

The Comma Conundrum among Higher Education Administrative Staff: A Case Study of Kumasi Technical University, Ghana

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Abstract: *Comma, a punctuation mark which is used to separate parts of a sentence or items in a list (COBUILD Advanced English Dictionary, 2014) could be legally costly for an individual, an institution or a contract proposal. An inquiry into the importance of the placement of a comma in a sentence by public university Administrators from the Kumasi Technical University who communicate mostly in writing indicate that 52 percent of the Administrators do not know that a wrongfully placed comma in a sentence can be very costly. The paper recommends that regular workshops to the public university Administrators be organised to bring to their attention how costly wrongly placed comma in a sentence can do to their jobs and employers.*

Keywords: Comma, Sentence, Public, University, Administrators, Ghana

1. Introduction

A dairy company in the US city of Portland, Maine settled a court case for \$5m earlier in 2018 because of a missing comma. Three lorry drivers for Oakhurst Dairy claimed that they were owed years of unpaid overtime wages, all because of the way commas were used in legislation governing overtime payments. The State's laws declared that overtime was not due for workers involved in "the canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of: 1) agricultural produce; 2) meat and fish products; and 3) perishable foods". The drivers managed to successfully argue that because there was no comma after "shipment" and before "or distribution", they were owed overtime pay. If a comma had been there, the law would have explicitly ruled out those who distribute perishable foods. Because there was confusion, the US Court of Appeals ruled in their favour, benefiting around 120 of the firm's drivers. According to Stokel-Walker (2018), the lawyer who helped to bring the case against the company told reporters at the time that the inclusion of a comma in the clause "would have sunk our ship" The slip-up shows that the slightest misstep in punctuating a clause in a contract can have massive unintended consequences.

Adams (2017) asserts that punctuation matters and it boils down to commas. Commas matter, and exactly how depends on the context. Commas in contracts link separate clauses in a non-definitive way, leaving their reading open to interpretation. While a full stop is literally a full and complete stop to one thought or sentence, and the signal of the start of another, commas occupy a linguistic middle ground, and one that is often muddled. Commas are a proxy for confusion as to what part of a sentence relates to what. Adam (2017) opines that the English language is fluid, evolving and highly subjective. Arguments have been fought over the value of so-called Oxford commas (an optional comma before the word "and" or "or" at the end of a list). There might be good arguments on either side of the debate, but this does not work for the law because there needs to be a definitive answer: yes or no. In high-stakes legal agreements, how commas are deployed is crucial to their

meaning. In the case of Oakhurst Dairy against its delivery drivers, the Oxford comma is judged to have favoured the latter's meaning, Adam (2017). Nobles (2019), who has a long and successful record handling challenging appeals against other leading appellate lawyers in many types of cases, including business disputes, personal injury lawsuits, media defense, probate matters, family law, political controversies, and bankruptcy matters, among many others holds the view that just because one means to say something, it does not mean a court will agree to that.

Arguments over commas have been raging for more than a century, Stokel-Walker (2018). In 1872, an American tariff law including an unwanted comma cost taxpayers nearly \$2m (the equivalent of \$40m in 2018). The United States Tariff Act, as originally drafted in 1870, allowed "fruit plants, tropical and semi-tropical for the purpose of propagation or cultivation" to be exempt from import tariffs. For an unknown reason, when revised two years later, a stray comma sneaked in between "fruit" and "plants". Suddenly all tropical and semi-tropical fruits could be imported without any charge. Members of the US Congress debated the issue and the problem was fixed – but not before the New York Times bemoaned the use of "An Expensive Comma" in 1874. It would not be the last of such error. Contract language is limited and stylised, asserts Adams, (2017). He compares it to software code: do it right and everything works smoothly. But make a typo and the whole thing falls apart. When errors are introduced into legal documents, they are likely to be noticed far more than in any other form of writing, he says. "People are more prone to fighting over instances of syntactic ambiguity than in other kinds of writing." Often, in some circumstances, contracts drafters may want to introduce ambiguities. Getting different countries to sign up to the same principles can be challenging, particularly for climate change agreements, Stokel-Walker (2018). Early climate change conventions included this line: "The Parties have a right to, and should, promote sustainable development." The sentence ensures those signing the agreement have the ability to promote sustainable development – and should do so. But in its original draft, the second comma was placed after "promote", not before it: "The Parties have a right to, and should promote, sustainable development." Some countries

Volume 10 Issue 2, February 2021

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were not happy with the original wording because they did not necessarily want to be locked into promoting sustainable development. Moving the comma kept the naysayers happy while placating those who wanted stronger action. "By being slightly creative with punctuation, countries can feel like their interests have been addressed," explains Stephen Cornelius (2020), a geologist, biologist physicist, oceanographer, meteorologist, paleoclimatologist and chief advisor on climate change with the WWF, who has represented the UK and EU at UN climate change negotiations.

