

Journal of Catholic Legal Studies

Volume 50
Number 1 *Volume 50, 2011, Numbers 1&2*

Article 6

March 2017

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Samuel Estreicher

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LUNCH PROGRAM

SAMUEL ESTREICHER

INTRODUCED BY: HON. WILMA B. LIEBMAN

EDITOR'S NOTE: The introduction of the lunch program given by the Honorable Wilma B. Liebman, Chairman of the National Labor Relations Board, was preceded by brief remarks by Professor David L. Gregory.

GREGORY: Good afternoon everyone. I hope you are enjoying lunch.

For the folks that were here yesterday evening and had the pleasure of hearing the president of the AFL-CIO, Richard Trumka's very energizing, fine remarks, he praised one lawyer in particular: the person that is going to introduce our luncheon speaker.

The person he praised so greatly is the Chairman of the National Labor Relations Board, Wilma Liebman.

Last June, for the first time, N.Y.U. and St. John's jointly held N.Y.U.'s 64th Annual Labor Law Employment program and Wilma was our inaugural speaker. We had the opportunity to host the opening reception and Wilma Liebman delivered a terrific tour de force address. And when I was putting this together, we were in touch and I prevailed upon her—it was an easy sell—for her to agree to come in to introduce Sam Estreicher and, doing double duty, be the moderator of our Plenary Panel, The Future of Labor.

Now, just a couple of words of my own little mini introduction of Sam Estreicher, the—I would say—elder statesman but, clearly, the academic dean of the Global Labor Employment Law Community at N.Y.U. Law School, which, I think, quite correctly is seen as the global law school. Here in New York City we are very blessed. Sam is sort of like my elder brother in the law.

When I came to New York in 1982, he was the chair of the first Bar Association I joined and we have been in touch ever since.

He has been to programs for me in Dublin, Ireland and several years ago, thanks to my friend and former student, Bill Covert, Sam gave the St. Patrick's annual lecture at the American Irish Historical Society when Bill was the Executive Director.

We were sitting in the green room during the subway strike when Bill said, "Where is Michael Quill when you need him?" And Sam said, "I wrote my thesis at Cornell on Michael."

Needless to say, there was not a dry eye in the house, so maybe he has been inflected with some sort of dual personality. Now he is taking on another famous Irish person, Michael Harrington, who after Holy Cross College and law school decided "that's it for me," went off to the Catholic Worker and wrote the book *The Other America: Poverty in the United States*.¹

So we are about to hear a presentation on Michael Harrington, but first a bit more of an introduction from a friend of ours, Wilma Liebman.

¹ MICHAEL HARRINGTON, *THE OTHER AMERICA: POVERTY IN THE UNITED STATES* (1997).

HON. LIEBMAN: Good afternoon and my thanks to St. John's and especially to Professor David Gregory for inviting me today to be part of this program.

I am certainly looking forward to the afternoon panel discussion, but, at the present time, it is my honor to introduce my good friend and colleague, Sam Estreicher.

Let me say first that New York really has an embarrassment of riches with the law schools here teaching labor and employment law. That is not the case in every city around the country anymore; at the very least with St. John's and New York University, students have the wonderful opportunity to study and think about labor law.

A few words about Sam Estreicher.

Sam is, I think, *sui-generis*; he is an interesting and multidimensional person. I once introduced him and said that he reminded me of the Placido Domingo of the law because I had just read that Domingo, sixty some years of age, was studying the role of Parsifal and it was—as I recall—about the 125th role that Domingo had learned. Sam is sort of like that in the law.

He teaches labor and employment law, but he also teaches many other subjects. He teaches a subject when he becomes interested in learning about it.

He has written prolifically about labor and employment law: His resume with the attached list of publications is about forty or fifty pages long. But he recently wrote another piece which he just handed to me today entitled, *Privileging*

Asymmetric Warfare?: The “Proportionality Principle” under International Humanitarian Law.²

As I said, he is multidimensional. He is a complex and committed individual. “Complex” speaks for itself. He is “committed” in many respects. He is a committed father, son, grandfather, and husband. His wife is with us today, and one of his close professional partners is Larry Gold, who is also here today to hear Sam. I think they are like brothers really. Sam is a committed friend and a committed teacher.

