

CHAPTER – V

CAUSES OF STRIKES

**Work for the glory of your country and
countrymen speaking different dialects.**

**Give due respect to the faiths and
aspirations of the people.**

Countless are the resources of Mother

Earth, from whom flow the rivers of

Wealth in hundreds of streams,

Worship Motherland as you worship God.

**From time eternal, the mother Earth's is giving life to her children-you
owe**

Debt to her.

.....Atharva Veda. 12.1.45

5. 0. Motives or Causes for launching strikes

There may be number of reasons for out break of strikes. It may be at the end of the employer, employee or the government. Once dispute is either apprehended or raised it is the duty of the State to settle it not only in the interest of the employer, employee but also the general public. For settlement of a dispute it is necessary to know the cause of it. In this chapter various causes for out break of strikes are discussed. The methods adopted by the employers and employees (including trade unions) in India and other countries are also discussed. Industrial Truce Resolutions are the principles that have to be affirmed from time to time to prevent the ill-effects of work stoppages. In India, immediately after armed

conflict between India and China in October 1962, a tripartite conference of government, labour and employer representatives promulgated the Industrial Truce Resolution whereby labour and management pledge that:

- (i) Under no circumstances shall there be any interruption in or showing down of production of goods and services.
- (ii) In respect of their economic interests both workers and employers will exercise voluntary restraint and accept the utmost sacrifice, in an equitable manner, in the interest of the Nation and its defence efforts.¹

In India motives or causes for launching strikes can be conveniently divided into the following: -

- i) The main causes or motives for the strikes in India are the demands of the workers for securing improvements in their conditions of service in matters like pay scale, dearness allowance, bonus etc. Demands for securing improvement in their conditions of service in matters, are responsible for declaration of strikes. Till 1970s whenever the price of the essential commodities and other goods were increased the opposition parties used to show their protest against the act of the government and the prices were slashed to some extent. After 1970s the Government paid deaf ear to the comments of the opposition, as a result even the opposition (minority) parties also stop agitating against the price increase. As a result the increase in the price of the commodities became a regular phenomenon.

Every year at the end of the financial year the workers used to give a charter of demands, which generally includes claim for bonus. The employers for avoiding payment of Bonus to their employees adopt several tactics by taking the advantage

¹ *Indian National Trade Union Congress Report, June 1962 to April 1963, Appendix B, p. xv.*

of the loopholes in the Payment of Bonus Act. Likewise, in the matters of payment of extra monetary benefits to the employees, the employers adopt delay tactics which sometimes including the active co-operation of the Government. If the government take procedure for implementing welfare measures strictly and timely, the dispute of these types /nature can be avoided.

5. 1 Multi Unionism

The strength of the trade union is its members. All the unions must share workers of the undertaking. Hence, more the number of trade unions, lesser its strength will be. In every country capitalists or workers' organisations (trade unions) exist and play a vital role in wage regulations. Sometimes the motive for the strike is the inter-union rivalry. When there is a change in the political scene, different unions affiliated to different political parties make all sorts of attempts, to establish themselves as supreme and representative of the labour force and in this process they instigate the workers to go on strike just to draw the attention of the authorities and gain recognition/importance. Further it is not un-common that when there are two unions there is bound to be an intense rivalry and on some occasions strikes took place not on account of any act of the employer but due to the establishment of a rival union. In India there is no law that restricts the number of trade unions. The Trade Union Act, 1926 simply provides that any seven or more persons may apply for registration of the trade union². The politicians for catering their selfish means promoted multi trade unionism. Number of instances can be seen when a new political party came to power new trade unions came to existence with the active support of the ruling party and they may disappear after that party loses power in the state or centre. The employers also for diluting the power of a trade union by giving financial assistance promote pet unions, so that production process can be continued even when strike declared by one union. In

² Section 4 of The Trade Union Act 1926

this case since the pet union having the support of the employer will be liked and may become popular in a short time and the other unions slowly may be collapsed.

5. 2 Role of Trade Unions

- (i) acts as a countervailing power to the monopoly power of capitalists;
- (ii) mutual insurance-creation of a fund by common subscription to ensure against unforeseen circumstances; and
- (iii) Collective bargaining- a continuous process i.e. improving the efficiency of the people bargaining for more wages and amenities, monitoring agreements, adjusting to changed circumstances due to technological innovations.

Activities of Trade Unions: Three Categories.

- (1) **Militant or intramural activities:** Trade Unions ensure higher wages, better working conditions, better treatment and reasonable share in the profits of the firm. But to achieve these goals, militant methods are used e.g. strikes, go-slow tactics, work-to-rule, etc.
- (2) **Fraternal Extramural activities:** Basic aim is to help workers in time of need, increasing efficiency for training, coaching, etc., to increase productive capacity of the workers.
- (3) **Political activities:** As an appendage to political parties trade unions often sever party's interest which many a time become their main aim.

Most countries have passed labour legislation relating to trade unions and labour keeping in view the following:

- (a) Social justice;
- (b) Social equality;
- (c) International uniformity; and

(d) National economy.

Trade Unions can help in increasing marginal productivity of labour itself by adopting the following methods:

- (a) by fostering thrift, honesty and co-operation among their members and by improving their productivity and efficiency;
- (b) by forcing the employer to increase the skills of the workers by ongoing training programmes for the purpose;
- (c) by linking wages and bonus with production-more the workers produce, the more wages they will get. This will not result in price rise and keep the economy in equilibrium.

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The success of the trade union lies on its bargaining capacity and finally upon its success in achieving the demands. The efficient and intellectual union leaders of union who can lead it to success can effectively do bargaining.

Trade Union Bureaucracy

Trade union organisation generates a distinctive social layer, the union bureaucracy. Union officials are necessary for effective on-going union organisation, but they have interests distinct from those of ordinary workers.

Distinct interest of trade union leaders

- Jobs that involve mediation between capital and labour and involve maintaining the credibility of both sides
- Mobility: access to members in different workplaces. They can balance between militant and backward members, portraying their position as the golden mean.
- Their expertise and access to information
- Privileges: better wages and conditions than most of their members.

These factors lead union officials to see their organisations as ends in themselves and to avoid situations, which could risk the organisations or their control over them. The circumstances of union officials also encourages a commitment to compromise, the pursuit of harmony in industrial relations, where possible, and attempts to use the state as an instrument for achieving these and a 'fair deal' for unionists.