The Globe and Mail (2007) report that Rogers Communications and Bell Aliant fought a legal battle worth CAD\$1m (US\$760,000) over a contract to replace utility poles across the country. The argument stemmed from a single sentence: *"This agreement shall be effective from the date it is made and shall continue in force for a period of five (5) years from the date it is made, and thereafter for successive five (5) year- terms, unless and until terminated by one year prior notice in writing by either party."* The two sides argued that the comma after "five (5) year terms" meant something different: Bell Aliant said that the single year's notice of termination applied at any time, Rogers that it only applied after the first five-year term ended. This was important as Rogers had struck a great deal under their reading of the contract: when they signed a contract to lease the poles from Bell Aliant in 2002, they were paying just CAD\$9.60 per pole. By 2004, the cost had nearly doubled. Bell Aliant, understandably, wanted to terminate the contract and renegotiate at the new, higher price. Rogers did not. Successive courts were equally uncertain about the agreement: Canada's Radio-Television and Telecommunications Commission first declared in favour of Bell Aliant in 2006; a year later, it changed its mind after consulting the French language version of the contract, which did not include the same ambiguity. The misplaced punctuation, prominently featured in the company's legal terms, allowed for one of its major clients to prematurely escape a large contract. Despite a desperate attempt to draft a 69-page affidavit "mostly about commas," the cable company eventually lost out on nearly \$1 million. "Why they feel that a comma should somehow overrule the plain meaning of the words is beyond me," the company's vice president later stated in a filing with the Telecommunications Commission. It's just a classic case of where the placement of a comma has great importance."

Roger Casement, an Irish nationalist, was hanged in 1916 under the 1351 Treason Act. He had incited Irish prisoners of war being held in Germany to band together to fight against the British. The debate over whether Casement was guilty hinged on the wording of the 14th Century Treason Act and the use of a comma: with it, Casement's actions in Germany were illegal; without it, he would get away with it. Despite Casement's lead counsel's assertion that "crimes should not depend on the significance of breaks or of commas", and "if a crime depended on a comma, the matter should be determined in favour of the accused, and not of the Crown", the court ruled that the comma mattered. Casement was found guilty and executed. Though today, life and death do not hinge on the use of commas but big money,

insurance policies and environmental agreements certainly do, Stokel-Walker (2018).

The foregoing stories indicate how important commas are in a sentence. Flowing from this expressed concern, the authors examine the responses of a public University Administrators in Ghana about whether they know that a comma which is wrongly placed in a sentence written by them could legally be expensive. Using Kumasi Technical Universities (KsTU) administrators as a case study, the paper is systematically structured. The next section describes the background of the (KsTU). The third section deals with the data, followed by the empirical results, and the final section is devoted to the conclusion.

2. Background of Kumasi Technical University

KsTU was established in 1954 as Kumasi Technical Institute (K.T.I.) to offer craft courses. In 1963, the Institute was converted to a non-tertiary Polytechnic status under the Ghana Education Service to offer in addition to the craft courses, technician, diploma and sub-professional programmes.

In 1992, the Polytechnics Law (PNDCL.321) elevated the Polytechnic to a tertiary institution to provide high calibre skilled manpower in the area of manufacturing, commerce, science and technology. The Polytechnics Act, 2007 (Act 745) enhanced the Institution's academic autonomy to run Bachelor of Technology programmes. As a Polytechnic, it was vibrant and well acclaimed for the high calibre human resource it trained. To further raise the status of Polytechnics in Ghana, the Technical Universities Act, 2016 (Act 922) as amended converted Kumasi Polytechnic among others, to a Technical University with the aim of providing higher education in engineering, applied arts, applied sciences and technology as well as technical and vocational training. KsTU is a prominent and reputable tertiary institution located in the heart of Kumasi, the Garden city of West Africa and Regional Capital of Ashanti region, Ghana. It has since its establishment become an enviable hub for the training of professionals for Ghana, Africa and beyond. The University has 11 Faculties, Institutes and Schools, Office of The Registrar (2020).