I have attended many of his classes, and I think what a privilege it would be to be his student. He has enormous energy; in fact, a boundless, restless energy. He is immensely entertaining.

He is a scholar and practitioner. In fact, just this year he won an award from the Labor and Employment Relations Association, their Outstanding Scholar-Practitioner Award of the year.

Not only does he teach at New York University, but he is a practitioner with the Jones Day law firm where he spends a lot of time, in particular, writing amicus curiae briefs on a wide variety of subjects.

He is charming and challenging. He is constantly pressuring me and—I assume others—to think, to do and to be better.

That then brings us to the question of why his topic, Michael Harrington.

² Samuel Estreicher, *Privileging Asymmetric Warfare (Part II)?: The “Proportionality” Principle Under International Humanitarian Law*, 12 CHI. J. INT’L L. (forthcoming 2012).

Well, Sam, I think, is probably an honorary Irish Catholic. He is also the son of Holocaust survivors. He was born in Bergen-Belsen after the war in a displaced persons camp. He is a committed Zionist, but, also, he is an honorary Irish Catholic.

I think he became interested in this topic way back when we were both at Columbia University together in the late '60s. Although I didn't know him back then, he tells me he was an active member of the Students for a Democratic Society. As I said, he is multidimensional.

So, as you will see—and I think I can say this—Sam Estreicher is probably not the tallest man in the room, but he has a big heart and a big intellect.

So, with that, I introduce Sam Estreicher.

ESTREICHER: Wilma has been a fantastic Chairman of the National Labor Relations Board. She has been a dedicated public servant. I don't want to mention the number of years she has been at the Board, but we are extremely lucky to have her in that role because very few people have her smarts and temperament and ability to get along with both sides of the equation.

She is the very person, Cardinal Egan, you were referring to. Wilma is the very kind of person that Cardinal Egan had in mind; a person able to bridge differences between two sides and come up with creative enduring solutions.

My talk is on Michael Harrington, but before I get there, I have a bone to pick with the title of the conference. The title of the conference is "The Theology of Work and the Dignity of Workers." Now, the first half of that title is where I have a bone to pick. In my view, there is no theology of work. Work is the furthest thing from theology.

I think for David and I because we are law professors, we read whatever we want, we write whatever we want, no one need read what we write. For David and I, work is a self-actualizing experience, but for most Americans, most working people throughout the world, work is a means to an end. It is not an opportunity for self-realization. It is not an opportunity for brushing up against the divine. It is a means to an end. What is the end? The end is leisure.

My father had a job in Long Island City in a small manufacturing plant. He wanted out as soon as sixty-two hit; he wanted out. I said, "Dad, what are you going to do?" He said, "I don't care, anything except that."

Because work is not—for most people—a place where they thrive. What workers are seeking is leisure. They are seeking time for their family, time to attend to their passions, to read, to garden, to cultivate their better tendencies.

I have a certain partiality to short people. It is one of the reasons I like Wilma, and it is way I admire Fiorello La Guardia, the great Mayor of New York, and Samuel Gompers, my favorite union leader. And what do we all have in common? Yes, we are children of God, but God must not have been fully focusing on us at the moment of our creation.

This is what Gompers was asked—"Our opponents always ask this question—What does the labor movement want?" The subtext was "When are you guys going to be satisfied?" That was the subtext. The question was "What does the labor movement want?" And Gompers is often quoted as saying "more." That's it.

That is not a complete statement of what he said. This is what he said—I paraphrase it a bit. "What

does labor want?" He repeats the question. "We want more school houses and less jails; more books and less arsenals; more learning and less vice; . . . more leisure and less greed; more justice and less revenge; in fact, more of the opportunities to cultivate our better natures."³ Now, that is so well written we would have thought that Cardinal Egan drafted it.

Now, the other half of the conference theme, "The Dignity of Labor" is something that I believe that the conference organizers got right.

I just came back from an N.Y.U. Law School trip to China. We were sitting with the dean of the law school of Nanjing University who is, obviously, a communist party type—you can just tell. He was intrigued by a statement from the number-two guy in the communist party in China who said something about "earning dignity," that you have to "earn" dignity.

The Communist leader had it completely wrong. He should have consulted Cardinal Egan: you have dignity as a birthright, being one of God's children. You do not have to earn dignity. You are owed dignity. You do not have to earn respect. You are owed respect. You are owed respect by the people who hire you and supervise you.