Essential qualities of s Union leaders

A trade union leader must be the humblest person and he cannot think of anything except the welfare of the members of the trade union. He should strive for achieving the object for which the trade union was formed. Happiness, fear, anger, affection, shame, disgust, surprise, lust, sadness, elation, love are some factors (emotions) that influence the day-to-day life of the human being. The success of the employer or employee at the work place depends upon the level of his/her intelligence or intelligent quotient (IQ). Another quality that trade union

leader should have is “emotional intelligence” which mean ‘knowing what feels good, what feels bad, and how to get from bad to good’.

Leaders are provincial in their outlook, and seldom think beyond their union and members. Leaders, who are particular about their honour, and hopes for only for their betterment and unconcerned with the welfare of the others, may not succeed in long run. Recognising and identifying feelings through emotional self-reflexive awareness is a prerequisite for development emotional intelligence. It is a known fact that ‘thinking may certainly interfere with feelings; but feelings do not interfere with thinking’. Intellect alone cannot help the union leaders to navigate the dynamic political, administrative and psychological situations of an office full of people, each withy a set of different set of needs and desires. It takes empathy for the union leader to guess what members want and how far they are justified. It is also necessary for him to have regard to the wants and wishes of the employer who wants to see a subordinate’s tension but not to over load him/her with work in spite of protestation.

Skills of a trade union leader

As per M.K.Gandhi the father of the nation “Humility is a key to quick success.” Humility often gains more than pride “corn with developed ears bends. Even so the man of nature understanding rests in humility.” A soft answer turneth away wrath, but grievous words stir up anger. Self-awareness is one of the basic emotional skills involves being able to recognise different feelings. Equally important is the ability to control the relationship between thoughts, feelings and actions. A trade union leader should possess the above qualities apart fro others. Retrospection, inward looking, self-examination and self-correction are the dire demand of the trade union. Exalted and explicit example is more effective than excoriating and inimical exhortations. Trade Union leaders are expected to have

the following qualities apart from others, failing which the management of the trade union may not be smooth and may result in

Managing emotions

Beliefs have a fundamental effect on the ability to act and on how the things are done. Finding ways to deal with anger, fear, anxiety and sadness is also an essential quality of a union leader. For example, learning how to control oneself when upset is one such asset; another is understanding what happens when emotions get the upper hand and be able to gain time to judge if what is about to be said or done in the heat of the movement is really the best thing to do. Being able to channelise emotions to a positive end is another key skill to raise the skill.

Empathy

Getting the measure of a situation and being able to act appropriately requires understanding the feelings of others. It is important to be able to listen to them without being carried away by personal emotions. It is necessary to be able to distinguish between what others do or say, and one's own personal reactions and judgements.

Communication

Developing quality relationships has a very positive effect all around. What are the feelings being communicated to others? Enthusiasm and optimism are contagious; but so are pessimism and negativity. Being able to express personal concerns without anger or passivity is a key asset.

Co-operation

Knowing how and when to take the lead and when to follow are both essential for effective co-operation. Effective leadership is not built on domination but on the art of helping people working together to achieve common goals. Recognising the value of the contribution of others and encouraging their participation can often do more good than just giving orders or complaining. At the same time, there is a need to take responsibility and recognise the consequences of one's decisions and actions and follow through on commitments.

Resolving-conflicts

In resolving conflicts there is need to understand the conflict at work. People in conflict are generally locked into a self-perpetuating emotional spiral in which the genesis of the conflict is usually not clear.

Respect for interpersonal relations

The leaders shall have due regard to inter personal relations apart from giving values for rules, regulations, instructions, laws, Acts, reports etc. Trade union leader should as far as possible must keep him away from taking decisions in a monopolised way.

To educate the members

To make your children capable of honesty is the beginning of education³. It is the duty of the trade union leaders to educate the members in a systematic way. It enables the members to be self-reliant in many a ways. If every member is

³ John Ruskin

dependent upon the leaders, they (leaders) will be over burdened and he may not divert his attention towards the welfare of the members.

Empowerment

Empowerment is exercising control over one's lives. This has two aspects. The first is control over resources (financial, physical and human). The second is a control over ideology (beliefs, values and attitudes). Empowerment starts with changes in consciousness and in self-perception. Psychologically, it is creative, energy-releasing transformation, one from which there is no looking back. Empowerment taps reservoirs of hope and enthusiasm among people used to viewing themselves negatively.

Planning

Traditionally planning and implementation have been conceived as separate activities and have been entrusted to different administrative units with vague and weak linkage. Without properly implemented projects, development plans become only empty objectives remaining forever elusive⁴.

Decision taking

The decision taking process in the Government is often criticised for being too slow and cumbersome leading to citizens' discontentment. Though it is not with trade unions, speedy decision taken by some office bearers of the trade union proved to be disastrous. The factors to be taken into consideration in decision making are lack of supervision, resources, fair play, interest, politics, will etc. In order to avoid criticism and make

⁴ Abhilash Likhi, *Issues in urban planning and administration*, The Administrator, December, 2001, Lal Bahadur Shastri National Academy of Administration, Mussoorie (Uttaranchal), p.90.

administration of the union members friendly, effective and responsive it has become imperative to carryout some systematic reforms. The process of decision-making must follow the procedure of democracy. Any violation of the principles and procedure leads to discontent upon the executive.

Abuse of Trade unions

Unions are representatives of sectional interests. They may be ok, so long as they are treated as just another voluntary association and are subject to the same constraints as individuals are. Unfortunately they have been privileged in countries like Australia and Britain and this has given them monopoly power, which damages non-unionists (especially by increasing unemployment by raising wages) and the economy. Some employees may not be interested in union activities but when the union is fighting for the causes like salary, benefits, seniority and pensions etc. all the employees participate fully and whole heartedly. Such employees are prohibited from participating in internal union affairs. Generally such affairs including on decisions to strike or ratify a contract, or running for union office etc. some times though the employees are not members of the union they will be the members for collective bargaining. Employees who are not members of the union remain "members of the bargaining unit," fully covered by the collective bargaining agreement and all of its provisions regarding salary, benefits, seniority and pensions etc. Moreover, the union continues to owe these "members of the bargaining unit" a duty of fair representation. While such employees can be prohibited from participating in internal union affairs (such as voting in union elections, voting on decisions to strike or ratify a contract, or running for union office), they are immune from internal union discipline and fines.⁵

