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PANEL TWO

CHILD LABOR AND EXPLOITATION

DAVID L. GREGORY*

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Professor Gregory is a Professor of Law at St. John's Law School and Faculty Advisor to the St. John's Labor Relations and Employment Law Society. He teaches Labor Law, Advanced Labor Law, Employment Law, Employment Discrimination, Public Sector Labor Law, Constitutional Law, Constitutional Theory, and Jurisprudence.

Prior to joining the St. John's Law Faculty in 1982, Professor Gregory was an equal employment opportunity counselor with the Postal Service, a labor relations representative with Ford Motor Company, and an attorney with a prominent management labor and employment law firm in Detroit.

He frequently serves as a media commentator on labor, employment, and constitutional law issues, and has appeared on NBC, CNN, CNBC, FOX, and C-SPAN television programs. He is the co-author of LABOR-MANAGEMENT RELATIONS AND THE LAW (Foundation Press, forthcoming 1999) and the editor of LABOR AND THE CONSTITUTION (Garland Press, forthcoming 1999) and of LABOR LAW (N.Y.U. and Dartmouth Presses 1993). In addition to authoring various bar committee reports and chapters in legal treatises, Professor Gregory has over 150 academic and professional publications, including more than 90 articles and book reviews in leading law journals, including those of Duke, Vanderbilt, Texas, Wisconsin, Notre Dame, Boston College, Boston University, Tulane, George Washington, Georgia, William and Mary, Washington and Lee, Fordham, and St. John's.

Professor Gregory's research has been supported twice by the AFL-CIO Fund for Labor Studies at the University of Michigan Law School. During 1987-88, he held the Kenneth

In 1994, this room was the site of the first of the consecutive on-site symposia, and the topic was environmental racism. That symposium was one of the great moments in the intellectual life of this school. Ms. Vellios and other members of the *Journal* staff have upheld that tradition, with some students working on a type of room and board plan, which is difficult since we have no dormitory, to work hard to make this come to full fruition.

I suppose I join everyone else in thanking Professor Woodhouse for her really quite majestic remarks. I've been teaching 17 years and have been to dozens of conferences, and her remarks were among the best, especially the salvific parallels of Moses and Jesus and the continuing slaughtering of the holy innocents, and Rachel weeping for her children. As God told the prophet Jeremiah, "I am your creator, and before you were born I chose you."¹ This applies to every child.

Professor Woodhouse made those images timeless, and yet as timely as today's news, as it was interesting to see the references to Kosovo. We have almost been eclipsed by more blood.

Wang Research Professorship at St. John's. He is the only St. John's Law School Faculty member to receive Honorable Mention twice for the University's St. Vincent de Paul Distinguished Teacher/Scholar Award, inaugurated in 1996. In 1998, he wrote the prize-winning paper for the Vincentian Center for Church and Society. In 1999, he received the University's Founder's Day Award.

Professor Gregory has lectured at the law schools of Yale, Harvard, Notre Dame, Illinois, Montana, Baylor, Stetson, and Capital Universities, and at University College in Dublin, Ireland, the Pontifical University of the Holy Cross in Rome, Italy, Fordham University, Marquette University, the University of Dayton, Molloy College, City University of New York, the New York City Police Academy, and the Catholic Worker. He has been a Visiting Adjunct Professor at the University of Colorado, and at Brooklyn, Hofstra and New York Law Schools. In 1997, he was a Visiting Fellow at the European University Institute Department of Law in Florence, Italy.

Professor Gregory is a member of the American Law Institute, Who's Who in American Law, the Society of Professionals in Dispute Resolution, the Society of Policy Scientists, the Fellowship of Catholic Scholars, the Association of Religiously Affiliated Law Schools (Member, Board of Directors), the Michigan, New York, and American Bar Associations (Executive Committee Member, Labor Arbitration Committee of the ABA Labor Law Section, and Chair of the Law School Liaison Committee of the NYSBA Labor and Employment Law Section), and Association of the Bar of the City of New York (Member, Labor and Employment Law, Arbitration, Civil Rights, and Employee Benefits Committees). In 1996, he was the Chairperson of the Labor and Employment Law Section of the Association of American Law Schools, having previously served as Chair-Elect and Secretary of the Section. He is currently Chair-Elect of the Employment Discrimination Law Section of the AALS. He is also a member of the Labor Arbitration and New York State Human Rights Panels of the American Arbitration Association, the Federal Mediation and Conciliation Service, the New York State Public Employment Relations Board, the New York City Office of Collective Bargaining, and the Employment Discrimination Mediator Panel of the U.S. Postal Service.

¹ *Jeremiah* 1:5.

Yesterday's New York Times reports seven year old children separated from parents, with refugee families split between Norway and Turkey. "In just two hours in two camps, Save the Children registered 56 parents who had lost children and 26 parents who had lost—26 children who had lost their parents."

Having just visited Anne Frank's house in Amsterdam in February with my wife, whose extended family was lost during the Holocaust, Professor Woodhouse's remarks resonated very powerfully for me, as well. We are a bit more applied here today, this being the labor law panel. We are here to discuss the international labor issues of child labor from a heterogeneous point of view, with a very distinguished group of speakers. I teach primarily labor and employment law and I've been the faculty advisor to our Labor and Employment Law Society. We have continued to explore these sorts of themes over a period of years with individual speakers.