Dignity also entails your right to speak up at work, to walk off the job if harm to your life or limb is being threatened, and to join with others in order to improve your remuneration and working conditions. That is all implicit in dignity, I think.

³ Samuel Gompers, President, American Fed'n of Labor, *What Does Labor Want?*, Paper Read Before the Int'l Labor Congress (Sept. 1893).

Now, why Michael Harrington? This is going to be the theme of my remarks, I will keep returning to the theme “Why Michael Harrington?”

I was a great admirer of his—this is back in 1972. I was a member of Students for a Democratic Society (“SDS”) for about a year—before they became the Weathermen. One summer, I was at the Ann Arbor SDS National Convention, representing Columbia College students who belonged to SDS. I simply could not believe my eyes and ears that summer because here we had 800 well-fed, well-bred college kids and they were running around in a Ho Chi Minh-Che Guevera snake dance. And then we encountered the Palestinian Liberation Organization (“PLO”).

This was 1965 Ann Arbor before there were any occupied territories, before there was a Six Day War. The PLO folks want us to sign a resolution to urge the abolition of the State of Israel and, lo and behold, these kids from the northeastern colleges around me are all voting for it. It was a really remarkable scene and I will never forget it.

Now, I will admit when the time came to occupy the president’s office at Columbia University, I felt, as a matter of loyalty—because loyalty is really important to me—that I had to join in, but I didn’t have my heart in it.

From the first day I heard Mike Harrington at Cornell—I went to graduate school at Cornell ILR between ’70 and ’72. My dear wife taught third grade—same wife by the way—like Bill Clinton, I am a one-woman man. The difference between President Clinton and myself is we have a different sense of time. My sense of time is continuous; his is sequential. In any case, from the first day I heard him, I knew that Michael Harrington was a truly unique voice on the American

left. He was born and raised a Catholic. I think David mentioned this. He called himself “an atheist[ic] . . . fellow traveler of moderate Catholicism.”⁴

This is really quite remarkable. “Atheist,” he used those words to show that had given up the faith in some respect, given up the Church. This was followed by “fellow traveler” to show he was getting acquainted with the left. My dear wife is getting worried because she knows I am ad-libbing now. An “atheist fellow traveler of “moderate Catholicism””; he has everything in that phrase. But I want to say he never really left the Church. He never really left the demanding academic standards of the Jesuits, the devotion to reason. I have met a great many talented folks who came out of the Jesuit schools. I don’t know if St. John’s is a Jesuit university, I gather it is not from what Cardinal Egan said this morning. When I say “Jesuit”—I am going to be very catholic, if I may, and inclusive, if I may—the Catholic educational system was a great system and it did a great job educating Michael Harrington.

He never left the demanding standards of clear thinking and exposition that his Catholic teachers in St. Louis and at Holy Cross burned into him. He was always very clear-headed, respected facts, and was not driven by ideology. He never left the personalistic example of devotion to God and the ability to see Christ in every man—something he saw in Dorothy Day and her Catholic Worker movement, and she saw in him.

I do not know if it is still their ideology—but the Catholic Worker message is that you have to be a personal servant of God. It is not enough to be

⁴ James R. Gorman, *Conversation with an Atheist*, 95 CHRISTIAN CENTURY 641, 641 (1978) (quoting Michael Harrington).

immersed in the doctrine of the Church, of any church. You have to be in a personal sense an authentic servant, to take a vow of poverty, to live with the poor and work for the poor, to dedicate your life to the poor—to walk the walk not merely talk the talk.

Harrington never lost the ability to see Christ in every man. He never left the call to service personified by people like Dorothy Day and the great tradition of labor priests.

In speaking of labor priests, I am reminded of Monsignor Charles Owen Rice, whom I met in Pittsburgh in the early 1970s. He was a great man who served liberty and his community. The labor priests were great personalities in their communities, great father figures to the workers in those communities. Harrington never lost a sense of shock in what he called “the faithlessness of the believers.”⁵ He was an “apostate . . . shocked by the faithlessness of the believers.”⁶

Here, I think, he was referring to the difficulty that Catholic laymen had in holding onto their faith once the Latin-based rituals were altered by the Vatican. They felt less connected to the faith, at loss to find a new way of continuing faith, unmoored by ritual.