YOUNG LEADERS

⁵ Rossie D. Alston, Jr. and Glenn M. Taubman, *Union Discipline and employee Rights*, (www.file:///G:/cases.html#N_1) (visited on 26.10.2004)

The monopoly of precise people needs to end. The youth the salt of the nation need to imbibe the illustrative ingredients of the dead heroes of independence. Non-violent, the virtuous struggle can alone reverse this process of self-aggrandizement. A good man that creates history is not born. Young leaders must be self-discipline, self-moulding, self-development and hard working. He must be capable of converting latent dynamism patient and directs it for development. Enthusiasm, the essential element is kept alive for all achievements. Generation and conservation of energy is the key factor for success. Distinction and individuality are derived by a concerted effort with a tenacity of purpose. Mind and magnificent friends, has to be tuned and turned for constructive purposes. The seniors in the way that they must be capable of running or managing the trade union in future efficiently must train young leaders.

In practice young leaders are trying to establish their position at the earliest. In the lust for consolidating their position in the trade union they are trying to be an inevitable source in between the workers and the management as an alternative for the top cadre leaders. In this run several young leaders are even going to the extent of misleading the members. They want that the members of the trade union should deal with the officers or management only through them, so that they can raise their level to that of office bearers. Lack of experience and desire to become popular among the members hanging them in between reality and illusion. Support given by the top cadre union leaders to the young leaders who are either related or otherwise connected to them directly or indirectly, resulting in causing frustration to the other efficient and skilled young leaders. This practice is also resulting in bringing young inefficient and inexperienced leaders to lime light directly from sidelines. In order to overcome this hurdle they are adopting corrupt modes. Any member who directly deals with officers with regard to leave etc. will be sidelined

and in case of exigencies union leaders are not coming to their rescue for the reason that such activities may considerably cause hurdle to their growth.

Frustration in younger generation leaders is a fatal blow to the union activities. Senior leaders must give proper training to the younger generation regarding methods to be adopted in dealing with the members during normal and agitation periods. Skill cannot be developed all of a sudden. Hence, for inevitable future, it is necessary to provide training to the younger generation regarding maintenance of the trade union, skills of discussion with management etc.

IMPOSED LEADERS

Imposed leaders are those who for the reasons are forced to accept by the other members or imposed on others. Generally, the relatives of powerful leaders (Office executives) like son, son in law etc. are brought in to union with a view to train and make them leader as a substitute for them after their retirement. Though, the other members are unwilling for his appointment, they could not do so for the reason that their father or father in law is a reputed leader and in case of exigencies he may have to have assist from them. These imposed leaders due to lack of experience and influence of the high cadre leaders can neither be good nor bad for the union at large. Lack of experience and ego on the part of imposed leaders sometimes is resulting in division of unions.

Whole hearted members are the soul of the union. The above discussion makes it clear that the trade union leaders with 'in and out' experience are only capable of leading the union to a success. Young or imposed leaders without experience but with pride and greed for power may lead the union but not for a long time like experienced one. Inexperienced leaders like a temporary employee who always looks to the door or window of the other for an alternative who never

do whole hearted efforts for the welfare of the union. A genuine union leader is an asset to the union and his services though may not show immediate results, still reap fruits in long run and an inevitable source of success.

Abuse by leaders

A trade union leader of upper strata, who cannot be with in the reach of the normal member, wants that, the contribution to the trade union should be made by deduction from salary of the employees directly. In this process the chances of developing rapport by other small leaders with the members will be restricted. Whereas middle class leaders wants that the contribution shall be collected directly from the members (hand to hand) so that they will come to know the problems of the members. (The members at the time of payment of contribution express their grievances to the leaders). Lower class leaders always feel that the members should always depend on them for every issue whether big or small. In other words, they want that the workers shall deal with employer or any other officer of the trade union only through them (including petty matters like casual leave, permission for short time etc.). Any educated worker who wants to exercise his own skill bypassing the leader will be side lined or kept in margin and whenever he face any problem, the unions will pay deaf ear to him. This practice impliedly forces the other employees to depend upon the union leaders for each and every issue whether big or small.

The high cadre union leaders some times try to bring their Progenies (son, daughter etc.) in the executive of the trade union. Though they are not experienced to those leading posts (like secretary, treasurer etc.), for the purpose of elevating him or her to a higher post the leaders force the other office bearers and members to elect or appoint him/her to the respective post. If he succeeded in the attempt he will be dumping an inexperienced, junior person to a responsible post, such person

later may prove to be fatal blow to the survival of the union. It creates a lot of dissatisfaction among the other experienced members and leaders. If the leader fails in his attempt he may shift to the other union which promises a honourable post to him and a reasonable post in the executive to his representative (Son, daughter etc.). Such activities later proved disastrous to the unions. Such levied leaders while dealing with union matters show or treat themselves as superior officers of the trade unions and an inevitable link between the worker and the management. These persons are not allowing the workers to have direct communication with the management.

- ii) Sometimes the workers (unions) have no grievances against their employers and still they go on general strike in order draw the attention of the government against the rising crisis or when the government fails to control the rising prices. Though, all the workers are participating in the strike that was sponsored by the union, number of workers have no intention to participate in it wilfully. It is generally said that only 10% of the union members are in favour of strike and 10% are strongly against it. The remaining 80% members are the followers having no say of their own. Out of this 80% majority, does not have any grievances against their employers. Still they go on strike in order to avoid any possible confrontation with the union leaders or other member. Generally, the persons those who are in favour of strike are active supporters of such person, who occasional or habitually get undue advantage from the unions. These persons are solely responsible for sidetracking the unions from acting for the objects of a trade union for which it was formed. These employees in order to have active support from the union leaders stand in the forefront during agitation, which in turn forces the union leaders to support all their cases irrespective of right or wrong.

