

Brian Langille

Introduction of Harry Arthurs at LLRN Barcelona

June 13, 2013.

My name is Brian Langille and I have the honour of introducing Harry William Arthurs as a winner of the first Labour Law Research Network Award for Distinguished Career Contributions to Labour Law.

This is both a tremendous honour for me, and a treat.

Let me take this opportunity be among the first, of what I am certain will be many, to warmly and sincerely congratulate the many organizers of this conference – and especially my friends Julia Lopez and Guy Davidov – for their extraordinary efforts on behalf of, and to the enormous benefit of, all of us. Because of you the labour law world has come to Barcelona.

In particular, let me further single our Guy. For I think it was his insight that the world needs a global **academic** labour law network, and his capacity to deliver upon that idea, which are the reasons we are here in Barcelona today. Thank you Guy, on behalf of all of us.

**NOW –**

- **IF** you believe in the idea of a global academic labour research network
- **That is, IF** you believe that in the world as we now find it – this fast changing, globalized and unequal world – we need, as a first priority, serious and critical reflection upon the laws and institutions which govern work and labour markets– and their relationship to the laws and institutions governing other critical aspects of our lives, including capital and financial markets –
- **AND, IF** you were looking for a person who exemplifies and embodies all that such an important academic undertaking requires of us all, if it is to be done in a way equal to the

importance of the task at hand, then you should look no further than Harry Arthurs.

Harry has had, and continues to have, a magnificent career in the law. It describes an arc in the academic firmament which is thrilling to observe. And although his interests go beyond labour law – to administrative law, the study of the legal profession, legal history, and legal theory (particularly the school of thought known as “legal pluralism) applied public policy, and more – we here know him, respect him, and celebrate him, for the work which lies at the heart of his intellectual life – his work in labour law.

Harry Arthurs is a Canadian. He was born in Toronto and educated at University College at the University of Toronto, then at the University of Toronto Faculty of Law, then at the Harvard Law School.

When he returned to Toronto from Harvard, he set up his base camp for his academic ascent at Osgoode Hall Law School at York University.

And what an ascent.

Harry became Dean of Osgoode Hall Law School, where he oversaw its rapid rise to the top of the ranks of Canadian law faculties. Then he became a pioneering President of York University.

Harry Arthurs is currently President Emeritus and University Professor Emeritus of York University.

He already has a large trophy cabinet – filled with all that Canada, and now the world, can rightly heap upon him.

He is an Officer of the Order of Canada (this is Canada’s highest civilian honour), a member of the Order of Ontario, a fellow of the Royal Society, a corresponding fellow of the British Academy, a Killam Laureate in the Social Sciences (a note for non-Canadians: basically the Killam Prize is the “most valuable player” (MVP) award for all of the social sciences – not just law). He is also the winner of the Mundell Medal (again for non-Canadians –this is another MVP award – for legal writing this time). Also the first winner of the Bora Laskin in Labour Law for Contributions to Canadian labour law. He holds honorary degrees from many universities including McGill, Montreal, and Toronto.

But Harry has also travelled the world, and continues to do so. He has taught and been Visiting Fellow in many places – Cambridge, Oxford, UCL, Auckland, Sydney, Monash, Cape Town and Geneva, the Institute for Advanced Research, to mention a few.

He was, as many of you will know, in 2008, the Co-Winner of the ILO's first award of its Decent Work Research Prize – which he shared with Joseph Stiglitz. As we all know, the ILO prize is meant to be the Nobel Prize for labour.

And now he is to receive the first Labour Law Research Network Award – shared with Bob Hepple.

He keeps good company.

There is much more – but this gives some hint of a career which calls out for public celebration – what we are doing at this very moment.

But who is Harry Arthurs? The man behind the trophy case?

I first met Harry 32 years ago. He had already finished his term as Dean at Osgoode and I was a young, untenured labour law professor. I was giving a paper at a meeting of Canadian labour lawyers over which Harry rightly presided. He took an interest in what I had to say. This was deeply unsettling.

