

The outcome of Berlin Conference in 1885 empowered Great Britain to colonize Nigeria. After the amalgamation of the Northern and Southern protectorates of Nigeria in 1914 and the enactment of Master and Servant Ordinance 1917, the British imperialists legally introduced wage labour and impose British type of labour relations and Max Weber's bureaucratic type of administration on Nigeria. Max Weber's bureaucracy emphasizes specialization of skills; contract of employment; and promotion based on hard work; efficiency and seniority. A breach of contract by either the employer or the employee may attract discipline or termination of employment.

Obi (1999) argues that the imposition of British type of labour relations enabled the colonialists to set up strong machinery for socio-economic exploitation in Nigeria. schools and churches were built by the British and Irish missionaries, and British companies were set up by the European traders. Schools produced semi-literate labour capable of taking positions in offices and trading companies as traders, clerks, porters, and labourers. European companies specialized in draining and tapping Nigeria's resources such as tin, ore, coal, palm produce, timber and rubber, transported them through the railways to the sea – port for onward shipment to Britain where the natural resources were synthesized into manufactured products. Some were consumed in Britain and others were imported into Nigeria. The imported goods include: sugar, salt, biscuits, cakes, fish, milk, alcoholic drinks, cigarettes, tobacco, cotton, bags and shoes. By such importation, Nigerians gradually started to perceive imported good as superior and locally manufactured goods as inferior.

Even today such attitude is still prevalent, and it has other socio-economic implications. By consuming more of the “superior goods, Nigerians were booming the British economy and creating more jobs for its unemployed. In contrast, by consuming less of the “inferior” goods, Nigerians were de-booming the Nigerian economy, creating less jobs in traditional economic system and more jobs in the offices, government departments, mines and railways. This is an aspect of exploitation of indigenous talent, labour, and the colony.

To facilitate the distribution of imported goods, mercantile stores such as United African Company (UAC) were established in towns and urban areas. Nigerian's exchange system was devalued and abandoned. The logical consequence was for Nigerians to rush into wage labour where payment was made in British Sterling. British ordinances and laws were enacted and imposed on Nigeria.

The Master and Servant Ordinance 1917 was the first labour law. It contained labour code regulating conditions of service, recruitment of labour, method of payment, among others. This law brought white man's rigid individualistic approach to labour relations into the black Nigeria. Hours of work were specified. Each lateness attracted a penalty of half a day's wage. Each worker had to fulfil his financial commitments from his meagre wage. Workers saw clearly in colonial administration a contradiction of the humane relationship which they experienced in traditional economic groups such as farming, trading and blacksmithing and which Ifemesia (1979) among others, discussed.

Colonial Masters exploited Nigerian workers just as Karl Marx saw exploitation of labour in cotton industry in England in eighteenth century. Racial discrimination, for instance, existed in public service, European had higher wage scale than Africans. In the medical profession, for instance, an African with same degree as a European was appointed as a Native Medical Officer, and he earned 75% of the salary of the European colleague who was appointed as a European Medical Officer (Ananaba 1969). This implied that a medical doctor was graded and paid according to the colour of his skin and not according to his capability and efficiency in the labour market. This is racial exploitation of labour and it carried on till independence in 1960. Though, after independence, the practice of paying European more as contract officers was challenged as militant nationalism emerged to fight colonial exploitation.

According to Coleman (1986) militant nationalism was perceived as the brain child of Azikiwe's journalism and charisma. Members of the movement included "genuine idealist, communist organizers and political opportunists" such as Nwafor Orizu and Nduka Eze. Militant Nationalism had three main organs, namely:

- (i) The Zikist Movement (later called Freedom Movement)
- (ii) The National Church of Nigeria, and
- (iii) The Nigerian National Federation of Labour (later called the Nigerian Labour Congress)

~~These organs were used to fight colonialism in all its ramifications using the philosophy of Zikism as put forward by Nwafor Orizu (1948) to create political awareness among the trade unions. The militants delivered anti-government speeches and lectures in open squares and organized riots.~~

The shooting incident at Iva Valley, Enugu, 1949 is a case in point, where the coal miners went on strike in furtherance of their economic demands. Policemen fired arms, killed 21 and wounded 50 miners. This had been the pattern in labour relations between the colonial masters and Nigerian workers. An obvious implication in such relationship is that colonial masters attached less importance to the life and welfare of the workers and attached greater importance to material gains from them. It therefore seems that colonial government, adopted a philosophy of exploitative capitalism, and voluntarism as scholars such as Fashoyin (1980) and Yesufu (1984) professed. The militant nationalism by "positive actions" unfortunately, collapsed by mid-fifties. However, its effects lingered on especially by the introduction of socialism into Nigerian trade unionism.