If I may borrow from my tradition, from which Harrington often quoted: “If I am not for myself[,] who will be for me? Yet, if I am for myself only, what am I?”⁷ And Harrington, I believe, personified that.

⁵ *Id.*

⁶ *Id.* In a 1978 interview with James Gorman for *The Christian Century*, Harrington was quoted as saying: “I am a pious apostate, an atheist shocked by the faithlessness of the believers, a fellow traveler of moderate Catholicism who has been out of the church for 20 years.” *Id.*

⁷ PIRKEI AVOT 1:14 (quoting Hillel the Elder).

Why Michael Harrington?

A second reason: Harrington was a voice for the centrality, for the central role, of labor in the struggle for social justice. Later in life he came to appreciate the salience that identity politics had for the younger generation. But for Harrington, labor unions and their members were critical to any sustainable movement for improvements in society.

He would point out that labor was at the center of every progressive change of the day, including the civil rights struggle, Medicare, Medicaid, and the great workplace protection laws like Title VII and the Occupational Safety and Health Act ("OSHA"). He knew that labor was also behind A. Philip Randolph and his Sleeping Car Porters who organized the great marches on Washington in the 1940s that led to the first federal effort to deal with the problem of racial discrimination in employment, FDR's Fair Employment Practices Committee. But then later in the 1960s, A. Philip Randolph had the organizational resources and the energy to provide the impetus for the great marches on Washington during the Civil Rights Era. Labor was also at the center of the great moral crusade against Stalinism, not only here in the United States, but across the world.

Over time, the agenda of the New Left came to diverge sharply from that of the AFL-CIO unions, but Harrington stood with the unions even when the winds started shifting. Let me give you an example. The Ford Foundation, in those days, decided to promote decentralized school boards. Now what does this mean? You take a city like New York, which has lots of neighborhoods; there are local school boards in all of these areas and the idea was to give them control over resources and control over personnel decisions.

The problem with decentralization is very few people get involved in school board elections. The people that would take over the school boards, as a practical matter, would have a very serious agenda of their own—typically militants seeking to capture school resources for their movements.

The local head of the American Federation of Teachers, Al Shanker, took on a very unpopular campaign against these local school boards because he feared what would happen to the schools and to working conditions and compensation of teachers if the schools were to become politicized, as in fact occurred.

Shanker's campaign was extremely unpopular. I would say the entire liberal left, as well as folks on the right, were unified against Al Shanker. I don't know if you recall what Woody Allen said in the movie *Sleeper*. I believe his character wakes up in 2050 and he asks what has happened in the interim and the announcer says something like, "Al Shanker destroyed the world."⁸

That was a reference to the controversy over the Ocean Hill-Brownsville school district. Mike Harrington braved the winds and stood with Al Shanker's teachers. Harrington stood with labor when it was not politically correct and convenient.

Today the foundations are involved in another experiment, which I regard as an equally dubious experiment. What are they doing? They are

⁸ SLEEPER (Rollins-Joffe Prods. 1973).

DOCTOR AGON: This is what's called the Central Parrallel of the American Federation. This district is in what you probably would have called the South Western United States. That was before it was destroyed by the war.

MILES: War?

DOCTOR AGON: According to history, over a hundred years ago [a man by the name of Albert Shanker got a hold of a nuclear warhead[.]

paying—and I am using this verb deliberately—they are paying handsome sums to helicopter in young folks who have graduated from Brown and Princeton and all the great fancy schools; they helicopter them into public school classrooms. These bright, energetic youngsters are then paid three, four times more than anybody else is being paid—not sustainable salaries by the way. These folks do not, by and large, intend to make their careers in the public school classroom. They are embellishing their resumes so they can get into the best law school. Yale Law School, I might add, was not a good place for Michael Harrington. One year was all he could take.

Why Michael Harrington?

Because law school was not for him, even though his father was a lawyer and pressed him to do likewise. He was in law school for one year and then went on to other things.

The foundations, the Bill Gateses of the world, helicopter the bright young stars in, pay them remarkable salaries, and enable them to teach unusually small classes because they are footing the bill—for a time. Now, the hue and cry is to protect these young teachers from layoff because Mayors have to cut municipal budgets. And this has become the great social justice outcry in the country.