- iii) Sometimes the motive for the strike is the delaying tactics of the management. When the workers raise demands, the employer either ignores them or its' consideration may be prolonged for an unduly long period.
- iv) Another cause for today's conflict is the indecisive policies of the employers. When the employer does not take prompt action in settling the differences, a crisis develops and the workers indulge in violence and there is no hope of peace returning in the near future.
- v) Yet another equally important cause for the unrest amongst the workers is the lack of close watch of the employers on the day-to-day union activities of the workers or the lack of proper attention at the proper time or the non-co-operative attitude of the employer without keeping in view the possible consequences of a strike or gherao.
- vi) Sometimes the tendency on the part of the management to resort to dilatory and evasive tactics place havoc in industrial relations scene.
- vii) Some times, the propensity on the part of the personnel department or the organisation to take help of law and order on the slightest provocation makes the worker resort to strike or to indulge in violent activities. So, what is needed is the prompt and proper action by the employer at the proper line.
- viii) Sometimes, the motive for the strike is the policy of the management to exploit inter-union-rivalry existing among trade unions. In such a situation, the management takes advantage of the inter union-rivalry by pitting one-union against another for its own benefit without keeping in

view the fact that in the long run such kind of strategy shall not pay and on the contrary shall produce deleterious effect.

- ix) Another important factor with which one is often confronted is the reluctance on the part of the employer to communicate freely and openly with workmen. Many actions of the employer are shrouded with secrecy, which often tend to arouse workers suspicion of the motives and intentions of the employer among them. The reason is that the entire atmosphere in an organisation is full of mistrust for no reason or rhyme and often generates grating wine, which unnecessarily maligns the relationship.
- x) Some employers maintain distance between themselves and the workers. Such attitude of maintaining distance often creates more problems than what can be imagined. It also needs to lack of understanding of workers' abilities, competence and their expectations, which are often ignored by the employer. The unfair treatment of workers, their victimisation, favouritism and indiscreet use of their own power can immensely impair the industrial relations.
- xi) Sometimes motive for the strike is the role-played by the Government machinery. The primary role of the Government is to design and enact various laws, which could cover the entire gamut of activities constituting industrial relations. It is not enough to merely legislate and to forget about it. The responsibility lies in ensuring that the legislative machinery is working efficiently and satisfactorily in all fairness. At present, there is no time-bound adjudication. In order to over come this problem and eliminate the over-crowding of claims what is immediately and urgently needed is to increase the number of industrial adjudication

including the strength of the inspectorate so that a prescribed time-limit for adjudication is observed. If the claims of the workers are settled with in a reasonable period then they would feel satisfied and contended and this would repose confidence in industrial adjudication and the workers would not resort to violent activities or strikes.

- xii) Sometimes the unions go on raising the hopes of the workers to the skies by putting up demands on the employer without considering his capacity to pay or to bear the additional burden and in case the employer does not accede to their demands on account of his incapacity to bear the additional financial burden then the unions instigate the workers to resort to strike or gherao. Instead of this if the unions start educating and advising the workers to raise their output and it is only after considering the capacity of the employer to pay the enhanced wages that such demands are put up before the employer then the possibility of the worker to resort to strike can, to some extent, be avoided.
- xiii) The real motive for the strike is the discontentment amongst the workers due to insecurity of service and inadequate wages.
- xiv) Labour unrest is partly a consequence of political realignments. Bonus remains a bone of contention. Strikes, which used to be the ultimate and last recourse available to the workers, have now a day become their first choice. This is due to lack of education of the workers. The cause for the strikes is also lack of education. The workers should be educated that the weapon of strike should be used, as a last resort when all other avenues have proved futile.

- xv) The variety of conditions under which a strike may break out is such that there can be few generalisations as to its conduct. The economic condition, the degree of organisation on both sides, the immediate issue and the general political positions, all are, or may be important. At any movement one of the factors may change and produce a situation in which all previous decisions must be scraped.
- xvi) Generally, it is the attitude of the employers, which becomes the cause of industrial unrest. There are employers who are still not reconciled to the existence of trade unionism. Some employers yield too easily to coercion and threats while others do not pay any heed to the legitimate and genuine grievances of the workers.
- xvii) Sometimes, the communication channels, when allowed to be clogged, cause sparks of labour discontent to develop into minor fires and later into configurations. The main connection between the employer and the employees is the immediate supervisor. He will act as a mediator or shock absorber between the employee and the employer. It is his duty to inform the employer and workmen, the information that is required in the interest of the undertaking. If he fails in discharging this duty it may result in communication deficiency and may lead to industrial disputes.

5. 3 Non-payment of wages

Several factors forces the employer in not payment of wages for months together, which may include financial incapacity, negligence towards the demands of the employees etc. non-payment of wages is not the factor that is prevalent not only in developing countries like India, but also in developed countries like China and USA etc. In December 1999, 1,000 silk mill workers blocked a highway in

south-western China for two days to protest the fact that they hadn't been paid in a year. The workers fought with the more than 200 police sent in, throwing stones and bottles. Some of the workers' banners read, "We want to eat. Our children want to go to school."⁶

5. 4 Privatisation

It is not the duty of the Government to do business. This does not mean leaving the task to them alone. The state had an active role in supporting the private sector. Mechanisation led to fast exploitation of the resources of several countries. For resources, most advanced countries were forced to depend upon other countries. This fact led to colonisation. Three fourth of the world once was the colony of United Kingdom. The capitalists of British Kingdom exploited both persons and natural resources of colonial countries during the period its colonial rule. Scientific investigations and computerisation added fuel to the fire. Public revolt and independence movement forced British kingdom to declare independence to the majority of its colonial countries.

The starting of new industries for doing business, calls for entrepreneurship and adventure is the duty of the private entrepreneurs. Countries immediately after independence was found financially crippled. Immediately after independence the citizens of those countries are not capable of investing in huge industries for the reason of lacking of sufficient funds or doubt as to continuation of the business profitably or not etc. hence, the government was forced to invest in huge industries created by a specified Statutes.

⁶ Angry Winds in China, *Protests, Strikes and Revolts by workers and Peasants*, Revolutionary Worker, 24.9.2000 (visited on 31.3.2004).

The government during those times started new industries on a pilot basis with a view to hand them over to the private hands when found successful. Total withdrawal of the government would mean that setting up necessary industries such as steel plants and oil refineries would be left entirely to the whims of the private sector. The Public Sector Enterprises were established with the dual objective of leading industrialisation of the economy and providing relief to the poorest worker. They achieved the former objective well.

It is a well-known fact that private businessmen in Russia in 1917 and India 1947 did not have the capacity to put up steel mills, oil refineries and factories to make nuclear reactors and steam turbines. The risk in these newly emerging areas was high and requirement of capital large. PSEs took the lead in the industrialisation of these countries.