In colonial period, Nigerian workers were agitating for improved conditions of service, higher wages, justice, racial equality and national freedom. In response to the worker's demands, and to the views of different commissions set up for investigations into their problems, colonial government reviewed Richard's Constitution, amended certain laws enacted new ones. These included the Workmen's Compensation (Amendment) Ordinance No.25, 1957; Trade dispute (Arbitration and Inquiry) Ordinance 1943; The Labour Code Ordinance 1945; Factory Ordinance 1945; Wages Board Ordinance 1957; and National Provident Fund 1957. These changes were made in order to reduce the degree of imperialist exploitation of the Nigerian workers and not to eradicate it.

Exploitation of Labour in Post-Colonial Period 1961-2011

After independence of October 1, 1960, the level of consciousness and awareness of Nigerian workers rose. Morgan Commission (1963-1964) was set up to review Nigeria's labour legislation in the light of criticisms of pre-independence work conditions. The commission observed that the Labour Code, Ordinances, and Wages Board Acts were out – dated and should be reviewed. The Commission, therefore, recommended that "the provisions of the Acts mentioned above should be in one labour and industrial relation Act" (Morgan Report, 1964). Since the Government White Paper was silent about the issue, Ministry of Labour intervened to review the labour laws. Measures for the review were unfortunately overtaken by two events, namely:

- (i) *The Military Coup d'etat 1966*

The Nigerian Civil War 1967-1970 Between 1960 and 1966, no significant changes in the laws were effected and Nigeria continued to use the laws forced on it by Westminster. Colonial system, therefore, continued in the form which Nkrumah (1963) and others after him, such as Nyerere (1972) called neo-colonialism.

The experiences and effects of the civil were bash. Oil exploration was disrupted. There were scarcity of consumer goods and hyper-inflation. Workers were restless and strikes were rampant. To avert the situation from overt manifestation of extremism, the Federal Military Government intervened with a chain of decrees. The period when Nigeria broke away from the Westminster model of labour relations in

order to enact more relevant laws to meet the emergent needs of Nigerians. The decrees to highlight for the purpose of this paper are:

(ii) *Trade Disputes (Emergency Provision) Decree No. 21, 1968*

The Federal Military Government promulgated this decree mainly to restrict strike and lockouts. But when strike action increased rather than decreased, the Decree was amended by the Trade Disputes (Emergency Provisions) (Amendment) Decree No. 53, 1969. The Decree banned strikes, lockout, established an Industrial Arbitration Tribunal and sanctioned general increase in wages and salaries subject to approval of the Commissioner of Labour on behalf of the Government. This was a re-enactment of colonial labour relations philosophy by Nigerians for the Nigerians. In fact, it is more stringent and runs counter to trade union ordinance 1938 which legalized the formation of Trade Unions and power to negotiate and to strike. It, therefore, suggests that the Military Government did not succeed in its efforts to provide better labour relations than the colonial masters. But each had different motivations for its action; whereas the colonial master was to exploit, the Nigerian government was to save the nation from collapse.

After the civil war, the Labour Code and laws for contracts and basic terms of employment, trade unions, and industrial relations were extensively revised. But exploitation of labour continued, and still continues to rear its ugly head.

(iii) *Labour Decrees No. 21, 1974*

This has four sub-sections. Section 1, contains general provision of wages, contract of employment, terms and conditions of employment. Sub-section 2, deals with recruitment of labour in Nigerian or overseas. Sub-section 3, makes provision for special categories of workers, e.g. apprentices, women, young persons, domestic servants, labour registration and employment exchanges, and forced labour. Sub-section 4 concerns the keeping of records, rendition of returns, settlement of disputes, etc. The main objective of the Decree is to protect the workers from serious abuses (The Federal Military Government of Nigeria, Labour Decree 1974, No.21, A64-109). In spite of the provisions of these decrees, retrenchment of labour and other forms of exploitation such as wage freeze and non-payment of wages to workers, running into months, were prevalent.