I'm delighted to see with us today Professor Bernardine Dohrn from Northwestern Law School, who spoke to our labor students in April of 1994 on the intersections of family law and labor and employment law. During the last few weeks, Mr. John Sweeney, the president of the AFL-CIO, spoke here, as did Jordan Rossen, the former general counsel of the United Auto Workers Union, joining past speakers ranging from Cesar Chavez to the chairman of the National Labor Relations Board. In early February, the Labor and Employment Society sponsored a colloquium on corporate social responsibility and social justice, focusing in part on the relationship between Nike and St. John's, and you can see some of those articles in the folder compendium of articles and distributions that you received upon registration.

Today's panelists obviously have heterogeneous experiences and perspectives and distinguished records. I won't reiterate their biographies beyond synthetic introductions. And they can speak on whatever they wish. But to sort of set some stages, as G.K. Chesterton said, we shouldn't just think about contemporary relevance but about eternal relevance.²

Two hundred years ago in England, William Blake, the mystic poet who created the imagery of the dark satanic mills to critique

² See G.K. CHESTERTON, *THE MAN WHO WAS THURSDAY* 189-90 (1908).

the industrial revolution,³ wrote a heartbreaking poem about "Tom." Tom was a young boy who was consigned to an early death as a child laborer, a chimney sweep. He would be so covered in soot that he would have his head shaved, and he missed his flowing hair. At one point, an angel appeared to Tom, who was an orphan, and told him God would be his father.⁴

A little less than 400 years ago lived St. Vincent de Paul, the founder of the Congregation of the Mission under whose auspices St. John's University came into being in 1870. Much of St. Vincent de Paul's mission was dedicated toward the abandoned infants who were left on the steps of the churches in France. Two thousand years ago, and again I thank Professor Woodhouse for the inspiration, Jesus said interesting things on many occasions in his parables about work and the value, importance and dignity of work in freedom, as distinguished from toil in slavery. Jesus said some unconventional things about work. Recall the parable of the vineyard being compared to the Kingdom of Heaven, where the people who entered the vineyard late in the day were paid not just the same hourly wage, but they were paid the same total wage as people who worked in the vineyard all day. Jesus concluded the parable, which was quite unconventional, by saying, "Everyone who is now first will be last, and everyone who is last will be first."⁵ The humble would be exalted.

Just prior to this parable in the Gospel of Matthew, Jesus shows his deep humanity and love in a very poignant way. And rather than paraphrase it, I will read it quickly. It said, "Some people brought their children to Jesus so that he could place his hands on them and pray for them. His disciples told the people to stop bothering him. But Jesus said, 'Let the little children come to me, for theirs is the Kingdom of Heaven. And unless you become like one of these little children, you cannot enter the

³ William Blake, *Jerusalem in JERUSALEM* (1804-1820). JERUSALEM (THE ILLUMINATED BOOKS OF WILLIAM BLAKE, VOLUME 1): THE EMANATION OF THE GIANT ALBION. W. Blake; M.D. Paley and D. Bindman, eds or .Blake, W., Paley, Motron D., Editor. *William Blake, Jerusalem: The Emanation of the Giant Albion*. The William Blake Trust/Princeton University Press, 1991, Blake's Illuminated Books, Volume 1. General editor, David Bindman.

⁴ See William Blake, *The Chimney Sweeper*, in SONGS OF INNOCENCE (1789).

⁵ *Matthew* 20:16

Kingdom of Heaven.”⁶ So Jesus no doubt would bless and continues to bless the 250 million estimated child laborers in the world today.⁷ But what can we do to alleviate their conditions provide them with better lives of some dignity?

Our speakers obviously have many topics to choose from. We all have the mission of making the timeless timely. The speakers are listed in alphabetical order, and I’ll introduce them serially. Each of them will have ten or fifteen minutes, and then we’ll open it up to dialogue with you.

Anthony Freeman is the Director of the Washington office of the International Labor Organization.⁸ The ILO has been perhaps the single most important institutional monitor of international labor conditions for the past eighty years, since its founding /having been founded in 1919. His predecessor, Steve Schlossberg, was a very generous mentor to me when I first began teaching in the early 1980s. He is former general counsel of the United Auto Workers Union.

Mr. Freeman has had a distinguished career. His degrees are from Rutgers and Princeton in politics and public policy, respectively. And as he reminded me early on, he’s not a lawyer. I said, “[a]ll to the good. The more interdisciplinary we can be, the more insight we can bring in, the more we can think outside the box, the better off we all shall be.” Without further ado, Mr. Freeman.

⁶ *Luke 18:16*

⁷ See INTERNATIONAL LABOR ORGANIZATION, *CHILD LABOR: TARGETING THE INTOLERABLE*, REPORT VI, at 7 (International Labor Conference, 86th Sess., Agenda Item 6, 1996) [hereinafter REPORT VI].

⁸ See generally *International Labor Organization, ILO History* (visited Feb. 23, 2000) <<http://www.ilo.org/public/english/about/history.htm>>. The International Labor Organization was created in 1919, at the end of the First World War. *Id.* The organization was established with the primary humanitarian goal of improving living standards. *Id.*