The position is same in almost all the countries. But in some countries like USA and UK such huge industries were constructed by the government and privatised as early as possible. But in the communist and socialist countries like USSR and Indian they were continued under the ownership of the Government.

The appointment to the higher post in those undertakings was made by the politicians as such the employees were faithful to them in all respects and started dancing to their tune. The situation in India was also similar. Ministers got a large number of their cronies recruited by PSEs. They have suites in five-star hotels booked for their luxury and comfort. High wages, inefficiency and such profligacy led most of the PSEs into the red except in sectors such as oil, banking and communities where the state monopolies could charge exorbitant prices for their produce. In all 102 out of 237 PSEs were running in loss in 1992. The government was providing budgetary support to loss-making PSEs. Tax was being

imposed on the ordinary people of the country to keep the PSEs alive. However, the governments failed to prevent growing corruption by taking action against the corrupt employees forced the Government to privatise these undertakings.

In USSR also, the government jobs in PSUs were proved to be a boon to the employees without any responsibility. As a result all the public sector undertakings ran in losses and the economy of such a big power collapsed and the union was divided in to several independent countries. Even in the Communist country of China, Government is being hit with peasant revolts in the countryside, there is also growing discontent and unrest in the cities—and increasing numbers of strikes and protests among workers. One of the main things sparking these protests is the huge number of workers being laid-off mainly due to the downsizing or closing of state-owned companies that are now being privatised.⁷ Privatisation may be done in different stages. It may be sold directly to the private enterprises or in the first stage it may be converted to joint venture and later may be totally privatised. The Meite plant (in China) was transformed from a state-owned company making pipes to a beverage-packing firm jointly owned by the Chinese and an American corporation—and then, to a factory wholly owned by the Ball Corporation, a US company. In UK since the 1980s the traditional state post offices and telephone services have been broken up and privatised. This development goes hand in hand with massive attacks on postal workers around the world.

In a narrow sense, ‘privatisation’ implies the induction of private ownership in public owned enterprises, but in a broader sense, it connotes besides private ownership (or even without change of ownership), the induction of private management and control in the public sector enterprises (PSU). Barbara Lee and

⁷ Internationalist Bulletin - No 2, Publication of the Liaison Committee of Militants for a Revolutionary Communist International, Spring 1997 (Internet).

John Nellis define the concept as, "privatisation is the general process of involving the private sector in the ownership or operation of a state owned enterprise." Thus privatisation covers three sets of measures;

1. Ownership measures,
2. Organisational measures, and
3. Operational measures.

In India for four decades (from the date of independence) public sector was expected to be the engine of growth. By the beginning of 1970s the role played by the PSU were found to be unsatisfactory and every body started thinking of wisdom in investing heavy amounts with PSU. The performance of the PSUs by middle 1970s, disenchantment with the public sector had started, but the voices of protest were feeble and were sporadic and inarticulate. The need for change was thought of by the government and finally Rajiv Gandhi prime minister (the then) in 1984 clearly pronounced for change in the public sector undertakings. The collapse of socialist economies gave boost for disinvestment policies in India. The worsening balance of payments situation in India leading to increasing dependence on the IMF and World Bank for grant of loan of the order of \$5.7 billion to bail out India further added fuel to the fire. During 1969-70 to 1973-74 Public Sector enterprises earned 12% per annum. But by 1981-82 the return fall to 7 to 8 percent. Later it returned to 12 to 13 percent after 1981-82 in 1995-96 it was 16.1%. But compared to the investment the return was very low. Net profit in private sector in 1994-95 was 15%, whereas it was only 7.4% in public sector. It further declined to 5.0% in public sector compared to 7.4% in private sector.

The majority problems faced by the Public Sector enterprises are:

1. Working under a command system of management, little initiative left with the Public Sector enterprises,

2. Social and political constraints compel Public Sector enterprises to charge uneconomic prices resulting in loss,
3. Public Sector enterprises could not take hard economic decisions as they can afford soft budget option because their losses can be met out of the general budget revenues,
4. The managers of Public Sector enterprises tend to procedure oriented rather than out-come oriented and thus start playing safe and send even ordinary decisions for approval of top bosses in the ministries so that in the event of loss, they may not be held responsible. This practice led to rampant corruption, lack of responsibility and accountability among the workers and bossism of politicians,
5. Employment of unskilled and excess employees to over come unemployment problem lead to economic burden on the Public Sector enterprises,
6. Employees once recruited in Public Sector enterprises since does pay any attention towards his job it further deteriorated the situation as the management could not do any thing because of occasional political interferences,
7. Payment of benefits to employees in Public Sector enterprises are more compared to the private enterprises and accountability and responsibility are less.

The third National Commission on Labour also hailed the role of the government in respect of Public Sector Undertakings by saying that, "The Government of India did not put forward any proposal to public undertakings free them from bureaucratic control, and professionalize them to improve performance and profitability. No more was assigned to them in economic restructuring of the activity".

Position in other countries

According to a Democratic Party's document 1995, the market economy is being transformed into a dominant force in Albania. The budget deficit from 44% of GDP in 1992 was planned to be only 7% in 1995. More than 55% of the GDP comes from the private sector. Inflation has decreased 25 times as compared to 1991. For two successive years Albania has the greatest economic growth in Eastern Europe, 11% for 1993 and 8% for 1994. Export and import comparing 1992 - 1994 increased 3.2 times and 2.7 times respectively. In 1994 foreign investment was three times higher than in 1993. 65% of the national property is privatised.⁸

5. 5 Downsizing Employment

Employers run business for making profits, not for providing employment to some persons. Whenever he feels that the services of the employees are no more required or when he is not in a position to provide work he will remove them as it amounts to bearing economic burden, which may throw him to the well of losses. The employer may not require the service of the employees for a short time or forever. Some times the employer may reduce its staff strength temporarily. In seasonal business the service of the employees is required only for a short time and once the season is over their services can be terminated. Skeletal staff only will be retained in order to look after the premises and plant.

Downsizing the employment may result for the following reasons:

1. change in government decisions or policies,
2. completion of the scheduled task (construction of bridges etc),
3. shortage of power,

⁸ Internationalist Bulletin - No 2, Publication of the Liaison Committee of Militants for a Revolutionary Communist International, Spring 1997 (Internet).