(iv) *Trade Dispute Decree No. 7, 1976*

This Decree replaced Trade Disputes (Emergency Provisions) (Amendment) Decree, No. 53, 1969, and made fresh provision for settlement of disputes. The Decree provided institutionalized machinery for conflict resolution: mediation, conciliation, arbitration, panel, and National Industrial Court which was the final arbiter. It bans strikes and lockouts when the procedures laid down for conflict resolution are not exhausted or when the National Industrial Court has issued an award on a case (The ~~Federal Military Government of Nigeria, Trade Disputes Decree 1976, No.7, A23-A40~~ *Academia Excellence*). This Decree simply means that strikes and lockouts are legally forbidden in Nigerian labour relations which implies that labour could be exploited, and it is indeed exploited.

(v) *Trade Disputes (Essential Services) Decree No.23, 1976*

This supplements the Trade Disputes Decree, No. 7, 1976. It empowers the Federal Military Government to proscribe any trade union or association of persons employed in any essential services if the Government is satisfied that the union or association has engaged in acts calculated to cause industrial unrest, or to disrupt the smooth running of any Essential Service. The main object of this Decree is to ban strikes and lockouts in the Essential Services (The Federal Military Government of Nigeria, Trade Dispute Essential Services Decree 1976, No.23, A95-A98). It is observed that about 50% of the Nigerian wage earners are in Essential Services. If this great number is prohibited by law from exercising strike weapons to achieve desired objectives, the exploitative philosophy of state control and interventionism has undoubtedly reached its climax. The Decree has been greatly used in recent years to intimidate and subdue trade unionism in Nigerian labour relations.

Gowon military regime was overthrown in 1975 because of corrupt practices, bribery nepotism, mal-administration, etc. The next military administration that took over gave itself a four-year term and stepped down for the civilian administration in 1979. This was the second Republic under the presidency of Shehu Shagari. It was during this administration that the Constitution of the Federal Republic of Nigeria 1979 was constituted. Section 17(1) states that “The State social order is founded on ideals of Freedom, Equality and Justice”. Elaborating on the Social Order, Section 17(2) of the same Constitution stipulates that:

- (i) Every citizen shall have equality of rights, obligations and opportunity before the law;
- (ii) The sanctity of human person shall be recognized and human dignity shall be maintained and enhanced;
- (iii) Governmental actions shall be humane;
- (iv) Exploitation of human or natural resources in any form whatsoever for reasons other than the good of the community shall be prevented; and
- (v) The independence, impartiality and integrity of courts of law, and easy accessibility thereto shall be secured and maintained.

These are repeated even in 1999 Constitution of the Federal Republic of Nigeria, LL 28. The above stipulations of the Nigerian Constitution theoretically put emphasis on social justice in human relations. But in reality, empirical studies reveal the existence of extreme exploitation of human resources particularly in labour relations in bureaucratic organizations where the employer of labour (i.e. the bourgeoisie) and the worker (i.e. the proletariat) interact in economic production. Glaring examples of labour exploitation were recorded in the teaching profession. In the First Civilian Republic, teachers were ~~owed up to one year salary and when they protested they were dismissed and humiliated.~~ *Exploitation of Labour and the Fifth Republic*. This is a negation of social justice and national integration as upheld in the Constitution. The Second Civilian Republic was equally corrupt, public funds were embezzled, contract bills were inflated, and most investments were irrational. In short, labour was cheated, humiliated and exploited by the ruling group. The civilian regime was overthrown by the military in 1983 under the leadership of Buhari. Buhari administration ordered nationwide retrenchment of staff in the Federal and State civil services to decongest staff. Most State governors used the opportunity to retire permanent secretaries and promoted workers of their choice to permanent secretary's position. Buhari administration equally messed up workers like its predecessors and it later collapsed.