Now, many of these folks are likely to become, if they are not now, good teachers. You can take almost any decent college graduate and put them in the right circumstances and they can do a halfway decent job. The question is can they function in the way Cardinal Egan recognized: in the real environment going forward. I tell my students, “You have to function in the real environment.”

We give our law students money to go to places like Geneva for their first summer or Brazil for their second summer, have fun, but by the third year of law school, they don't have a job. I say, "What are you going to do? Is the school going to pay for you for the rest of your lives?" The answer is "no." This is just a little moment in time, another social experiment.

I go to God: "God, give me four inches of height for the summer." "Sure, you can have four inches but only for a time. So instead of being a wallflower, as I was in mixers while at Brooklyn Tech, the women are all coming my way. I go back to God for the next summer, "Give me another extension of this lease." He says, "Sure, but at some point," God says, "you're on your own." The third year I am back to where I was. I thank God for the good fortune I have that my wife did not see, and has not seen, all of my limitations.

It is not the end of the world that these folks are going to be laid off in the real world. If they are seriously committed to public school teaching, they will get hired back as jobs reopen. The point is you do not take away from teachers what they have built up all these years—basic insurance from politics; that they are laid-off only in reverse order of their date of hiring.

Now, if you want to fire teachers, I think it is a scandal what the teachers' union and the City have done in failing to expedite the dismissal of teachers that are guilty of serious misconduct on the job. Deal with that problem. That is a real problem.

But the idea that people should be laid off willy-nilly because the Mayor has a bee in his bonnet, should be resisted. If he were still alive, Michael Harrington would have been at the forefront in support of the seniority rights of teachers.

Why Michael Harrington?

As David Gregory told you, he wrote *The Other America*.⁹ He was not an expert in poverty. He spent two years in self-inflicted poverty with the *Catholic Worker*, and that was enough; he did not want to repeat that experience.

He was always close to the *Catholic Worker*, but their way of life was not in his DNA, if you will. He wrote *The Other America*, and it first started out as a series of articles in *Commentary*. Can you believe *Commentary* was a publication like that? It has become very different.

Harrington helped put poverty on the agenda of U.S. public concern. There is no evidence, but there is a story that John F. Kennedy discovered poverty by reading the book. Kennedy knew about poverty anyway because they had to hire help at Hyannisport.

There is some evidence that the book influenced Lyndon B. Johnson and his people. There is a great story about Michael Harrington and Sergeant Shriver and other people when they were working on the early structure of the antipoverty program.

Shriver did a great job with the Peace Corps, so they brought him into the antipoverty effort and Michael Harrington said poverty would not be abolished by spending “nickels and dimes.”¹⁰ Shriver was a smart guy. He replied: “I don’t know about you, [Mr. Harrington,] but, this is the first time I’ve spent a billion dollars [before].”¹¹ But it

⁹ See HARRINGTON, *supra* note 1.

¹⁰ Gary Dorrien, *Michael Harrington and the “Left Wing of the Possible,”* 60 *CROSS CURRENTS* 257, 265 (2010).

¹¹ *Id.*

turns out Harrington was right, the war on poverty was under-financed because we were embroiled in Vietnam.

This also picks up on the theme of Cardinal Egan. Poverty; unemployment; underemployment; the silent, hidden desperation of the lives of regular people; the decay of the outlying boroughs. I am happy this part of Queens is doing well, but I can show you parts of the Bronx, Brooklyn, and many cities that have not recovered from the devastation of forty years ago. This is the scandal of the country that Harrington diagnosed and brought to public attention; and it remains the scandal of our country.

Harrington was a great speaker. He was articulate, he was animated, and he seemed to know everything there was in the world to know on the subject, but his message was always the same: "Bring your passion to life by working to end poverty in the midst of plenty. If I can spend my life doing this, why aren't you?" That was the theme of every one of his talks and he gave a great many talks.

Perhaps this was the vestigial materialism in him, but getting a steady job with benefits was the source of all progress in his view.

If I may again dip into my tradition, but please forgive me for doing this, I appropriate yours when it works: "Teach a man to fish," said Maimonides, "and he has no further need of your good works." And that is what we should be doing as a country.