3. Data

Designed survey data was gathered for the KsTU Administrators as a quasi-experimental study from a purposeful sample of 50 respondents. Bryman (2008) argues that purposive sampling is part of convenience sampling, where the researcher gets into contact with respondents and uses those respondents who are knowledgeable regarding the subject matter under discussion. Purposive sampling as a non-probability sampling has attracted a lot of attention in the current social sciences research activities. Purposive sampling techniques involve selecting certain units or cases based on a specific purpose rather than randomly doing a selection, (Tashakkori and Teddlie, 2003, p. 713). Creswell (2014) posits that it is always rational for an interviewer to identify the respondents through the application of a purposive sampling technique.

3.1 Survey instrumentation procedure

Survey questionnaires were considered because of the economy of the design and the rapid turnaround in data collection. Identified 10 Junior Staff, 21 Senior Staff and 19 Senior Members administrative staff of KsTU were surveyed in December 2020.

4. Description of Variables Used in the Study

A variety of explanatory variables and summary statistics used to analyze the KsTU Administrators' responses about how expensive a comma wrongly placed in a sentence written by them could be, are now described in turn in Table 1.

Table 1: Variable Description of KsTU Administrators of Administered Survey about Awareness of How Expensive a Comma wrongly placed in a sentence written by them could be

Variable	Description
Sex	Gender of Respondent = 1 if male, 0 if female
staffCat	Respondents staff category =1 if junior Staff, =2 if Senior Staff, =3 if Senior Member
EduQual	Respondents Educational Qualification =1 if Higher National Diploma, = 2 if Bachelors degree, =3 if Masters/Doctoral degree holder
CmaCdred	Wrongly placed common a sentence could be costly ever considered =1, 0 otherwise

5. Empirical Results

The sampled population and empirical estimates of respondents responses surveyed are presented in the following tables.

Table 2: Administrators' Gender

Sex	Frequency	Percent	Cumulative
0	18	36.00	36.00
1	32	64.00	100.00
Total	50	100.00	

A total of 18 of the administrators representing 36 percent are females, while 32 respondents representing 64 percent of the sampled population are males.

Table 3: Administrators' Staffing Category

staffCat	Frequency	Percent	Cumulative
1	10	20.00	20.00
2	21	42.00	62.00
3	19	38.00	100.00
Total	50	100.00	

A total of 10 of the administrators representing 20 percent are in the junior staff category, females, while 21 respondents representing 42 percent are in the senior staff category and 19 respondents representing 38 percent are in the senior members' staff category.

Table 4: Administrators' Educational Attainment

EduQual	Frequency	Percent	Cumulative
1	10	20.00	20.00
2	22	44.00	64.00
3	18	36.00	100.00
Total	50	100.00	

A total number of 10 of the administrators representing 20 percent holds a Higher National Diploma certificate, females, while 22 respondents representing 44 percent holds a Bachelor degree, and 18 respondents representing 36 percent are holds at least a Master's degree.

Table 5: Administrators' Response to the Placement of a Comma in a Sentence

CmaCdred	Frequency	Percent	Cumulative
1	26	52.00	52.00
2	24	48.00	100.00
Total	50	100.00	

An aggregate number of 26 of the administrators representing 52 percent responses indicate that they are not aware of how costly a wrong placement of a comma in a sentence written by them could be, while 24 respondents representing 48 percent responded that they are aware of how costly a wrong placement of a comma in a sentence written by them could be.

6. Conclusion and Recommendations

The current study makes the following recommendations after the investigation. It has long been known that when staffs are well trained, they become the organisation's biggest assets (Bartram and Gibson, 2000). When such trainings are regular, they equip workers with new ideas and expose them to state-of-the-art processes and procedures in carrying out responsibilities. Training and workshops on writing skills and more importantly on commas in a sentence is recommended as the administrative staffs are constantly made aware of the consequences of wrongly placement of punctuations, especially, of commas in their official write-ups. This will not only sharpen the writing skills of administrators but also, it will add to their already acquired administrative skills. Hence, frantic effort must be made by management to educate the 52 percent of administrators who do not know the consequences and the expensive nature of a wrongly placed comma in a sentence at KsTU. Conducting a research on all public universities administrators in Ghana focusing on the importance of placement of a comma in a sentence remains non-negotiable in a future research.

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