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Introductory Remarks

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INTRODUCTORY REMARKS

*JOHN D. FEERICK**

I welcome you to this Symposium sponsored by the Fordham Law Review—The Role of Unions in the 1980's. I would like to express the gratitude of our school to the members of the Planning Committee for developing this program. Associate Dean Joseph R. Crowley of Fordham Law School deserves a lion's share of the credit for the program. Finally, I would like to thank the teachers, lawyers and outstanding leaders in the field of labor relations who accepted our invitation to participate in this Symposium.

As we commence today's program, the challenge faced by organized labor is not one of insignificance: Membership in labor organizations, as a percentage of the nation's work force, has declined. National unions are merging to pool resources, reduce costs and increase members. The wage-price spiral of post World War II bargaining has given way to concession bargaining agreements. Many seemingly viable businesses have filed bankruptcy petitions and rejected their collective bargaining agreements. American industry and the composition of the work force are in flux. Businesses are relocating overseas and into the Sun Belt. New kinds of relationships are developing between labor and management. Significant policy changes are evident in rulings of the National Labor Relations Board.

To equate, however, the enormous difficulties of the present with a pessimistic view of the future ignores the history of organized labor in the United States. It bears mention that when unions first appeared on the scene in the 1770's to advance the cause of the American worker, the response was not favorable. Initially, courts found unions to be criminal conspiracies in restraint of trade. When the criminal conspiracy doctrine was narrowed in the 1840's, proceedings for injunctions and damages were resorted to in an effort to forestall the growth of unions. Labor's struggle to become established extended well into this century. It was not until the 1930's, almost 150 years after the first American unions were formed, that a legal framework of collective bargaining was adopted for employees throughout industry generally.

Adapting to challenge, therefore, has been characteristic of organized labor up to the present time. What about the future? For the answers, I turn to the speakers who graciously agreed to be part of today's program.

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