I go to Barnes & Noble, and I hope it stays in business forever because I like to read all the public policy magazines for free. I figure I am

doing something for the magazines because they can say they have these avid readers and I am one of them.

Almost every week the American Prospect and many of the other influential liberal Democratic organs talk about “Let’s have another expensive across-the-board social program. We really want to help the poor, but we want to help the poor in a way that the middle class feels it has a stake in what we are doing.” I think that’s what’s behind the healthcare legislation. We are going to help the middle class, and by doing that, we will build a sustainable constituency for that legislation, and we will incidentally help the poor. This was also Francis Perkins’ and FDR’s idea behind Social Security.

The question is whether this strategy will work all the time. It is a very expensive strategy because instead of tailoring what you are doing to the people who are in need, you have to have a massive, expensive program; and there is a limited social appetite for that level of spending.

That would not have been Harrington’s strategy. I believe his focus would have been clear and limited to help the people who cannot help themselves. How? In his view, by creating a full-employment of the economy and the rest will take care of itself.

Why Michael Harrington?

Because even though he was an intellectual, he was that rare public figure who wrote more, and wrote more interestingly, than all or most full-time academics in the country. He was not swayed by fads, by social or intellectual fads. No one could have stayed a socialist as long as he did without a real fantastically hard hide to resist the easy path to social acceptance. He ultimately came to argue

for withdrawal from Vietnam, but held no illusions about the Viet Cong and the Communists' ultimate objectives.

He very much hoped to be a link between the growing New Left and the ranks of the adult leftists from which he came, but he simply could not go along with their—what I regard as—uncritical third-worldism, their admiration of violent third-world revolutionaries like Che Guevera and Mao Tse-tung.

He understood the forces of globalization, the drying out of the Keynesian prescriptions for the economy. But he would have not subscribed to the “end of ideology” fluff.

Yes, the context was changing. He would say you can no longer move poor people, black people, to G.M. plants because G.M. plants are shrinking in size. But, he would remind us, the problems have not changed. He would say: “You have to come up with new means to solve the problems of poverty and race.”

Why Michael Harrington?

Because he was a man for all times and a man for our time.

Thank you.

I want to say a word about Professor Gregory before I take questions. Professor Gregory, I do not know if he has been ordained, but maybe he should be because he runs an inspired parish here at the law school. He is not just a professor of Labor Law, and a prolific scholar of Labor Law at that. He is also the mentor for this flock of law students, both their intellectual mentor and their occupational and personal mentor. He is a great—in my view—

a great asset to the St. John's University community; so please join me in a round of applause for David Gregory.

All right. We are open for questions. Any comments? Yes, Cardinal.

CARDINAL EGAN: Let me just say that your tradition is our tradition. I mentioned that my faith is the faith of Abraham, so feel free; steal all you want.

ESTREICHER: I thank you for the invitation. My theology is we all have fallible vision. We are creatures of God, but not only do we have—some of us—diminutive height, but all of us have diminutive vision and we hope to see God, but we take different paths to seeing God and it is not clear that any one path is right, but we are all seeing, ultimately, the same thing.

In the back?

AUDIENCE SPEAKER: I was intrigued with your critique of the theme of theology of work, especially with your reference to the fact that it is all about leisure. You echoed a Catholic theologian and philosopher, so I think our question is with the two traditions, what do we mean by "leisure" in its fullest context?

Thank you.

ESTREICHER: You are asking—it is like pornography; I know it when I see it. Forgive me for lapsing into that allusion.

My point is that for ninety-nine percent of Americans and for the world's creatures, work is not a place where they fulfill themselves. And that, if we say it has to be, it is just not realistic. We should make work non-threatening to life and limb. People should have the right to speak up and

all of those things, but it cannot be more than that. We academics, we are extremely lucky—and I think priests are very lucky as well—but that is not going to be the case for most jobs.

Yes?

HASCALL: My name is Susan Hascall, and I am a professor at Duquesne University. I teach about the theology of work and Islam. In Islam, there is a different perspective about the theology of work, and it is not about leisure. Work is an act of worship, and Mohammed actually praises those people who went out and worked with their hands and praised the dignity of workers and condemned people who sat around and did nothing except enjoy themselves and have this idea of getting something for nothing and sitting around.