4. natural calamities,
5. adoption of labour saving techniques,
6. shifting of industry to other places, etc

In the interest of the country it is necessary to open and run certain undertakings like postal, transport, etc, by the government in the beginning. Once its purpose is completed or several private persons start doing the same business the government slowly start withdrawing it from the market. It may take place in different ways; viz. dividing the industry into different departments and giving some departments on lease basis to some private persons, selling some departments to private persons, converting into joint venture, selling the undertaking to the private persons etc. Generally, the employment in PSU is more compared to private undertakings. Once the undertaking was either converted to joint venture or private the employer who feels the employees are excess in number immediately will adopt the process of downsizing employment in order to get rid of economic burden (in the form of retrenchment). Apart from this the companies may shift the plants to other special economic zones declared by the governments (where incentives are provided to the industrialists), and they get advantages like tax reduction etc. as a result the persons working at the old premises may be terminated or the employees may not prefer to go to new place. The result in any case is reduction in employment because of the act of the employer. Some times the employer who is not in a position to face the agitating workers may shift the plant to new place as a result the employees may be unemployed (who refuse to go to new place to work) and in the new plant the employer will adopt labour saving techniques in order to avoid excess employment and thereby get rid of the labour problems to some extent either temporarily or forever.

The situation is almost similar in different countries. In China by the end of 1996, more than half the state-run industries had been unable to sell their products or pay wages and pensions. In the worst-off industrial cities, up to 80% of the workforce has been laid off. In Shenyang, the capital of Liaoning province, 350,000 workers were laid off, many without pay. In Tianjin, which had attracted a lot of foreign investment, state-run industries had been laying off workers all year. Companies like the Flying Pigeon Bicycle Factory had halted production for a part of each month—and 7,000 of the 20,000 workers were dismissed. Unemployment among Tianjin's industrial workforce had reached 40%. At the beginning of 2000, official statistics revealed that China's state-owned enterprises (SOEs) had laid off 11 million workers in 1999. Less than 5 million had been able to re-enter the workforce. With an additional 6 million unemployed workers — according to the government statistics—this brought the total number of officially counted unemployed to over 12 million. But even this number hugely underestimates the real number of people out of work in the cities.⁹

5. 6 Sub-contracting

This is the method invented in late 1990s for overcoming the economic burden of excess employment and avoiding the statutory payment of wages or benefits to the workers. In Singareni Collries (Coal Mines), Kotha Gudem, Andhra Pradesh, sweepers who were appointed to sweep/clean only one office room per head. Later the job of sweep or cleaning the office was given on contract where in the contractor appointed each sweeper who are required to sweep or clean at least 3 (three) offices per day. Like wise in Andhra Pradesh State Road Transport Corporation, a transport undertaking in Andhra Pradesh in order to overcome economic burden of the staff contract is given to the private persons who will supply the busses and driver to it and the corporation will provide oil at

⁹ *Angry winds in China*, Revolutionary worker in China#1071, Sep. 24, 2000.

particular mileage and pay to the contractors on kilometre basis (conductor will be that of the corporation who collects them passengers after issuing proper tickets. In case of accidents the responsibility of payment of compensation lies upon the owner of the bus but not on the corporation). In this practice the corporation is relieved from the burden of appointing and maintaining the staff and buses. In this system the revenue though not affecting the corporation, the workers are complaining that such system in future will lead to privatisation. Another defect with system is in long run busses the corporation changes the drivers for every four or five hours depending upon the distance where as the private owner depute only one driver for the whole distance. After reaching the destination the corporation driver will take rest in the rest houses of the corporation whereas the non-corporation driver has to take rest in the bus itself. Under these circumstances possibility of accidents are high in case of contracted buses compared to corporation busses.

5. 7 Work Culture

No legacy is as rich as honesty¹⁰. It is through work that one acquires personality, not by the negation of work. Survival of the industry depends upon the work culture of its employees particularly in public sector undertakings. It is lack of work culture on the part of the workers that broke former USSR in to pieces and the same work culture lead Japan to a leading economy.

Employment/appointment of supervisors in the industries is common in almost all the countries. No body feels bad of it. But in Japan if any supervisor is appointed, the subordinate staff feel bad of it and they will try to clarify about any fault on their part with regard to their performance. In former USSR Leonid Brezhnev gave the call that workers must work on the weekly holiday, thousands of party cadres came forward and build a strong nation by developing the nation's

¹⁰ William Shakespeare.

economy. But, the system altogether different in developing countries including India. In the context of reality, there is thus no model readily available from anywhere in the world to copy because of altogether different social and political reasons. The citizens of India shall have to develop their own tentative policy. The workers who do the manual jobs of filling and pushing the tubs (in Coal mines) in either piece rated are supervisors for themselves. They will also try to maximise the production, not in the interest of the undertaking but of their own. Some times they are also encouraged to undermine the safety provisions. In turn the management will save money and reduces production cost and time. The persons working on piece rated are from the down-trodden sections of the society and majority are dalits and adivasis, while the rest are from the backward castes including those of muslims¹¹. In the system of piece rated work, (which is in practice in all the countries, both developed and developing), in a lust for getting more work by the employers and to get more money in a short time by the employees, undermining the possible threats and dangers of the work. Some times the workers may have to loose their life or limb also (particularly in mines).

It is necessary to establish man-environment balance in this country. The basic five issues of public policy are (1) man-environment balance, Profit, (ii) man-machine relationship, (iii) machine production relationship, (iv) sophisticated machine-control system and (v) man-machine-product (with regard to wage issue). Five issues of public policy with regard to comprehensive Industrial relations Act are *firstly*, trade union shall be controlled and allowed to act democratically; otherwise there will be a threat for work culture. *Second*, the issue of who can bargain as an agent and under what conditions a composite of bargaining agents can be allowed be decided, third, the role and limitation of third parties be decided, fourth, the words "workman" and Industry must be specifically defined without leaving scope for ambiguity, lastly, the public policy should also state

¹¹ DN, *Strikes as lock-outs*, Economic and Political weekly, April 2-9, 1988.

something about the national norms, norms about remuneration linked or de-linked with performances.

In developed countries like India holidays are high in number¹² and workers are always concentrate in getting holidays on one or the other pretext or en-cashing leave. According to the Report submitted by the Third National Commission on Labour the creation and maintenance of a conducive work culture depends on:

- a). the individual worker, and his attitude to work,
- b). the condition that relate to work.
- c). the management and its attitude to worker, and
- d). the norms that a society sets before itself, its commitment to excellence and consciousness, and its sense of fair play and justice to its constituents.

