

STATE OF FAITH:
IRISH-CATHOLIC CHURCH HIERARCHY OF NEW JERSEY
AND REACTIONS TO CIVIL GOVERNMENT INITIATIVES,
1946-1962

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ABSTRACT

State of Faith: Irish-Catholic Church Hierarchy of New Jersey and Reactions to
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This dissertation focuses on the dynamics of church and state relations in New Jersey during the mid-twentieth century as it relates to the complex and varied aspects of secularism. At this time, the lure of material rewards, expanded opportunities, and broader awareness of society outside of the Roman Catholic Church, and other challenged traditional devotion and sacrifice for a new generation of Americans who had survived the Great Depression and World War II years. American Catholic assimilation, especially among those of Irish extraction within American society, took on greater stature during the mid-twentieth century. New Jersey in particular became a microcosm of the American democratic experience, as evidenced in a wide range of civil government programs such as the GI Bill, suburbanization, and a boom in white collar employment. If not overtly found during the working week and not named explicitly as a motive for political action, religious influence often permeated policy matters, whether commercial, judicial or educational in origin. This study looks at how the bishops of New Jersey attempted to curtail the intrusion of governmental initiatives into Church-related matters, and in what manner they were able to co-exist with their secular counterparts in cases where their moral and spiritual arguments were frequently ignored. In response to the hierarchy, clashes of conscience sometimes occurred whenever secular and sacred leaders had to work around and with each other in various ways. These factors contributed to the long-standing American debate over how church and state are reconciled. This will be illustrated through study of the Games of Chance Bill (1953) involving legalized bingo contests; Sunday closings, or “Blue Laws” (1959); and the Seton Hall Medical School experiment (1956-65). The final section will center upon the election and governorship of Richard J. Hughes who became the first Irish-Catholic chief executive in New Jersey

history and the state of New Jersey Catholics as they went through a transition in worship in the wake of the Second Vatican Council during the 1960s, and what Church reforms would carry into the present day for the hierarchy and laity alike.

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Chapter 1

INTRODUCTION

This dissertation focuses on the dynamics of church and state relations in New Jersey during the mid-twentieth century as it relates to the complex and varied aspects of secularism. At this time, the lure of material rewards, expanded opportunities, and broader awareness of society outside of the Roman Catholic Church, and other factors challenged traditional devotion and sacrifice for a new generation of Americans who had survived the Great Depression and World War II years. American Catholic assimilation, especially among those of Irish extraction within American society, took on greater stature during the mid-twentieth century. New Jersey in particular became a microcosm of the American democratic experience as evidenced in a wide-range of civil government programs such as the GI Bill, suburbanization, and a boom in white collar employment.

For many who lived in the state throughout the post-war era, a typical scenario faced by those who wished to live the “American Dream” of prosperity and broadened horizons often had a similar story of increased aspirations and differing expectations.

When victory came, New Jerseyans found that their incomes had nearly doubled since the Depression. . . . Many never felt more confident about the future. . . . When GIs returned from overseas, they itched to get married and move out of their parents’ homes. In doing so, they launched the great boom in suburbs and babies. With money in their pockets, they married at younger ages than their parents and had their first children earlier. Taking full employment for granted, they also had more children than the Depression generation. They wanted to give them rooms of their own. . . . For many second- and third-generation American families, suburbia was the end of the line, the goal achieved by the early 1950s. They made it, thanks to family scrimping, steady factory work and union wages, government subsidies. . . . They owned modest houses, or rather, they stretched their budgets to make monthly payments to the banks that held the mortgages. They muttered about the water bills and the school

taxes and wondered whether they should attend school board meetings to complain about the cost of educational frills.¹

This path shows how many residents of New Jersey evolved on a socio-economic basis regardless of their background. Religion became a different story however.

As a collective, the Garden State has long been a polyglot state of ethnic, political, cultural and spiritual diversity. In the 1950s, the Catholic populace became the majority religious group. Despite its numerical predominance, the Catholic bloc still had to contend with strong Protestant traditions (although both Christian sects), especially in urban areas where cross-denominational religious and cultural exposure was common and not always endorsed by the hierarchy. This was especially true when it came to the election and listening to the words of public officials from *any* denomination when they did not agree with Church doctrine.

The church-state dynamic was defined in the annual *Catholic Almanac* of 1946 and repeated for years afterward, so that all adherents might pay heed to this relationship.

The definition reads thus,

Church and State. Primarily an institution devoted to the salvation of souls, the Church nevertheless performs many secondary functions, one of which is the preservation of the social order. She has always thrown her full weight against the destruction of society. Ceaselessly has she preached the duty of obedience to civil authority, respect for property rights and respect for human dignity. The Catholic citizen is in conscience bound to respect and obey the duly constituted authority provided faith and morals are thereby not endangered. Under no circumstances may the Church be subjugated by the State. Whatever their form may be, states are not conceded the right to force the observance of immoral or irreligious laws upon a people.”²

¹ Joel Schwartz. *The Development of New Jersey Society*. New Jersey History Series 10. (Trenton, NJ: New Jersey Historical Commission Department of State, 1997.), 58-59.

² *National Catholic Almanac*. (Paterson, NJ: St. Anthony's Guild, 1946), 87.

The following provides more fundamental details on the allowance by religious officials in regard to the social order:

The Catholic Church recognizes the State as the power ordained by God to uphold the social order. She holds her children bound to stand by it. No greater loyalty to the State is to be found than among Catholics. The Church is inflexible, however, in resisting any encroachment on the part of the civil power into the affairs of the Church. So long as the State remains in its own sphere of authority, however, the Church enjoins upon all to obey, love and reverence it. The Church, accepting the theory that the government of the United States is based upon popular consent, given by a majority of educated and enlightened men and women, upholds the unity of the State on this basis and is opposed to the actions of individuals and minority groups when their actions go contrary to the will of the whole and against the general welfare.”³

What these passages convey is an affirmation of allegiance by American Catholics not only to their God, but also to their nation. It was the decision of all bishops to reiterate this commitment to both the secular and temporal which defined their reality and belief system.

Immediately following World War II, the Cold War era, a more defensive Catholicism was becoming more commonplace. As Jay P. Dolan explains, “It was clear that by the 1950s the marriage between Catholicism and the American liberal reform movement was consummated. The idea that Catholicism and liberalism were compatible was no longer in question. . . . The Americanization of the Catholic reform movement

³ Ibid., 171 and 272. (Additional text included inside this publication reinforced the position of Catholic Church officials within America through numerical strength and integration within society. This passage reads: “Present Position of the Church in the United States. While the prestige of the Catholic Church is a rule more pronounced in the more populous areas, it can be said that throughout the whole country she is now recognized as an integral part of the life of the nation. While her opinion is not always a decisive or even a leading factor in the solution of social questions, her attitude is not denied consideration. And the leaves of the thought of the large body of Catholics in the country cannot but be an important element in forming the national consciousness. With nearly 24,000,000 members, the Church has the largest membership of any single religious group; Catholics form more than one-sixth of the nation’s population.”)

was one more sign that Catholics were becoming part of the American mainstream.”⁴ To examine this phenomenon in more depth, this study explores exploration of the Irish-American connected Roman Catholic hierarchy and issues that affected the population of the state in relation to the forces of faith, excessive influence of power, economic development, and related factors that began to challenge historical expectations to a greater extent than ever before. A new era of questioning traditional practice led to a trend of independent thought and action, which resulted in further signs of social revolution. A broad look at this time period combined with specific examples shows the transition period and how it set precedents for dealing with religion and secularism in a mainly capitalistic society. Despite the power and authority of the Hibernian-dominated Catholic hierarchy on matters of religious teaching, the faithful were citizens of a democratic society in which the lure of economic prosperity and a higher quality of temporal life, as well as governmental edicts that valued money and freedom of choice over a strictly moral code of conduct, dominated. Thus, the concept of a tangible earthly reward against a faith-based reward in heaven were at odds in this struggle.

This study looks at how the bishops of New Jersey attempted to curtail the intrusion of governmental initiatives into Church-related matters, and in what manner they were able to co-exist with their secular counterparts in cases where their moral and spiritual arguments were frequently ignored. In response to the hierarchy, clashes of conscience sometimes occurred whenever secular and sacred leaders had to work around and with each other in various ways. These factors contributed to the long-standing American debate over how church and state are reconciled. Expanding avenues of

⁴ Jay P. Dolan. *The American Catholic Experience – A History from Colonial Times to the Present*. (Garden City, NY: Image Books), 407.

commerce, free elections, educational choice, and civic responsibilities often were increasingly democratically egalitarian. These factors contributed to the long-standing American values of a necessary separation between church and state. This phenomenon often resulted in differing levels of acceptance and compromise between spiritual overseers and secular lawmakers and their respective constituencies. The variables investigated include the chief architects who dealt with legislation along with those responsible for Church law, and how both affected the faithful in New Jersey. Additionally examined are the motivations and reactions that came from those affected and whether religious and secular authorities agreed or disagreed on various issues. This led to considering under what conditions the bishops of New Jersey found it necessary to use their influence among politicians and the faithful in looking at laws that went against Church teaching. Finally explored is the issue of when faced with opposition, how accommodating the Catholic hierarchy were to the disagreeable aspects of civil legislation. These aforementioned points of inquiry will be investigated through a review of existing precedents, official documentation, legal interpretations and personality profiles.