Since the second Republic was ousted in 1983, the military has been continuously in power until July 1999, the birth of the Third Republic, exploitation of labour has not stopped. Up till today in the 5th Republic, workers still work under poor conditions, productivity is still low because of poor planning, poor management and poor motivation of workers, salary is insufficient to purchase basic needs, unionists are still retrenched and retired, some are under detention without trial. In fact, what Nigeria has managed to achieve in labour relations since independence until recently is a dictatorship masquerading under the false philosophy of “Fundamental Human Right” and “Social Justice”. This, perhaps, explains the prevailing high rate of crime, socio-economic instability, and industrial unrest.

Social Justice and the Fifth Republic

Discussion in the previous sections show clearly that social justice has not been achieved in Nigeria since First Republic. This section will consider the socialist view of social justice in Nigeria's labour relations in the Fifth Republic.

(i) Capitalist View of Labour Relations

Capitalists own the means of economic production, e.g. industrial building, machinery, fixtures and fittings, raw materials and manufactured products. They hire workers for a wage and utilize their labour – power to achieve surplus values to sustain the industry and make it grow. Thus, the main objective of the capitalists is to maximize profit, and amass wealth at the expense of wage labour.

Capitalists pay meager wage to workers and keep profit to themselves. This is alienation and exploitation of labour that produced the surpluses.

To fight back capitalist exploitation, workers join trade unions whose intermittent pressures and agitations have influenced the enactment of different labour laws and decrees which tend to ameliorate but not eradicate capitalist exploitation. Capitalists are aware of workers exploitation and so offer fringe benefits (e.g. housing allowance) out of their surpluses to supplement their poor income. The fact that the capitalists still declare huge net profits after these payment suggest that they exploit labour and so practice social injustice under the cover of social justice. This is the pattern of exploitation of labour in capitalist countries such as United States of America, Great Britain and in peripheral capitalist countries such as Nigeria.

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(ii) *Socialist View of Labour Relations*

Socialists believe that the State is the employer of labour. The State provides goods, and welfare services for the masses including full employment, housing, education, food, and health services at subsidized rates. Economic planner determine what to produce, the quantity to produce, and how the goods, and services are distributed in contrast to capitalism where such decisions are determined by market forces. Socialists have the notion that men and women have equal right and opportunities. Experiences in Soviet Union according to Perry and Seidler (1975) show that social class and status differentials do exist, but workers earn equitable income to enjoy most of the basic necessities of life. Workers are allowed to join trade unions but not to strike. By this restriction, we can argue that “Basic Human Freedom and Right” are somehow controlled. There is, therefore, no doubt that exploitation of labour also exists in the socialist system, but the extent of it is less than what is obtained in the capitalist economy.

(iii) *How to Curb Exploitation of Labour in the Fifth Republic to Achieve Social Justice*

In Nigerian context, it seems that socialist view will articulate the people’s traditional concept of freedom and humanistic philosophy of life. On the other hand it does not seem feasible that the capitalists will surrender their hard – earned wealth to the State for the good of all. Perhaps, this is why in the past, people talked about mixed economy – the economy system jointly controlled by the State, private sector, and cooperative movement – as a way to achieve equitable distribution of natural and human resources, goods and services, and thus achieve social justice. It appears that the effectiveness of the system depends on how the social structure is managed. Nigeria is engrossed with basic problems such as mal-administration and improper planning, greed for money and corrupt practices, nepotism, statism ethnicity, abuse of power and privileges, abuse of natural and human resources, and peculiar slight for university system. A nation with these basic management problems cannot boast of practicing social justice, because the few at the top are getting greater share of the national cake, whereas the masses are suffering and having the least share in terms of job opportunities, income, fringe benefits, and lifestyle.