In Japan a worker does not like to take holidays. Recently, when the economy was in recession, Japanese markets were over flooded and there were few buyers, the Government introduced a five-day week, and workers were encouraged to take holidays. The government carried on propaganda about the benefits of taking holidays and spending time with families. But it is said that workers resisted, not knowing what to do with the extra holiday.¹³ By taking the

¹² Holidays in a year.

Brazil, UK, Sweden, Italy, Holland	-08
France, Philippine, Australia	-10
Finland	-11
Belgium, New Zealand	-12
India	-17
Some state Governments	-30

(source- *REPORT OF THE NATIONAL COMISSION OF LABOUR-2002*. Page-300 (Vol-I) (part-I) 2002 Government of India.

¹³ *REPORT OF THE NATIONAL COMISSION OF LABOUR-2002*. Page-228 (Vol-I) (part-I) 2002 Government of India.

holidays in our country with a view to promote work culture the Third National Commission on Labour suggested that:

“We recommend that:

- a). The Central Government and all State Governments should have a uniform policy on Holidays,
- b). only 3 (three) national Holidays be gazetted –viz. Independence Day, Republic Day and Gandhi Jayanthi (October, 2),
- c). Two more holidays may be added to be determined by each State according to its own tradition. Apart from these each person may be allowed to avail 10 restricted holidays in a year which he/she may be free to choose on the basis of custom, religious observance and so forth.
- d). Government holidays should be delinked from holidays under the Negotiable Instruments Act.
- e). In case of option of a 5 day week, if a holiday falls during the week, Saturday should be a working day.
- f). the movement of quality circle, which encourages workers to improve quality and productivity in each enterprise, should be encouraged. It has already paid good dividends. This will enable worker to take interest in the work, they perform and contribute to the improvement in the over all work culture in the organisation”.¹⁴ In the ultimate analysis, the level of work culture in any undertaking will depend on the level of awareness or realisation of identity, or community of interest, or in the least, the sense of belonging, and the sense of interdependence.

¹⁴ Ibid at p. 301.

5. 8 JOB REDESIGN

It means first, for every job a level of variety will have to be provided. It means for example a sweeper must be provided with some other job so that he experiences less monotony on account of more variety provided. Second, job must provide for continuous learning i.e. some challenges will have to be provided in terms of task and targets. Third, the value of autonomy we have to provide to the new worker. The new worker today doesn't want that his supervisor should breathe down his neck. Hence every job must be designed in such a way that can promote devotion to duty in worker.

Mutual help and support is necessary for building work culture. Unless the worker sees the linkage of his effort to the product and unless he comes to know what he produces also goes to contribute to the social weal, his commitment to work will be less. The desirable future should be built into the job. The whole policy of promotion should be, not on the basis of seniority or the trained wisdom put in to the job, but on the basis of a job fitting itself in to the next higher job.

Implementing a massive program of ideological education with disciplinary effort will emphasize the priority over other systems. Priority must be given to the basic needs of the people. Discipline, mixed with ideology and massive programme of minimum needs, could lay the foundation for socio-economic progress.

There is a need to develop a reward structure. What simultaneously, and equally important is to develop a performance measurement structure. Performance here not only means only performance measured against the target and the task. Performance should also mean the spirit of collaboration across the line. Traditional methods of duties supported by stereo type promotions made the

workers rights oriented instead of duty, which lead to irresponsibility and unaccountability. Hence it is necessary to take necessary steps for redesigning the jobs towards duty oriented than right oriented.

5. 9 Involvement of workers

In order to over come the psychology of centralist decision-making, it is necessary that a manager should see that his subordinates get developed as multirole performers. Collective bargaining can be constructive only when we are able to establish in our work place – norms of understanding, norms of performance, norms of behaviour and equality throughout the work system. Like British Organisations there may be tension and conflict while the collective bargaining was on in full swing and then a cooperative culture when the productivity agreement was being implemented. We have to develop responsive norms at all levels of employees along with the collective bargaining culture. Redesign of jobs to humanise the work culture is necessary in neglected areas. This is where attention is required. The mode of implementation is bad as the real objective is different from stated objective. Hence it is necessary to involve the workers in the process of production.

5. 10 Job security

The system of “Job Security” has always been a controversial issue in industrial relations throughout the world. Without job security, no workman will devote totally himself towards the development and welfare of the industry. Employer feels if total job security is given the worker may not discharge his duties as per his wishes, whereas, the employee who is not sure of his job, will start thinking about his uncertain future. “In reality people build much of their lives around their job. Their incomes and prospects for future are inevitably

founded in the expectation of their job continuation. For many workers dismissal is a disaster. For some workers it may make inevitable breaking up of a community and uprooting of homes and families. Others, and particularly older workers, may be faced with the greatest difficulties in getting work at all"¹⁵. In India in the pre-Independence era payment of wages were uncertain apart from the amount of wages. In certain undertakings it was not sure whether the workman is going to get work in the industry on the next day leave about the getting of wages. This situation even now prevails in unorganised sector. Where the workers were not guaranteed if they would get their deserved daily wages, the question of job security does not arise.

The effect of job security on collective bargaining and strike depends upon how effectively the workers can restrain the management from recruiting and appointing alternative staff for continuing their production process during the period of strike. But, the psychological effect on the employer and employees will considerably more where job security was statutorily provided when compared to the workers without job security, i.e. where persons are working with job security the employer cannot recruit new persons easily as he has to follow the statutory procedure for retrenchment etc., apart from paying salary to the employees for the strike period. But, the employer in the case of workers raising dispute are without job security, he can recruit the new hands as he does not owe any responsibility towards the staff as per the statute.

Job security, not only gives the employee a satisfactory peaceful state of mind, but also the employer a standard form of routine work. Job security not only gives certainty of the job but also freedom to think for the development of the worker employed which in turn results in the development of the industry and ultimately the nation.

¹⁵ Royal Commission on Trade Unions and Employers' Associations (UK), 1965-68, p. 142-43.