Beyond the general introductory overview, the second chapter will show how the views of theologian John Courtney Murray, S.J. presented a new look at old thinking among Catholics on the eve of the Second Vatican Council in line with comparisons from a more localized perspective in the differences between canon and civil law from a broad-based and New Jersey perspective. The second chapter includes an examination inside the roots of the United States Constitution and its New Jersey counterpart (1947) in comparison with the Archdiocese of Newark Synod Statutes (1941), along with exploring

the subsequent perceptions and interpretations of these publications. Among the attributes to be studied include those of governance, judicial issues, and commercial or educational endeavors that were ultimately rationalized by the Catholic hierarchy. This section is mainly designed to examine these prime documents that ultimately set written legal policy.

The third chapter will explore the American Catholic hierarchy and the bishops of New Jersey who served in the post-World War II and pre-Vatican Council era. The overview begins with the formal American Catholic leadership of Bishop John Carroll, S.J. that commenced in 1789 and extends through the pontificate of John XXIII (1958-63). This biographic treatment will illustrate how most Church leaders in the United States were of Irish extraction and followed a prescribed pattern of allegiance to the pope and Catholic teachings while trying to achieve assimilation within American society. The gradual change from a European Catholic mindset into a Catholic mindset in a culture not dominated by Catholics became a parallel development among these leaders of the Church. Those who headed the various sees within New Jersey included Archbishops Thomas J. Walsh (1928-52) and Thomas A. Boland (1953-74) of Newark and six others who headed the Dioceses of Camden, Paterson and Trenton during the period between the end of World War II and the beginning of the Second Vatican Council.

The basis for reviewing various issues that tested the reach of hierarchical rule while simultaneously seeing how such popular topics as educational choice, financial gain, and personal or commercial enterprise alone, or in combination is a recurring theme in this study. Freedom of action in these regards was in place, but found in the background constitutional and synodal statutes in place following World War II and prior

to the Second Vatican Council provided editorial commentary from the hierarchy and political constituencies respectively. Separate chapters are included to illustrate how these events were debated and decided on a separate or joint moral or practical front. The Games of Chance Bill (1953-54) involving legalized bingo contests provides a look at economics and the decision of whether to support gambling as a justification for the means. The Sunday Closing Law (1957-59) that required businesses to cease operations on the Sabbath will be examined in line with the Catholic stance on free enterprise. A third part is the Seton Hall Medical School experiment (1954-66) and the cost of medical education in both a capitalistic and substantive way, and why this affiliation could not be sustained through the Church at this time, leading to a state-mandated take over led by a Catholic governor.

The final section will center upon the election and governorship of Richard J. Hughes who became the first Irish-Catholic chief executive in New Jersey history when he took office in 1962.⁵ This shows how American Catholicism came full circle in New Jersey, as those of the faith became the majority population within the Garden State and a devout practitioner himself became the recognized leader of secular government. Observations about the development of church and state relations and how they were accepted by New Jersey Catholics and how they led to modern day religious issues in the wake of the Second Vatican Council during the 1960s, and what Church reforms would last and carry into the present day, represents a major part of this study.

The topic of church and state relations has been covered in expert detail from various angles and perspectives. However, this study is original from various vantage

⁵ Paul A. Stellhorn and Michael J. Birkner, eds. *The Governors of New Jersey 1664-1974, Biographical Essays*. (Trenton, NJ: New Jersey Historical Commission, 1982), 224.

points, including the lack of previous comparative studies in New Jersey during the twentieth century linking government, judicial, commercial and educational debates between public and parochial sources. A unique look at the dynamics of church and state relations on a local level through specific examples related to commonly-shared pursuits with ethical components in some manner is the goal in writing and presenting this analysis. This dissertation includes an overview and concluding observations in regard to the matters of church and state addressed in the preceding chapters.

Sources for this study include a variety of primary and secondary texts. The reaction to governmental measures that are questionable in light of Catholic doctrines will be analyzed through official pronouncements, and secondary source materials including newspaper accounts, legislative documents, and affiliated source materials are reviewed throughout the body of this analysis to provide context. Much of this research will center on Catholic newspapers which print information that is published under the sponsorship of the bishop who approves all editorials, content policy, and each aspect of the operation. Thus, their influence is evident if not by name then by extension. Within the first edition of the *Catholic Advocate*, the Archdiocese of Newark organ, the introductory statement of purpose was presented in the following manner:

Like all Catholic newspapers, *The Advocate* will present Catholic press on the international, national and local levels, and whenever necessary give the Catholic interpretation of general news. It will counteract the influence of the secular press which seldom mentions Gods or the things of God but not infrequently goes into unsavory detail in describing vice and crime. It has been said that the Catholic whose reading is restricted exclusively to the secular press becomes almost without realizing it a pagan in his judgments of men and events. . . . *The Advocate*, being the official newspaper of the Archdiocese of Newark, will have a wide circulation and will perform a missionary service to coming into many homes which heretofore have not subscribed to a Catholic newspaper. . . . It is the Archbishop's official organ for the expression of his views, the projection

of his plans, and the promulgation of his decrees. Through its pages His Excellency will be able to reach more than one million Catholics who are members of the Archdiocese *The Advocate* will supplement the pulpit, the religious school and its missionary society. It will expound Catholic principles and repel attacks which are made upon faith and morality. It will be the aim of *The Advocate* to make its readers happy by . . . truth.”⁶

This “truth” is one statement that is subjective, but in terms of this study it will represent one side of the story: the Church perspective.

The papers of individuals featured in this report and existing essays on their works will be consulted. Secondary literature in the form of topical books, essays and peer-reviewed texts is also used. These resources will serve as the background within New Jersey, as a seldom-researched state in this regard, to see how this locale and its diversity lend itself to the project outline and analysis studied here.

⁶ “Advocate and Archdiocese,” *The Catholic Advocate*, December 30, 1951, 6.

Chapter 2

DOCUMENTS OF CHURCH AND STATE INFLUENCE

Introduction

The ideals espoused by church or state leaders come through foundation writings they can point to for instruction. When individuals hear about something that is considered right or wrong they can modify their behaviors appropriately. Furthermore, tangible documentation as the basis for outlining rules of society helps to make choices easier to distinguish and serves as a guide to behavior, whether it be through the eyes of government or religious leaders. In reviewing edicts of conduct, the common goal set forth in respective documents is to have everyone follow these rules without protest. However, the United States is a pluralistic society, unlike a more homogenous one such as Catholic Ireland, where many of the bishops pointed to their ancestral homeland and where the state was in virtual lockstep with religious officials on every issue that influenced the masses, from abortion laws to public dancing prohibitions. Therefore, the American clergy had to adapt to a land of diverse perspectives and influences beyond their control.¹

Spiritual core values and a tradition of moral uprightness espoused by the hierarchy through sermons, circulars, pastorals, press or electronic leads were commonly communicated to the faithful. In other words, they wanted their followers to absorb,

¹ Paul Blanshard. *The Irish and Catholic Power – An American Interpretation*. (Boston: Beacon Press, 1953), 28. Virginia Yans-McLaughlin. *Immigration Reconsidered: History, Sociology, and Politics*. (New York: Oxford University Press, 1990), 105-115. (The author, a history professor at Rutgers, The State University of New Jersey pointed out that spiritual leaders were often in sync with their countrymen and women, at least when it came to respect for flag, shared heritage, and perpetuating their faith simultaneously: “The Irish-American bourgeoisie had no choice but to form an unequal alliance with an Irish-dominated American Catholic church. Irish-American bishops and priests, themselves of middle-class origins, pursued strategies that complemented and furthered those of their secular allies. They labored to transform an inchoate mass of Irish immigrants into ‘good Catholics,’ who, they sought to prove, were by virtue of their very Irish Catholicity ‘good Americans.’”)

follow, and perpetuate a life of righteousness and sacrifice in line with the gospels. Conversely, civil documents are not necessarily church-friendly, but are part of the governing literature that provides a guide for the majority of citizens within society at large. The key documents that highlight the wishes of secular leadership in the United States are in line with the issues that followed American bishops and their need to guide through edict. Thus, the debate is as old as the republic. Church and state disparities have been a constant, and the decision of the politician, priest, and general public alike regarding how to act in the conflict became especially acute during the years examined in this study. The post-war and pre-Vatican Council period set precedents that led to the modern church-state dynamic.¹

Aside from individual thought and conviction, the true essence of reconciling church and state comes down to the issue of governance. Some have debated that religion is a matter of personal preference and therefore a subject that should not have wider airing and should not be subject to commercial or political influence. However, the hierarchy and its pointed advice to elected office holders sometimes brings pressure to bear on their flock as the “religious vote” was a threat in some instances. The selection of candidates according to their stance on issues of church interest often leads to strong recommendations from the pulpit on how to cast their ballots in general elections and referenda.²

¹ Bernard Olivier, O.P., “The ‘Rights’ of Conscience – The Problem of the Misguided Conscience,” in George Lamb, *Tolerance and the Catholic: A Symposium*. (New York: Sheed and Ward, 1955), 157-161.