At that time he was clearly the dominant figure in Canadian law – a position he still justly holds. He was impressive. He had - and still has - an unnaturally cool and measured way of taking someone apart in public. Even though he was just taking their position apart.

He spoke in whole paragraphs. All of the time.

I survived to tell the tale of that first meeting and it is one of the real thrills of my life to have known Harry as a friend and inspiration ever since.

He still speaks in full paragraphs. All of the time.

I can think of no other field of legal endeavor in Canada in which one person is so uniformly regarded as The Dean and intellectual leader. Why is this the case? And why is his reputation so glittering at the global level? Why is it so just that we recognize him here this evening in Barcelona?

For a number of reasons.

First, there are few among us who have been so well placed to understand the career of labour law as we have known it. Harry was the star student of Bora Laskin – the founding father of modern Canadian labour law. He was not there at the founding in the 30s and 40s but he was there in the 60s at the beginning of labour law as a serious intellectual and academic subject. When he began his career he could walk over to the garment district in Toronto and arbitrate shop floor disputes between the Garment Workers Unions and garment manufacturers. His career stands astride that reality and the reality we now face – that those jobs are in Bangladesh, and elsewhere, and the factories in Toronto have been converted to upscale loft apartments which are home to employees in the nearby financial district.

Second, few among us could or would or have seized the opportunity as he has. He has written, and continues to write, an awful lot. He is invited to speak everywhere and he accepts those invitations. He has inspired generations of students and continues to do so.

Third, It must also be said that he comes up with great titles; “Making Bricks Without Straw: The Creation of a transnational Labour Regime”; “The Tree of Knowledge, The Ax of Power”; “Madly off in **One** Direction”; “A **lot** of knowledge is a dangerous thing”; “Jonah and the Whale: The appearance, disappearance and reappearance of Administrative Law” – and my favourite, I think, “Where have you Gone John R. Commons, Now that we need you so?”

Fourth, Harry is an example of what a serious thinker ought to be – widely read, analytically sharp, theoretically ambitious, continually searching, skeptical, rigorous, witty, intellectually honest, resistant to the received or popular wisdom, and fearless. He knows that ambition is, as Wittgenstein said, “the death of thought”. Harry is built to “call them as he sees them” and precisely not how others wished them to be called.

As it turns out he is deeply of the view that law is complex, human, local, indigenous, temporary - and imperfect. A very human artifact. He is theoretically sophisticated – but he is deeply worried about misplaced faith in grand schemes. Especially legal ones.

Whether we share his views on any particular subject, although many of us will, he shows us what it takes and means to have a view worth considering.

Fifth, he has shown that one can make a mark as a global researcher and thinker – and play a role in the public life and administration of the academy,

the legal profession, and the world of public policy. Amazingly Harry has, in addition to all else, lead major inquiries in Canada into Labour Standards reform at the federal level and Pension and the funding of our workplace injury scheme at the provincial level.

It is one of the most striking features of Harry's altogether remarkable academic life that he emerged from his years as the President of a large North American University and returned to the scholars' workbench with such remarkable ambition, energy, and strength. Few emerge at all from such presidencies. Very, very few with the zeal Harry has demonstrated for life in the academic trenches.

He is still active. Still on the move. And I am sure one of the things he about to say is – this is NOT a retirement party.

**To put it plainly:** In a world which has far too few of them, Harry is one of the labour law world's real heroes. He is someone who shows us how to live the life we have all chosen.

So to paraphrase Harry (and Simon and Garfunkel) I am delighted to ask the question: "Where have you gone Harry Arthurs – our subject turns its lonely eyes to you?"

And the reason I am delighted to ask that question is that I know the answer, for which we are all grateful, and it is: he has not gone anywhere, he is not going anywhere, and, in fact, here he is. Harry Arthurs. Winner of the Labour Law Research Network's Award for Distinguished Career Contributions to Labour Law.