The Supreme Court judgment in 1985 armed the executive with powers to dismiss "government servants who are inefficient, dishonest or corrupt or have become security risk" without holding prior inquiry or giving the concerned employees an opportunity to be heard. It was argued by the trade unions that it was not only a fatal blow to the job security to the government servants but also to the over all democratic culture of the nation in general and trade union movement of the government employees in particular. On the other hand some legal and constitutional experts supported the view of the judgment stating that "**before a government servant is denied his right to be heard, the seriousness of the offence must be determined and when it has been found that his conduct merits dismissal or demotion, the authority concerned may (really must) dispense with the inquiry".**

In India, the government is the largest employer accounting for, more than two thirds of the total employment in the organised sector. The employees removal in this case was not on the ground of 'inefficiency, dishonesty, corruption or even for security risk', but for participation in all India railway strike.¹⁶ Such activities will be not only a fatal blow to the faith in the judiciary, but also for utilization of Constitutional provisions. Though, the trade unions made hue and cry for some time immediately after the incident, remained silent afterwards. It shows that the majority of the trade unions and general public did not support the claim of the trade unions to go on strike undermining the security of the State.

Negative aspects of job security

On the negative side, the employees because of the security provided to them may become lazy, as the employer cannot remove them easily as the statutory protection to the job is available apart from the effective bargaining power from the side of the trade unions. The employer's position will be

¹⁶ *Blow to workers' Rights*, Economic and Political weekly, 1286 (3.8.1985).

considerably lower as job security enables the employees to bargain effectively and may claim for more benefits irrespective of the financial position of the industry. For this reason only the interest for securing Government job is rampant (at present) in the job seekers compared to the position during pre-independence period. In public sector undertaking union leadership is said to be boon though not a curse in private sector. Union leadership in public sector undertakings is almost without any work and responsibility. If they are forced to do any work, they in turn will start creating troubles to the officials through their union activities in one way or the other. Some employees are totally without any work and the others are over burdened with work indicates the effect of the unions upon the performance of the workers.

5. 11 Technology

Knowledge without integrity is dangerous and dreadful¹⁷. It is the technology that provided the facilities to the human beings. Mechanization during the 14th century started the revolution, which travelled a long distance and gave birth to computerization, which added fuel to fire. Today dockworkers look with trepidation at the beginning of another era. Decades from now, the waterfront will be largely automated. Workers in front of computer screens, often hundreds of miles away from the docks, will control the movement of cargo on and off ships. Ports like Singapore and Rotterdam already have this new technology, and the world's shipping companies want to introduce the same system on the Pacific coast. The Bush administration seems poised to take action, which would affect unions as profoundly as President Ronald Reagan did when he broke the air traffic controllers union in 1982.¹⁸ The introduction of container cranes revolutionized

¹⁷ Samuel Johnson.

¹⁸ David Bacon, *Bush Threatens Dockers' Right To Strike*, Znet, August, 10, 2002.(www.zmag.org) (visited on 18.5.2004)

shipping, and reduced the number of west coast longshore jobs (in USA) from over 100,000 to its present 10,500.

5.12 Expectations from the employer/supervisor

Benjamin Franklin said that "to be humble to supervisors is duty to equals courtesy, to inferiors nobleness." The psychological factors affecting inter personal relationships between the first line supervisors and the rank and file workers and even between employees of comparable status play a dominant role in the development of good or bad industrial relations. The supervisor in the plant is the key person in nearly all human relations. He shall know the importance of the individual group relations in formal pattern of society and the informal relations of the workers. The supervisor represents the management to the worker and interprets employees' needs to the management. The workers' attitude towards the management is largely influenced by their relationship (treatment they are getting) with the first line supervisor. Hence it is necessary for the supervisor to meet the expectations of the workers. In general workers expect that the supervisors should possess certain minimum characteristics.

Nearly 98% of the workers like to solve their problems through their immediate supervisor. They neither want to go to the Managers/Department Head nor to the Trade Union leaders. More than half of the petty disputes can be solved if supervisor is tactful in dealing with the problems of the workers. The supervisor must be a leader and guide to his employees. The majority of the workers would normally be either financially or otherwise week in one or the other aspect. The supervisor shall not try to take advantage of these weaknesses of his subordinate.

5. 12 Expectation by the employer

1. The way the employee expects how his supervisor should be, the employer/supervisor also expects that his employee should have certain characteristics.

Employer or employee when he fails to meet his expectations from the other, loses his balance which ultimately results in the form of resentment at the first instance and if undermined it further deepens and the result will be out break of disputes (like strikes, lock-outs, etc). Failure on the part of the employer or employee to meet these expectations resulting in frustration and leads to minor or major disputes which ultimately leads to strike so rock-outs. Escalating demands and unreasonable expectations by the employees, is contributing 29% to the industrial unrest.¹⁹ Likewise all employers may not be alike. Some employers may be unique and he may not be ever good to any body. Such persons are contributing 27% to the industrial unrest. They neither hear any one nor think properly by themselves. They may ask the workers to work for long hours and slowly habituate them for such environment. But they fail to understand that working long hours will create lot of mental stress and may some times lead to collapse of the work-culture.²⁰

5. 14 Colleagues

A person is first a human being and then only a workman. Since the man is a social animal he likes to live in the company of others and also likes to share his views with others. Sudden change of work culture introduced by the multi-nationals changed the entire scenario of the work-culture. They have started

¹⁹ Frank Kenna III, *Job stress is the emotional toothache of the work place*, The Telegraph, (Jobs), 29.6.2004.

²⁰ *ibid*

employing the persons of different nations having different habits and nature rose as another reason of workers unrest. It was found that 21% of the job stress is due to "cranky or unreasonable colleagues."²¹

5. 15 Delay in Judicial proceedings

Judicial proceedings must be concluded in reasonable time in order to have its taste. It was rightly said 'delayed justice is denied justice'. This fact was recognised even in 1215²². Generally in India judicial proceedings will take a minimum of three years period from filing of application till final disposal. According to some judges non-appointment of required number of judges is the root cause of accumulation of cases in the courts. If the matters of quick attentions like 'strike by doctors or Electricity employees, Water works, etc,' if referred to court for consideration, by the time the final decision given [by the court(s)], the general public would have been thoroughly troubled. Though Labour Courts, Tribunal are constituted to deal the labour and service matters quickly and efficiently, the second purpose was served to certain extent the first purpose is still a distant dream. The new chapter of "Fast Track Courts" if pressed into service may serve the purpose of fast disposal of the workers problems.

²¹ *Ibid.*

²² **Article: 40.** To no one will we sell, to no one will we refuse or delay, right or justice.
(Magna Carta)