² John F. Wilson and Donald L. Drakeman, eds. *Church and State in American History – Key Documents, Decisions, and Commentary from the Past Three Centuries*, 3rd ed. (Cambridge, MA: Westview Press, 2003), 165.

On wider reflection, when it comes to the teachings of the Catholic Church, the hierarchy proclaims that the lure of material comforts including money, prestige and involvement in policy deliberation at the civil level should not be temptations that stand in the way of ultimate salvation.³ Each individual dream differs, but the ability to have the means to success is one that cuts across religious affiliation, racial, and ethnic origin. The options that arise for personal action also come down to fundamental issues of exposure. The term “church and state” at its essence designates where paths are crossed, namely, “Aid to parochial schools, public-school prayer, tax exemption for religious institutions, religious beliefs of political candidates, abortion, and the nuclear arms race. Each of these issues (and many others as well) have been thought to involve questions of church and state.”⁴ These offer a contrast in what can or cannot be supported by secular-centered entities.

According to the 1947 Declaration of the Rights of Man, free choice in ethical principles and behaviors is a fundamental right. In the post war period this principle was to be put to the test in both secular and spiritual arenas, especially in light of the “Four Freedoms” that include the right of expression, worship, freedom from want and from fear. These precepts along with that of free will are ones that many Americans subscribed to as acknowledged rights. This declaration clarifies that individuals have the option to follow their own definition of independence:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his (or her) religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and

³ Jerome G. Kerwin. *Catholic Viewpoint on Church and State*. (Garden City, NY: Hanover House, 1960), 88.

⁴ Wilson and Drakeman, 1.

observance. . . . Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.⁵

Subsequently, when it comes to the two distinctive yet overlapping spheres of church and state, questions and concerns arise as to how the two can reconcile and live in harmony, but often it is a case in which reality trumps ideals. Furthermore, when presented with a conflict between church and state, those of faith divergences most usually follow the entity that possesses the stronger appeal. Included among the motivations in this regard are voting according to personal conscience, public or parochial school, and choice of career in the public or private sector, among others.

When looking at American society on the whole and the messages from competing sources, it seems that there is no way that professed Catholics can escape influences from their local politicians, news sources, or friends and neighbors unless they are cloistered or filter out anything not originating from their priest who acts upon the directives of their bishop. There are no gray areas; as author Currin V. Shields in his work *Democracy and Catholicism in America* noted, a leader is “either civil or ecclesiastical but never both” when making his or her opinions heard.⁶ When it came to deciding whether to follow a directive from the sacred realm or from the secular, the difference in leadership pronouncements became an issue of whose power was more influential beyond Sunday and a test of how strong the religious beliefs of a person are when that person is faced with choice in a particular circumstance.

⁵ Baron F.M. Van Asbeck, ed. *The Universal Declaration of Human Rights*. (E.J. Brill Leiden, 1949), 137-138.

⁶ Currin V. Shields, *Democracy and Catholicism in America*. (New York: McGraw-Hill Book Company, Inc., 1958), 139.

Despite the best hopes of a leader, following a single voice blindly is extremely uncommon. With both the secular and spiritual worlds in mind, lines are indeed drawn, but to an extent whereby those who follow Catholicism have to keep in mind that they are also subject to civil laws as American citizens. Even among the devout, some questions often arose surrounding the nature of one's respective allegiances to church and to state: "What are the Catholic theories on church and state? At the outset, it should be pointed out as obvious that no Catholic could accept the union of church and state which would blur the distinction between the two."⁷ This is decidedly a modern American viewpoint. Those who profess their faith more seriously tend to be in a minority when measuring behavioral trends, but according to various Church sources, the secularism that pervades most every avenue of life makes for a method of complementing correct behavior. The challenge is there and it is a case of "government exercise[ing] control over its citizens for the common good and establish[ing] a balance between their rights and duties."⁸ Beyond this, obvious lures of life in terms of financial gain, amusement and those activities that are not quite classified as purely ethics-based became an issue, since it was a case of trying to keep morals protected by the Church hierarchy in relation to their flock. However, both church and state are concerned with individual welfare to varying degrees and helping with personal liberty.

Essentially, the moral decline experienced with the downfall of the Roman Empire had led to a prescription whereby, "a return of the individual, the family and the State in a correct position with respect to God, The Natural Law, based upon human

⁷ Kerwin, 83.

⁸ *Our Bishops Speak: National Pastorals and Annual Statements of the Hierarchy of the United States, 1919-1951.* (Milwaukee: The Bruce Publishing Company, 1952), 149.

nature and discoverable by human intelligence furnishes the absolute stable, and unchangeable standard by which they measure immorality and to restore right living.”⁹ Furthermore, money, comfort, status and the other rewards of a capitalist society are the goals of many and are reinforced when it comes to job selection, neighborhood, and related factors. In short, the quest to achieve the freedom and hope associated with the “American Dream” for comfort and success remained strong. This is unlike the close alignment of the church-state dynamic of Europe during the twentieth century, especially of Ireland, in which the closeness of spheres restricted movement and motivation.¹⁰ On Sundays, the message of heaven as a reward instead of temporal objectives was a contradiction to the dominant message that congregants heard every other day of the week through family, friends, neighbors, and mass media channels.

Church and State – Constitutional Parallels (From New Jersey to the Nation)

The foundation of church and state debate within America cannot be discussed without reference to the United States Constitution.¹¹ The earliest formal governmental mention of the religious issue found in early America is expressed in this document that allows freedom of choice to the present day. The standard by which American law and political decision making is influenced comes from this document which is designed as a means of balancing the three branches of government, namely executive, legislative, and

⁹ “Congress and the Bishops,” *The Catholic Advocate*, January 5, 1952, 6.

¹⁰ Shields, 98-99. (In the Irish Constitution of 1937, the place of Catholicism was offered particular importance, although other faiths were mentioned as well. This provided tangible proof of the close relationship between the Catholic Church and the state in Ireland, especially during the twentieth century.)

¹¹ *Our Great State Papers*. (Philadelphia: The John C. Winston Company, 1948). (The draft of the United States Constitution was debated among members of the Congress in 1787 before it was ratified in 1788 and ultimately went into effect in 1789.)

judicial, so no one entity has the power to supersede the others. A similar safeguard implied in the creation of the Constitution applies to religious leaders, as they cannot personally follow laws based on their respective belief system. The eventual say in state policy comes through the public and legislative community.¹²

At its core, the United States Constitution provides written proof outlining the right of religious freedom and reinforcement that the state and church are separate. The preamble is worded in such a manner to express a preferred vision of society and build a foundation for positive growth within this idealized vision; it reads: “We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.”¹³ This established a general harmonious benchmark for future relationships among citizens regardless of their preferred method of worship, making for a more democratic expression of individual liberty.

Beyond the original text, provisions were made for potential changes to the Constitution. The earliest and most pressing question dealt with Providence and how it would not influence governmental functions, but be supportive in regard to individual conscience. The First Amendment to the United States Constitution made in 1791 thus reads in Article I, reflecting on the issues of religion and freedom of speech:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech,

¹² Shields, 217.

¹³ *New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition.* (Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963), 280.

or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.¹⁴

The difference between church and state was an issue that would endure over time as it had historical precedent that was more easily reconciled in print than in the real world, as author Patrick Allitt wrote that:

the crucial First Amendment, marked the United States as a nation whose state authority confined itself solely to temporal affairs and prescribed completely from judging affairs of the spirit. The Constitution, like the medieval Catholic church, recognized that church and state were two distinct “societies,” each with its proper sphere of operation, united only to the degree that persons belong, by nature, to both. In certain areas the natural spirituality of human beings permits the church to intrude into the temporal sphere (in facilitating public worship, for example), but in no area should the state override its exclusively temporal character and intervene in spiritual affairs.¹⁵

This further shows how important the religious question was among the founding fathers, and it has remained so among succeeding generations of legislators and the citizenry alike.

The federal government could not hope to be involved with or have sway over religious affairs, so it established a multi-denominational approach and made a blanket pronouncement of religious freedom for all, at least in script and theory.¹⁶ The words of John Courtney Murray also touched upon the First Amendment, and he noted that it was a “great act of political intelligence” in that the Catholic might or might not meld faith

¹⁴ Ibid., 20. Joseph H. Brady, *Confusion Twice Confounded, The First Amendment and the Supreme Court – An Historical Study*. (South Orange, NJ: Seton Hall University Press, 1954), 5.