Not being worshipful or appropriate actually goes to the prohibition against usury and the same idea goes for money; that money should be circulated through the system and put to use, and it is actually sinful to let your money go out there and make money off of itself, so there are three traditions.

ESTREICHER: I do not know very much about Islamic tradition, but, I think, you misunderstood my point. I never said one should live by doing nothing. I am saying that work is a means to an end. In fact, I believe, if you do not work and you get something for nothing, it will have a coarsening effect on you. So we share a lot of the same points.

On usury and interest, you know, even the Islamic community has a disguised form of interest, I understand, built into the price. People have money, you want to get their money, you need their capital. Either you need to compensate them for them giving you capital, or you need to kill them

and then take their capital. Those are the only two ways of doing it. But if you do not need their capital, fine. And if people have capital and they made that money honestly and are being taxed appropriately, I am not sure I understand why they should not get a reasonable return for their capital. Should they be doing nothing with that capital? Absolutely not. Our tradition is—I am sure yours is—we have to return what we have to our community.

I am only saying that for the great number of people work is not the place for self-realization—I think we have a tendency to romanticize this and we should not. We will never understand in a concrete way why raising the Social Security age is a very problematic move for lots of people. Because if you think work is self-actualizing and liberating, why would you care about deferring retirement. I intend to work until my dean buys me out; I do not care what the Social Security retirement age is, but for a lot of working people, it is really important. That does not mean we do not raise the Social Security age. It means we have to be honest about the true cost of that move for many working people. In the end, I do not think we disagree all that much.

HASCALL: My only point is in certain religious traditions, there is an aspect to work that makes work holy in itself and not simply just a means to an end.

ESTREICHER: Work is holy in itself?

HASCALL: I would say, from the Catholic tradition, there is a theology of work. John Paul II in his encyclical on work is talking about work as not the object of man; it is the subject of man. It is man himself.

That is how He does actualize Himself: through work. It is not a punishment that comes from the expulsion of Adam and Eve from the Garden of Paradise. It is actually what God wants us to do, so we make work holy, whatever we do—any work.

But, again, the object of work is not to stop work so we can have leisure. It comes automatically. Leisure is not the only object of man. Yes, we do need time to do things that are not work in the sense of drudgery, but at the same time, we have to look that there is a real theology of work that has been worked on in the Catholic tradition for many years, and there is something there and something we are going to help you understand.

ESTREICHER: Do you know the Latin root of educate? That is what you are doing. You are going to lead me out of the morass that I am in.

HASCALL: You didn't say much, I realize this, but his commitment to socialism and—commitment to socialism—

ESTREICHER: It was an editorial lapse on my part. I do not know what he meant by "socialism."

He was influenced a great deal by anti-Communist socialists, but at the end of the day he says, in as many words, that social ownership of the means of production gets us nowhere, that there is no reason to believe the government is going to do a better job of running the means of production than private companies. He did want a social plan—that capitalism should be planned to some extent—but he was never very clear about what he had in mind.

I should have devoted some attention to Harrington's socialism. You are quite right. The language of socialism was important to him and

ultimately limited his influence because he was out-of-sync in that respect, not only with the youth movement but with the American temperament. You are quite right; that was a very important part of Michael Harrington.

HASCALL: I was thinking one of his essays was on the contribution of socialism in which he says something along the lines of "Every great social movement in the United States had its roots in the workers' movement, but also in the socialist movement,"¹² so, I mean, he is committed to that.

ESTREICHER: Yes. If this were a complete account of Michael Harrington, I would have spent more time on that theme.

I still do not have a good sense of what he meant by that word. There is no question he was very committed to the language of socialism. But over the years, even that language lost its hold. It is not clear. He certainly did not have in mind a Marxist notion of socialism.

HASCALL: That is where his Catholic influence was very strong.

ESTREICHER: Yes, absolutely. Even though he said he left the Church, he stayed in the Church in many ways. Good point.

Anything else? Comments, questions? All right. Thank you very much, folks.

¹² See generally Michael Harrington, *Socialism Informs the Best of Our Politics*, in PEACE READER 129 (Joseph Fahey & Richard Armstrong, eds., rev. ed. 1992) (noting that the Socialist critique undergirds and strengthens the case for many positive liberal reforms).