Recent study in banking industry revealed that discrimination exists in the sharing of fringe benefits such as health care services. A junior staff only receives the family medical subsidy of about ₦10,000 yearly, whereas senior staff, managers and directors have no limit; members of their families (i.e. spouse and 4 children) receive free medical treatment. By limiting the family subsidy for medical treatment, banking industry appears to discourage junior staff, and encourage the executives to procreate. It indirectly controls the family size of the staff through its restrictive policies and practices. By Meillassoux theory, this is exploitation of labour through reproductive system (Obi, 2000). The Armed Forces Ruling Council (AFRC) approved a policy which limits the number of children every woman should have to four by the time she reaches her menopause at about the age of 50 years (Federal Republic of Nigeria National Policy on Population for Development, 1988). Exploitation of reproduction of labour is embedded in the new policy of birth control according to Meillessoux model.

Discrimination which exist in distribution of resources, goods and services agitate the minds of the masses. The laboring class, riots and strikes which have adverse effects are dysfunctional to the system. The recent national riot of Nigerian Universities against the harsh effects of Structural Adjustment Programme (SAP) is a case in point. Hyper-inflation was getting unbearable; cost of living was becoming unbearable; wages and salaries were too low compared to the rate of inflation; the purchasing power of Naira dropped to the lowest ebb; and the wage salary earners were worse off. Their wages could not purchase money for their student dependants. Students lived in the campus with little or no money for food. This is the background of the riot against Structural Adjustment Programme (SAP) which claimed several lives and property; temporary closure of affected universities; and which in turn questioned the integrity and job security of university staff. Hundreds of dons even resigned as a result into greener pastures abroad. Meanwhile, the rate of brain-drains is escalating and the official figure is yet to be gazetted. The only positive impact of the riot was SAP Relief Package dished out by the Federal Government which, inter alia, created more job opportunities to reduce unemployment rate; and which stratified University Professors by years of experience and income.

Nigeria has been experiencing industrial strikes in recent times. Even today in 2011, there is instability in the university system. Industrial strikes are on and off especially in Federal and State Universities simply because the three major stakeholders in labour relations have failed to honour the agreements reached years ago in terms of adequate funding, retirement – age for academics, among others. These impact, therefore, pose a need for Nigeria to have a strong and democratic labour movement that can fight for the masses to enable them experience equity and social justice in distribution of resources.

Implication for Citizenship Education

The above analyses demonstrate that Nigeria has been exploiting Nigerian workers since the First Republic up to date. Workers are aware of the exploitation through dialogue and discussions with co-workers within and outside, enlightenment programmes on mass media such as dailies, periodicals, mobile-telephones,/mobile phones, radio, television and satellite; conference and symposia. The awareness of the workers about their exploitation has resulted in different types of unrest in Nigeria. The Fifth Republic should try to reduce worker's exploitation as a way of achieving social justice, equity and peace.

To reduce exploitation of workers in the Fifth Republic, the following suggestions are proffered:

- (i) The Fifth Republic should not interfere with or militate against trade union activities in their efforts to salvage workers from exploitative capitalists. This will help to reduce industrial conflicts,
- (ii) Trade unionists should not be detained without trials against the demands of social justice;
- (iii) The Fifth Republic should curb the hyper-inflation and pay equitable wage and salaries to enable workers purchase basic needs and live comfortably. Workers will surely produce better if they are well remunerated and their homes are stable;
- (iv) The Fifth Republic will uplift the university system. This will help to control the current brain drain of dons to greener pastures, get the nation realize the importance of knowledge and its application in national development;
- (v) Labour laws should be reviewed and clauses militating against social justice removed. This will influence workers into cultivating and adopting positive attitude towards work; and
- (vi) Employers of labour should also review industrial policies, Staff Rules and Regulations at reasonable intervals and remove all discriminatory clauses in relation to employment, placement and promotion, distribution of benefits, and provide, for instance, free health services for all the staff and dependants. This will help to ensure good health for all their workers, their dependants and the nation.

Summary and Conclusion

This paper has attempted to demonstrate that Nigerian workers have been exploited since colonial times through the First Republic to-date, and that the ugly effects have been industrial unrest, criminal behaviours, and disintegration in the system. If the above suggestions are implemented and integrated into the social structure of the Fifth Republic, industrial harmony will prevail because the theory of social justice is realistic and meaningful to the worker when he is assured of the basic and secondary needs of life. The thesis is that reduction of exploitation of labour is a major way of achieving social justice and national integration in the Fifth Republic, all of which provide the necessary foundation for effective citizenship development.

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