¹⁵ Patrick Allitt. *Catholic Intellectuals and Conservative Politics in America, 1950-1985*. (Ithaca, NY: Cornell University Press, 1993), 36.

¹⁶ George Goldberg. *Church, State And The Constitution*. (Washington, D.C.: Regnery Gateway, 1987), 11.

and patriotism together when it comes to this issue.¹⁷ Catholic legislators, for example, who are religiously oriented, are bound by oath once in office to separate their personal feelings from their governmental duties and therefore should not exert their faith in a public forum. This posed a challenge for some Catholics over the years that ran for such offices as alderman, legislator, mayor, governor, or for seats in Congress or the Senate, but the fundamental rules remained the same regardless of position. The separation of church and state thus had its dividing line based on freedom of selection.

The hierarchy did not embrace the Constitution as their first priority, but it did enable them to exercise their religious freedom. This included the opportunity to worship as anyone else and pontificate, but mainly on matters of Church doctrine: thus, the ability to influence others was limited then as it is today. The counter points to the Constitution in most cases were regularly crafted pastorals that were prepared by these men imbued with authority within the Church and covered their viewpoint on “free enterprise” and “patriotism” among other popular topics in the public consciousness.¹⁸ The ideal wish for any bishop to have definitive say in how the faithful should conduct themselves at *all* times is not possible, of course, but the nature of society has competing voices, including those who proclaim moral authority, vying for attention. Therefore, Church leaders faced ongoing challenges.

The bishops argue that they are only asking that these values be examined in the light of moral principles and teachings. . . . The bishops, and other religious leaders, would surely question the value of being accorded legitimacy as actors in American political life. . . . The fact is, however, that their legitimacy as political leaders is challenged by some people on

¹⁷ John Courtney Murray, S.J. *We Hold These Truths, Catholic Reflections on the American Proposition*. (New York: Sheed and Ward, 1960), xi.

¹⁸ Mary Hanna, “Bishops As Political Leaders,” in Charles W. Dunn, ed. *Religion in American Politics*. (Washington, D.C.: Congressional Quarterly, Inc., 1989), 85.

the basis of the Constitution's separation principle and by others on the generic charge of being un-American.¹⁹

Charges of this type have helped to neutralize Church leaders' attempts to influence change.

The words of any bishop throughout his time in office should reinforce the need for proper religious and moral training among their parishioners, but public schools, for example, were mainly geared to the federal and state constitutions as their inspiration in achieving individual freedom. The First Amendment and its proclamation of freedom is a belief that stayed with many Catholic citizens as the benefits associated with secularization became more commonplace despite the will of the hierarchy to have more control over their allegiances and actions. In other words: "the establishment of religion' clause of the First Amendment . . . would bar any co-operation between government and organized religion which would aid religion, even where no discrimination between religious bodies is in question."²⁰ These were strong words in line with trying to preserve the moral balance sought so much by the hierarchy all along.

When it came to local application, it would not be until May 29, 1940 when the religious clauses outlined in the First Amendment were extended to the individual states in the union, including New Jersey, through the United States Supreme Court.²¹ Thus, when it comes to church and state and the Constitution, the focus of this document and its impact is often measured by the test of its strength and meaning through all aspects of the government as determined by legislators and the judiciary alike. Through this route, New

¹⁹ Ibid.

²⁰ *Our Bishops Speak*, 149.

²¹ Goldberg, 29.

Jersey was subject to further statements of free exercise, but it was only a few years later than the 1940 decision that a new state constitution and the Catholic Church in New Jersey created its own set of rules that outlined expectations of behavior among the populace and its clergy respectively.

Canon v. Civil Law: Documental Divergence In Relation to New Jerseyans

New Jersey had two major state constitutions drawn up prior to World War II, with the original drafted in July of 1776 and an updated version from 1844 which included a bill of rights that was more reform-minded and fairer than the original for Catholics, with provisos that guaranteed religious freedom and freedom of speech.²² However, anti-Catholicism was a factor through most of the nineteenth century, as relatively few Catholics held public office and Catholicism was still a minority faith held in suspicion and often accused of not adapting to American ways due to the foreign influence of the Church.²³ In order to further the need to provide all citizens of the state with equal rights, the call to craft a new constitution led to a series of initial debates that commenced in 1944.²⁴ These discussions not only involved state political officials but also involved input from the Catholic hierarchy during the preliminary discussion phase.²⁵ Major warnings were issued by Archbishop Thomas J. Walsh, who was in

²² *New Jersey Almanac*, 196. (New Jersey was originally settled by the Lenni-Lenape, and later settlers from Holland and Sweden arrived during the seventeenth century. But this land area became a possession of England in 1664 and was named in honor of the Isle of Jersey. This Province of New Jersey, divided into East and West, was administered by the English until their loss in the American Revolution and became one of the first three states to ratify the United States Constitution in 1787.)

²³ Shields, 70. William V. Shannon. *The American Irish*. (New York: The Macmillan Company, 1964), 27-29.

²⁴ Nicholas Turse. "Vote No: Archbishop Walsh, The Catholic Church and the 1944 New Jersey Constitution," *The Journal of the Rutgers University Libraries*, 2001, 29.

²⁵ *Ibid.*, 35-39.

contact with each of the bishops throughout the state and was a stalwart in advising his brother leaders to look out for the interest of Catholics in regard to any liberal notions found in this document that went against Church dogma and its operational welfare.²⁶ It would take three more years before the constitution would be approved, after extensive debate and review of each of its segments.

The legal foundation of life in New Jersey, based on the ratified constitution of 1947, ushered in further reinforcement of religious and civil liberties. The preamble reads: “We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this Constitution.”²⁷ Therefore, a precedent was set for post-war freedoms and laws that provided the church and the state with ability to co-exist within reason, although not always considered reasonable by the hierarchy. The following section of the constitution reflects the continuum of fair treatment amongst all the peoples of the Garden State. No further issues were raised by bishops around the state.²⁸ The section that outlines the allowance of religious freedom and protection from discrimination regardless of creed reads as follows:

ARTICLE I RIGHTS AND PRIVILEGES. 1. All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness . . . 3. No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable

²⁶ Ibid., 34.

²⁷ *Our Great State Papers*, 29.

²⁸ Turse, 29.

to the dictates of his own conscience; nor under any pretense whatever be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform. 4. There shall be no establishment of one religious sect in preference to another; no religious or racial test shall be required as a qualification for any office or public trust. 5. No person shall be denied the enjoyment of any civil or military right, nor be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public schools, because of religious principles, race, color, ancestry or national origin.”²⁹

Although there were problems with inducing Catholics statewide to agree on this original vision of the constitution on principle, the referendum eventually passed and gleaned acceptance by a majority vote despite such opposition.³⁰ The document was endorsed by Governor Alfred E. Driscoll (1902-75) and agreed upon by delegates at the Constitutional Convention of 1947 on September 10 and ratified on November 4 of that year through popular vote.³¹ These combined passages are part of the process the people of New Jersey, including Catholics, have to work through in terms of civil influence and how they act within the framework of their faith. Catholics as citizens of the United States are in action bound by these dictates as part of the civil code of conduct.³²

Conversely, in direct counterpoint to civil law, within the Catholic Church are canons that outline ecclesiastical rules of conduct for members of the clergy who minister to their parishioners. The following aspects of canon law have guided the hierarchy for

²⁹ *New Jersey Almanac*, 289.

³⁰ Turse, 52-53.

³¹ “Hudson Machine a Big Factor in Its Victory by 659,944 to 189,116 – Early Action on Needed Legislation Is Urged,” *New York Times*, November 6, 1947, 19. (The final vote is found in the title and shows the popularity of this document among the electorate at this time.)

³² *New Jersey Almanac*, 289.

more than eight centuries so the clergy have a deeper starting point than the United States and New Jersey Constitutions (although not in foundational documents like the Magna Carta of 1215, for example), but the fundamental difference in this case is an expectation of those who are endowed with the responsibility of spiritual leadership.³³ As these rules illustrate, distinctions are made to define expected conduct. The Code of Canon Law in regard to the laity is captured in the following Canon 14, “General and Particular Laws,” which outlines the overall edicts: “A *general law* is one which is not limited to a particular territory; it is a universal law of the Church. This does not mean that it is binding on all Catholics.”³⁴

Aside from acknowledgment of generalities in rule making, more definitive tenets, outlined in further sections, were adopted to provide a unified ruling structure to the bishops. This authority of action is outlined in Canon 109, “Hierarchy,” which literally means sacred government. The definition is offered in two meanings, namely:

(1) the power of the Church as a whole, and (2) the series of persons who participate in it. Taken in either sense, it consists of two distinct divisions. As the power of the Church is twofold, consisting of the power of order and the power of jurisdiction, so, too, these distinct powers may be vested in distinct persons.³⁵

The Catholic hierarchy is answerable to the bishop of Rome. All prelates are specially appointed messengers who share guidance and impart the final word on conduct on faith

³³ T. Lincoln Bouscaren, S.J. and Adam C. Ellis, S.J. *Canon Law, A Text and Commentary*. (Milwaukee: The Bruce Publishing Company, 1951), 7. (The Magna Carta, or “Great Charter of the Liberties,” was a proposed agreement that originated in England under King John and members of the barony who were feuding during the thirteenth century. This document in its final form and later interpretations in essence promised protection of religious rights and preservation of personal liberties. It remained a template in some ways to the American legal community through the twentieth century.)

³⁴ Ibid., 27.

³⁵ Ibid., 95.

based matters (c. 329).³⁶ Therefore, the American Church was answerable to the Vatican for instruction and how to conduct itself in relation to those in its spiritual care.

In more precise terms, the connection to the canons and reconciliation with the secular world is most vividly outlined in the canon: “Rights of Resident Bishops” where a bishop is considered “the ordinary” and in charge of his respective see. In other words: “They have the right and duty to govern the diocese both in temporal and spiritual matters, with legislative, judicial, and coercive power, to be exercised according to law. Episcopal laws become effective immediately on their promulgation unless they provide otherwise.”³⁷

Furthermore, the leader of a particular religious jurisdiction is beholden to the Vatican in following instruction and teaching guidelines. This leads to the obligation that is summarily outlined and made known to a bishop according to canons 1406-1408 (c. 332, 2). From this point, the overarching objective was to “*govern the diocese*” and maintain Church law and to “prevent abuses, safeguard the purity of faith and morals, and promote Catholic education and Catholic Action (cc. 335, 336). He [the bishop] must also *preach* the word of God in person unless lawfully excused, and appoint suitable preachers in addition the pastors (cc. 336, 3, 1327).”³⁸ These measures ensured authority and also were the basis from which the clergy were instructed to approach their listeners through continued sermonizing and written reinforcement alike. The goal was to make the message of correct conduct manifest. When facing worldly issues they had to reconcile

³⁶ Ibid., 173-174. (*Bishop of Rome* is another designation for the pope, who is leader of the Catholic Church. *Prelate* is another term for bishop.)

³⁷ Ibid., 174.

³⁸ Ibid., 175.

competing messages from the larger world, media, family, friends, and other voices on a regular basis. Thus, the hierarchy relied heavily on the statutes of Church dictates especially in the post-war era as demands for more personal liberty were seen as a reward for their service and sacrifice in keeping their nation free as the victors of World War II.

Within the realm of canon law, diocesan synods further codified and clarified these rules, on a local level. The first synodal session held in New Jersey can be traced back to 1856.³⁹ Conferences of this type are called and moderated by the highest ranking bishop of a diocese in order to reinforce Church policy and expectations. Archbishop Thomas J. Walsh of Newark conducted a major gathering of his fellow clergy to reinforce jurisdictional expectations as he became the final voice on these matters in 1941. The following text outlines the laws that influenced the leaders of the Archdiocese of Newark, especially when it came to pre-emptive planning towards any type of connection to state issues that might impinge on church-related enterprises. The first introductory passage reads “These Synodal Statutes constitute the particular Ecclesiastical law of the Archdiocese of Newark and bind both clergy and laity of this jurisdiction. Besides, the prescriptions of the Common law and the decrees of the Plenary Councils of Baltimore that have not been abrogated by the publication of the Code of Canon Law must be faithfully observed.”⁴⁰ The other was tenet 29 that reads: “Priests are forbidden to discuss political topics in the pulpit. Without written permission of the Ordinary they should not engage either by writing or speaking public discussions on political topics. Nor can it be allowed under any pretext that candidates for public civic

³⁹ *Statutes of the Archdiocese of Newark Enacted and Promulgated by His Excellency, Most Rev. Thomas Joseph Walsh, S.T.D., J.C.D. Archbishop of Newark in The First Archdiocesan Synod* (Sixteenth of the Diocese of Newark). (Newark, NJ: St. Patrick’s Cathedral, 3 June 1941), 1-5.

⁴⁰ *Ibid.*, 13.

office make use of any parochial building for their political meetings.”⁴¹ This last rule, in particular, was invoked by many bishops, as it allowed them to offer support to a political cause in urging those who would listen to support legislation favorable to the Church and upholding moral values as the preferred goal.

Additional canons found in this ecclesiastical conduct book are geared toward restricting financial gain and the lure of advertising, which are part of the wheels of capitalism, from invading their parishes and toward combating the subsequent influence of secularism. For example, the section on “sacred places” reads: “Admission to the church for divine services must be absolutely free. Hence We strictly forbid in this Archdiocese that a fee be charged or tickets previously bought be demanded from the faithful before they are allowed to enter the church for any divine service.”⁴² This trend also followed suit when it came to wider promotional non-profit activities: those that did not benefit religious purposes in some way were considered blasphemous. The canons on “divine worship” led to the following pronouncements: “Paid advertisements in the press, secular or religious, announcing novenas or special devotions are forbidden; nor should commercial-appearing signs advertising such novenas or special devotions be erected or displayed on church property or elsewhere.”⁴³ These examples were a harbinger of the post-war explosion of materialism that threatened to undermine church attendance and teachings. However, religious worship would not end, and the allure of commercialism would remain strong as a result of the continued mainstream popularity, even as the Church was not going to follow this trend as a response and to benefit its own ends.

⁴¹ Ibid., 18-19. (Taken from the canonical citation Cf. Balt. III, 83.)

⁴² Ibid., 57.

⁴³ Ibid., 65.

Context for Examples of Church and State Issues: John Courtney Murray and the Post-War Era

While this is a broad overview of the reference works which cover examples involving politics, labor, finances, commerce, and other lures found in wider society, more comparative detail in forthcoming chapters will be used to compare and contrast these aforementioned rules in the test against practicality. These are the standards which involve a basis for comparison and how Church authority viewed different activities that caused a dilemma for both politicians and churchmen. A contemporary of post-World War II bishops and counted among the most prolific figures who tried to find a balance in achieving mutual church-state respect was John Courtney Murray, S.J. (1904-1967), who advocated the freedom of religious practice and the principles of civil democracy.⁴⁴

Murray's was a view that veered towards a democratic and liberal perspective on modernizing society. He also served as a conduit to a number of prelates who worked specifically on such widely debated issues as censorship and birth control, but also covered all types of controversial issues, and

he argued against what he saw as the reactionary and coercive practices of some Catholic bishops, instead advocating participation in substantive public debate, which he suggested offered a better appeal to public virtue. Instead of civic coercion, he argued, presenting moral opinions in the context of public discourse enabled Americans to both deepen their moral commitments and safeguard the 'genius' of American freedoms.⁴⁵

Murray endorsed the First Amendment of the Constitution and believed that Church doctrine in regard to the modern American Catholic experience was often out of

⁴⁴ Robert P. Hunt and Grasso, Kenneth L. *John Courtney Murray and the American Civil Conversation*. (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1992), vii. (Murray was educated at the Gregorian University in Rome and was a key advocate for passage of the document *Dignitatis humanae* ["Dignity of the Human Person"] during the Second Vatican Council.)

⁴⁵ Murray, ii.

proportion, as individuals needed to assert their own moral compass in regard to their faith, or in other words have the freedom of will and choice and have ties to the values of natural law philosophy.⁴⁶ Murray reflected in his writings during the 1950s on a key question for the masses:

What are the truths we hold? They are also the reflections of a Catholic who, in seeking his answer to the civil question, knows that the principles of Catholic faith and morality stand superior to, and in control of, the whole order of civil life. The question is sometimes raised whether Catholicism is compatible with American democracy. The question is invalid as well as impertinent; for the manner of its position inverts the order of values. It must, of course, be turned round to read, whether American democracy is compatible with Catholicism. The question, thus turned, is part of the civil question, as put to me. An affirmative answer to it, given under something better than curbstone definition of “democracy,” is one of the truths I hold.⁴⁷

This particular viewpoint is subject to who it involves and what specific question or issue is being contemplated and acted upon. Coming from a priest representing a religious order instead of one under diocesan rule, this thinking was seen as quite radical; however, it offered a new forum for discussion in the post-Vatican Council age, especially as Murray was among the first modern voices to register these questions within the ranks of the clergy.⁴⁸

Murray went on to provide details in regard to what he outlined as the quest for individual views of faith based on spiritual circumstances. He noted how church and state differ and what their human dimensions entail: “Every historian who has catalogued the historical factors which made for religious liberty and separation of church and state in

⁴⁶ Ibid., vi-ix

⁴⁷ Ibid., ix-x.

⁴⁸ Ibid., x.

America would doubtless agree that these institutions came into being under the pressure of their necessity for the public peace.”⁴⁹ These include those who were agnostic, atheist, or did not have any discernible value system as individuals who do not connect with religion at all and are primarily materialistic in outlook. Another consideration was the multi-denominational nature of life in America with “political unity” inherently easier to achieve than religious agreement, according to Murray in his varied statements on the topic of church-state relations.⁵⁰

Probably the most discussed and alluded to of societal enterprises came with the quest for amassing wealth, as economics remained a factor in discussions that affected nearly every aspect of life. It is important to note as well that finance touches upon each of the examples found in this study to some degree, as money tends to drive everything in a capitalistic society: it is vital for providing a means of sustenance, but also for its power to build prestige and to amass other earthly rewards. In other words, the need for having the comforts of life, when faced with the alternative, comes down to what can be endured in the name of idealism:

under American conditions any other freedom of religion and separation of church and state would have been disruptive, imprudent, impractical, indeed impossible. The demands of social necessity were overwhelming. It remains only to insist that in regarding the religion clauses of the First Amendment as articles of peace and in placing the case for them on the primary grounds of their social necessity, one is not taking the low ground.⁵¹

⁴⁹ Ibid., 58.

⁵⁰ Ibid., 58-60.

⁵¹ Ibid., 60.

Murray provided this outline in his writing, but it also summarizes the church and state issue and its complexity which may never be solved to complete satisfaction.

Along with the writings of Murray serving as a basis, in various ways, for subsequent chapters in this study, his example shows that even those within religious circles were developing a realization in the post-war years that the Catholic Church was entering a new era of deeper exploration and of growing uncertainty. This look at aforementioned foundation documents that shape legalities whether enforceable in the case of civil law, or implied on religious grounds offers individuals a guidepost upon which to act. Thus, codification, especially when it comes to money and its ethical ramifications, can be held up as a way of judging character. This is where disagreements that endangered neutrality, or the good will among state and religious officials, can often be judged by the individuals' own level of conscience. As Murray also stated,

in any phase civil society demands order. In its highest phase of freedom it demands that order should not be imposed from the top down, as it were, but should spontaneously flower outward from the free obedience to the restraints and imperatives that stem from inwardly possessed moral principle. In the sense democracy is more than a political experiment; it is a spiritual and moral enterprise. And its success depends upon the virtue of the people who undertake it.⁵²

Therefore, the individual determined for himself which way he turned for guidance, even as he and others questioned the role of the Catholic in American society during mid-century.

From post-war readjustment to the world of Pre-Vatican Council II and its nod to the traditions of the formal Church, the mid-century mark also became a time when a more liberal attitude took form in all areas of life. A more modern form of manifest destiny took hold in the ability of individuals to move from cities to suburbs, expand their

⁵² Ibid., 36-37.

intellectual capacity through higher education opportunities, and interact with others from different faiths more than ever before. These broadening horizons led to more liberal means of personal development. Through exploring the issues that constitute a test of wills in relation to the aforementioned documents and how they were interpreted and received, the background of the primary decision makers in combination with the events and issues that are outlined offer the reader a means of observing core issues and how they were treated by leadership both political and religious. These characteristics help to show, in retrospect, in what ways the hierarchy approached the modern age from their own traditional vantage point and if they succeeded or failed in their attempts to influence the larger society.

Chapter 3

DEVELOPMENT, FUNCTION AND CHARACTERISTICS OF THE AMERICAN CATHOLIC HIERARCHY

Introduction

This chapter will examine the office of bishop in American life, showing how it evolved from the post-American Revolution era through the 1940s. Within the context of a fledgling democracy American bishops had to negotiate the nature and scope of their authority. This authority was complicated by the fact that in a society that had just rejected despotism, they represented a minority creed that was guided by strict papal edicts and Catholic theology which sometimes conflicted with the laws of the new nation. These conflicts and the way the Irish-American dominated hierarchy dealt with them persisted into the twentieth century. Those who served as leaders of the Catholic Church in New Jersey from earliest days forward were bound through obedience to pledge loyalty to the Holy Father in all matters of Church doctrine, as did their brother predecessors. However, their mission drew resistance from various sectors of the secular world who displayed varying xenophobic tendencies or did not care to cultivate inter-religious understanding. The expectations of those who occupied the bishoprics of Newark, Trenton, Paterson and Camden centered on Vatican City instead of Trenton and the District of Columbia, but they were nonetheless caught squarely between the spheres of church and state by virtue of their geographic location and service to Catholics who lived as citizens of the United States of America.

From the earliest days of the republic through present day evaluation, reconciliation of being both an American and a Catholic most often rests upon the

example understood, constructed and implemented by the local bishop.¹ The goal of early Church leaders in the United States closely mirrored the overall development of American Catholicism during the earliest period of national life. This vision centered upon a firm foundation, steady growth and continued adherence to the ideals that serve as inspiration. It is therefore necessary to examine the historical evolution of the work done by bishops over the first two centuries in order to understand the latter-day focus of twentieth-century prelates. Historical context and the introduction of specific examples are very important to establish precedent through pivotal events and key individuals who helped to shape these policies.

A greater understanding of how the Irish-American-dominated hierarchy of New Jersey comes through exploring how they reconciled their dual role of upholding Church policy while simultaneously warding off the forces of secularism. From an ethnic and religious perspective, with an established foreign influence, those who became Church leaders arose from minority status themselves. A lifetime of living in the United States while balancing allegiance to the Vatican resulted in these bishops having to be accountable to the pope as prescribed by Church law, but also in a *de facto* manner to public officials and the citizenry who were touched in some manner by their respective actions. Members of the hierarchy who encountered this ongoing tension faced complications in the attainment of full and effective authority as a result. It is therefore important to note *who* they are and *from where* the human and hierarchical sources of their managerial power arose.

Origins and Responsibilities of the American Hierarchy

¹ "Bishops." *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November 20, 2007).

A bishop is the specially appointed spiritual and jurisdictional leader of each established diocese. He is named to a respective post through intercession by the Holy Father. In more precise terms, the appointment of those who are chosen to don the “amaranth red” lined vestments and bestowed with a ring and crozier as symbols of their ecclesiastical office are handpicked and not freely elected. Bishops assume the proverbial role of shepherd to their respective flock, but under set conditions of direction that requires discipline and includes the need to set a proper example. In order to understand the example, it is helpful to outline the typical assignments undertaken by a prelate in the course of his mission.

Only proven priests are made bishops. Bishops are screened for orthodoxy and leadership quality, so the governing structure of the Catholic Church ensures that laypersons will have minimal influence on doctrine and that priests will be subject to the control of bishops, thereby limiting the capacity of priests to lead others into doctrinal deviance.²

This often includes the following set of duties that are designed to show how those managerial issues that arose could be tempered through consistent and careful adherence to a properly focused ethical compass:

Supreme direction of clergy, intervenes with ecclesiastical property, Divine worship and sacraments, liturgical books authorizes, regulates public worship, processions, and ceremonial works All their efforts must aim at preserving the true faith and a high moral tone among the

² David Carlin. *The Decline and Fall of the Catholic Church in America*. (Manchester, NH: Sophia Institute Press, 2003.), 271-272. (Carlin went on to write about the logical path and means by which a bishop came to power, “Before a man gets promoted to a very important episcopal or archiepiscopal see, he will have served time as a lower-ranking bishop, as an auxiliary bishop or as the bishop of a minor diocese. Before a man reaches a very important post, his reliability has been tested and scrutinized at various levels: in the seminary, as a diocesan priest, as an auxiliary bishop, and as the ordinary of a minor see. If he gives any indication at any of these levels that he is not “safe” on questions of faith and morals, it is very probable that he will not get promoted to the next level; and the scrutiny becomes more and more careful the higher he goes.”)

people; they attain this end by good example, by preaching, by daily solicitude for the good administration of the diocese, and by prayer. Bishops, in effect, are bound by the Divine law to implore the help of God for the faithful committed to their care.³

The need for this position often came with overseeing the basic and immediate needs of their constituency. The standardization of the hierarchy became a pragmatic move that the Holy See wished to make in order keep their officers in line while achieving their goal of service to the masses. An underlying motivation behind this *modus operandi* centered on keeping the faithful in line and loyal to the Church. Specific responsibilities beyond their initial charge added further definition and substance to the office of bishop on the whole as defined through the following *Catholic Encyclopedia* entry:

The title of an ecclesiastical dignitary who possesses the fullness of the priesthood to rule a diocese as its chief pastor, in due submission to the primacy of the pope. It is of Catholic faith that bishops are of Divine institution. In the hierarchy of order they possess powers superior to those of priests . . . by Christ's will, they are appointed for the government of one portion of the faithful of the Church, under the direction and authority of the sovereign pontiff, who can determine and restrain their powers, but, not annihilate them . . . The episcopate is monarchical . . . but it resides in the single personality of the chief.⁴

In American terms, this particular arrangement can be likened to the election of a president and the selection of a cabinet to enforce established policies from a higher-placed authority. Although the concept of absolute power is not possible within the framework of American government, the lack of rule by committee is a management style often-times foreign to most members of the Catholic hierarchy.

³ Ibid. (*Amaranth* is a rose-colored shade in the red spectrum that helps to distinguish the dress of bishops from that of cardinals.)

⁴ Ibid.

The core spiritual requirements faced by a bishop in terms of accountability to the pontiff, the assigned Vicar of Christ, have changed little since first enacted at the Ecumenical Council of Trent (1545-63). Along with the focus on upholding Church policy, each of the individuals elevated to this post had to be born in wedlock, have command of his mental faculties, and possess a sterling moral character. The combination of these noble attributes with the tangible requisites of having reached the age of thirty, received Holy Orders for at least half a year and possession of a doctorate in theology or its equivalent were also required.⁵ Below the rank order of cardinal (usually those of this station head large urban dioceses and function within the highest circles of Vatican leadership) came the archbishop who serves as the “metropolitan,” or head of his diocese and the satellite sees within his respective geographic district as per standard protocol. Based on these early and systematic developments, the subsequent evolution of an ecclesiastical identity for New Jersey came in time, but began in a gradual manner especially after the United States became a self-governing nation and secured basic recognition afterwards from Rome.

The Reverend John Carroll, S.J. (1735-1815) of Maryland was named as the first bishop of Baltimore on November 6, 1789, and by virtue of this unique status became the role model for subsequent American Catholic Church leaders.⁶ Pope Pius VI (1775-1800) in the document *ex hac apostolicae* made the pronouncement official, but simultaneously

⁵ Ibid. (The term *pontiff* means chief and the *Vicar of Christ* is meant to serve as a designation for the earthly representative of Christ. The Ecumenical Council of Trent was a concentrated response to attacks on the Catholic Church resulting from architects of the Protestant Reformation which covered topics such as celebration of Mass, the sacraments, and scripture, among others.)

⁶ Theodore Maynard, *The Story of American Catholicism*. (New York: The Macmillan Company, 1954), 167 and Theodore Röemer, O.F.M., Cap. *The Catholic Church in the United States*. (St. Louis: B. Herder Book Company, 1954), 77 and 101.

asserted and reinforced his position as head of the Universal Church through the statement:

Wherefore, it having reached our ears that in the flourishing commonwealth of the Thirteen American States many faithful Christians united in communion with the chair of Peter, in which the centre of Catholic unity is fixed, and governed in their spiritual concerns by their own priests having care of souls, earnestly desire that a Bishop may be appointed over them to exercise the functions of episcopal order...to guard more carefully that portion of the Catholic flock . . . We moreover decree and declare the said Episcopal see . . . be forever subject, immediately to us and to our successors the Roman Pontiffs, and to this Apostolic See.⁷

This particular document not only served to establish a formal American leadership, but also issued firm warnings against straying from papal authority. The revolutionary spirit of this newly-created position evidently caused uneasiness among a well-entrenched ecclesiastical power structure that needed reinforcement. This set a precedent that would last through the present day.

The Catholic Church in the United States officially began from an administrative standpoint with the naming of Carroll as bishop of Baltimore and this locale as the diocesan center which encompassed the entire United States (including New Jersey) from

⁷ John Tracy Ellis, ed. *Documents of American Catholic History*. (Milwaukee: The Bruce Publishing Company, 1956), 168-170. James D. Davidson. *Catholicism in Motion, The Church in American Society*. (Ligouri, MO: Ligouri/Triumph, 2003.), 10. (A more detail explanation of the Roman and American views of Church leadership can be found in the following passage. "The American model assumes Catholicism is compatible with American culture, while the Roman model assumes they are incompatible. The liberal (American) model emphasizes lay participation and democratic decision making, while the traditional (Roman) model stresses papal and episcopal authority. The liberal model offers a positive view of human nature and modern society, while the conservative model emphasizes human and societal sinfulness. The American model stresses the need for Catholics to assimilate into American culture, while the Roman model offers a more separatist view of Catholics' place in society. The American model is very concerned about anti-Catholicism and nativist opposition to Catholicism. The American model stresses loyalty to the new land, while the Roman model emphasizes loyalty to one's ethnic ancestry and homeland. The liberal approach promotes a spirit of toleration toward other faiths, while the conservative model stresses an animosity between faiths. The American model embraces the separation of church and state, while the Roman model believes the state should act in accord with church teachings. ... The American model stresses personal piety, while the Roman model emphasizes the Church's role in mediating human beings' relationship with God.")

1789-1808.⁸ This move also proved pragmatic in terms of organizing a newly-established missionary territory as deemed by the Holy See at this time. The presence of an American prelate assured further ties to the Holy Father in Rome who acted not only as spiritual leader, but also as a head of state. The European model of royal leadership had been established centuries prior with an absolute monarch, but Carroll became torn between this traditional mode of rulership and the elected democracy being developed around him. The challenge of old world familiarity and unfamiliar frontiers became an ongoing factor that faced Carroll and all others who followed afterwards.

Early Relationship of Americanism and Catholicism

During the 1780s, the Catholic population in the United States hovered around 30,000, but did not reach over 1,000 in New Jersey until after 1800.⁹ By the latter part of this decade, the administrative needs for this minority group rested upon a dual sense of spiritual guidance whether rule from Pius VI could be maintained and offered equal freedoms in the light of national recognition. Governance in spiritual matters to match the new plans for a democratic civil government became a means to this end.¹⁰ Therefore, the first step in this movement towards distinctiveness began when the debate over even having a bishop created at all caused added anxiety. Carroll agreed with all who felt the time was not right for an American bishop and diocese due to its “missionary” status. On these points he acquiesced on any perceived need for caution to advance his candidacy as a safeguard against the unknown. Even in this environment, the fact was that regardless

⁸ Newman C. Eberhardt, C.M. *A Survey of American Church History*. (St. Louis: B. Herder Book Company, 1964), 35.

⁹ Röemer, 110-113.

¹⁰ Maynard, 168-170.

of varying circumstances, the Holy See was the final judge on how the American Church would be governed and by whom. The threat of a partial separation or total rupture of Catholic America from Rome became a major concern for Pius VI between 1783 and the mid-nineteenth century. Pius VI and his successors were against the concept of republicanism in the United States since it was among the few places on the globe at that time where serious attempts had been made to simultaneously provide for freedom of worship and the creation of a political democracy.¹¹

The Nationalist era in the United States, from the 1810s to the 1830s, became a period of transition within the Church. The development of American Catholicism became more stratified by 1808 when Pope Pius VII (1800-23) recognized the need for geographic expansion westward and population growth taking place in urban areas on the eastern seaboard placed added strains on Carroll. Therefore, the Diocese of Baltimore that once served as the spiritual center of Catholic America remained the Metropolitan See, but was later split into four additional ecclesiastical territories that included New York and Philadelphia (also Boston and Bardstown, KY), where the highest concentration of Catholics resided at that time.¹² In geographic terms, the jurisdictional borders for New Jersey were divided between the two dioceses (North-New York and South-Philadelphia) until state unity was achieved through creation of the Diocese of Newark in 1853. With this movement, additional bishops were named to head each see as evidenced by those initially selected, including Rev. Luke Concanen, O.P. (1747-1810)

¹¹ Martin E. Marty, *An Invitation to American Catholic History*. (Chicago: The Thomas More Press, 1986), 85. *The Bishops of Newark, 1853-1978, The First 125 Years of the Archdiocese of Newark As Seen Through the Lives and Administrations of the Seven Men Who Have Been Its Leaders*. (South Orange, NJ: Seton Hall University Press, 1978), 4.

¹² Jay P. Dolan, *The American Catholic Experience – A History from Colonial Times to the Present*. (Garden City, NY: Image Books, 1985), 107-109.

for New York and Rev. Michael Egan, O.F.M. (1761-1814) for Philadelphia; a trend toward Irish prelates predominated in this region.¹³ Prior to the creation of the Diocese of Newark only one non-Irish bishop had been named in either New York or Philadelphia over a nearly five decade span, and this remained a proportional standard throughout the pre-Vatican II Council era of the 1960s.

The American Catholic hierarchy almost without fail shared a common Irish, Irish-American, or Western European background with their parishioners who possessed a similar socio-economic and geographical perspective. Those who headed New Jersey sees by the 1940s-50s began the first part of their respective lives not far removed from those they would serve one day. They were raised as Catholics, but also more often than not their elders subscribed to the ideals of freedom in such acts as pledging allegiance to the flag, service in the military and even the choice of newspaper to be read in the home. The decision to enter seminary became a popular option in many Catholic homes, but this set one on a divergent path not followed by many of his neighbors, boyhood acquaintances and fellow citizens. This sometimes created a slow spiral towards disassociation with the basic principles of American liberty learned in youth. Those elevated to the bishopric were typically conservative and rarely liberal either on issues of religion or in regard to secular issues that required their attention to service.¹⁴ There was little divergence from bishop to bishop for the most part, but human nature, freedom of thought, environment and other variables sometimes led to reconsideration depending

¹³ Eberhardt, 38 and Röemer, 105-106. (Bishop Concanen was named to the post, but died prior to elevation. He was succeeded by Bishop John Connelly who served from the See of New York from 1814-25.)

¹⁴ T. Lincoln Bouscaren, S.J. and Adam C. Ellis, S.J. *Canon Law, A Text and Commentary*. (Milwaukee: The Bruce Publishing Company, 1951), 743. Currin V. Shields. *Democracy and Catholicism in America*. (New York: McGraw-Hill Book Company, Inc., 1958), 71 and 72.

upon the issue at hand. However, this conjecture tended to arise only when spiritual values including the goal of salvation were not placed in jeopardy.

Influence of the Holy See and European Example on American Bishops

Those who followed Carroll after his death in 1815 faced the need to build a more solid foundation for greater acceptance of Catholics while simultaneously maintaining positive relations with Vatican officials. However, his successors still faced the need to assert domestic control of the Church and strengthen the power of the hierarchy in general, now that a change had been made. The main problem that faced each bishop was a lack of cohesion between leaders, due largely to provincial and personality differences, as they faced their own jurisdictional issues in line with their firm allegiance to the Holy See.¹⁵ In concrete terms, Carroll and subsequent early- to mid- nineteenth-century bishops acted as missionaries in the attempt to communicate the word of the pope and minister to the few Catholics that lived within their respective and geographically large sees. They faced a challenge as a minority religious group in most areas of the new republic. A major part of problems that arose between members of the secular Protestant majority and recently acculturated American Catholics stemmed from ethnically motivated differences of opinion and pride of heritage. Therefore, the bishop was often the only authority figure of the same faith encountered and often times trusted by many of those to whom he ministered as an acknowledged leader. Their leadership reach often touched upon what their followers should do to honor not only the priesthood, but also their respective parish and faith at large. The popular adage of all politics being local was not only a secular phenomenon, but also applied to the Catholic Church on a diocesan

¹⁵ Dolan, 108 and 111.

and parish level. This trust factor ascribed to the bishop as a guidance counselor became a constant for generations of American Catholics by virtue of their visibility and the symbolic nature of their office.¹⁶

European influence still remained in the new nation since seminary-trained clergy and those who constituted the leadership ranks of the Church were all appointed to their respective posts in the United States based on a combination of educational training (American Colleges at Louvain in Belgium, or the North American College at Rome, in most cases), leadership qualifications, and the timing of vacancies.¹⁷ The educational background, ties to ancestral homeland and subsequent exposure to different cultural circumstances were factors that sometimes influenced the approach of these men to their office. The seminary became the ideological laboratory for bishops who learned as young priests to remain in concert with Rome.¹⁸ These lessons were ingrained through repetition and constant reinforcement. This sense of the familiar served them in making executive decisions based on moral rationale. A staid and standardized curriculum of theology, philosophy, and related topics further influenced the mental conditioning for all members of the clergy. During their respective years in pursuit of formal education, bishops were often insulated inside church walls without the benefit of a solid foundation in business, economics, natural sciences and civics, at least in a textbook sense.¹⁹ Conversely, another

¹⁶ Patrick Allitt. *Catholic Intellectuals and Conservative Politics in America, 1950-1985*. (Ithaca, NY: Cornell University Press, 1993), 17.

¹⁷ "Bishops." *Catholic Encyclopedia On-Line*. "Catholic Hierarchy." *Catholic Hierarchy On-Line*. <http://www.catholic-hierarchy.org>. (accessed November 20, 2007).

¹⁸ Ibid. Marty. 175.

¹⁹ "Bishops." *Catholic Encyclopedia On-Line*. "Ecclesiastical Seminary." *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November, 20, 2007).

common factor is that newly ordained priests usually had to engage in some sort of parish work in order to learn about community relations.²⁰ These future bishops often had to minister to their congregation and learn about their needs and wants in the process. This is something that also contributed in theory to understanding their flock and fellow priests on a basic person-to-person level. Distance came as those groomed for the episcopacy often left parish life behind and with it the direct contact that comes with active pastoral work. Therefore, many bishops in the pre-electronic age often had to learn about the secular world on a second-hand basis as they arose through correspondence, the press or other alternate avenues of expression.

Aside from issues that arose between the Catholic Church in Ireland and political control by Great Britain, freedom of religion did not register as a factor upon most other nations where Catholicism was the preferred denomination of a royal family. The American clergy was not accountable to the crown, but rather had to exercise diplomacy in a land that was Protestant-led, like England. Conversely, Catholicism had been the state religion in France, from where many early American bishops hailed, and Italy, the fountainhead of popes for many centuries. Those bishops who shaped the early American Catholic Church were, in fact, exclusively of European stock. Instead of showing solidarity with their American counterparts, the hierarchy of France, Italy and Germany, for example, tended to be more favorably disposed toward unconditional rule as per their experience with absolute monarchies in the temporal realm.²¹ There was little gray area in terms of application of papal pronouncement, as royalty tended to side with a pontiff and

²⁰ Ibid.

²¹ "Bishops." *Catholic Encyclopedia On-Line*. Gene Burns. *The Frontiers of Catholicism: The Politics of Ideology in a Liberal World*. (Berkeley, CA: University of California Press, 1994), 72-75.

tolerated no insubordination from their citizenry. This often bred a combination of resentment and bewilderment towards their counterparts in North America for those who chose to voice opposition.

The broader view of European observers sometimes resulted in the perception of a morally weak American culture, but this concept did not take into account that the Church in America was part of a larger society where diversity held sway.²² This perspective persisted despite the fact that the Catholic and Protestant Churches are both Christian denominations. Even in a subjugated Ireland that longed for freedom and had a long history of Catholic-Protestant conflict, the Church was more firmly “Roman” than “Americanesque” in all aspects.²³ Although the French were the most prominent representatives of the bishopric during the early Nationalist and Republic periods of the early to mid-nineteenth century, these early pioneers gave way to an emerging presence of bishops from Ireland.²⁴ American-born prelates did not come into vogue until the twentieth century, for the most part.²⁵ A majority of Church leaders were first- or second-generation Americans who had varying ties to their ancestral homeland through their surname, educational opportunities, socio-cultural influences and other relevant factors.

²² Ibid. (Protestant influence and dominance began in the colony of New Jersey during the seventeenth century, with Dutch immigration and the Reformed Church. This wave of immigrants was later followed by Puritans, Congregationalists, Baptists, and the Society of Friends [Quakers] at this time. From the eighteenth century through succeeding centuries, the United Methodist Church; Presbyterian Church, USA; and the Evangelical Lutheran Church became the most populous non-Catholic religious groups in the state until the mid-late twentieth century, when Judaism and Islam representation in New Jersey rose to over 100,000 members.)

²³ Michael Zöller. *Washington and Rome – Catholicism in American Culture*. (Notre Dame, IN: University of Notre Dame Press, 1999), 123. Dolan, 222.

²⁴ “Catholic Hierarchy.” *Catholic Hierarchy On-Line*.

²⁵ Ibid. (This is a trend that has become obvious not only through looking at basic birth date and birthplace information, but also in various diocesan histories and biographies of individual bishops. Immigration patterns and generational settlement in America led to more native-born priests and the select few who rose to the episcopacy.)

Outside of their individual lives, there was little diversity among the hierarchy at this time. The United States prior to the 1960s was mainly a male, white, Anglo-Saxon, Protestant and socially-connected dominated nation within the higher reaches of state and national civil government.²⁶ As a result, the Irish-Catholic hierarchy for most of its developmental years did not fit into this accepted American leadership structure.

Maturity of the American Hierarchy, Nineteenth-Century Echoes

Even though papal authority more or less held sway on a global level, basic administrative functions were carried out far distant from Rome, since the American Church became even more localized, as more dioceses came into existence during the course of the nineteenth century. This pattern resulted in bishops presiding over smaller and more concentrated geographic areas. In the course of their regular duties, bishops regularly issued pastorals and relevant pronouncements and served as overseers of clergy within their respective diocese. Congregations rarely saw a bishop in person unless he came for a sacramental function or commemorative event.²⁷ This made the perception of leadership distant and ceremonial among the faithful. Unlike Carroll who had several thousand square miles to cover as bishop of Baltimore, a more parochial structure for Catholic New Jersey arose in 1853 when Pope Pius IX (1846-78) created the Diocese of Newark via the bull *Apostolici Ministerii*.²⁸ Pius IX also named James Roosevelt Bayley

²⁶ Nicholas Turse. "Vote No: Archbishop Walsh, The Catholic Church and the 1944 New Jersey Constitution," *The Journal of the Rutgers University Libraries*, 2001, 34.

²⁷ *Statutes of the Archdiocese of Newark Enacted and Promulgated by His Excellency, Most Rev. Thomas Joseph Walsh, S.T.D., J.C.D. Archbishop of Newark in The First Archdiocesan Synod (Sixteenth of the Diocese of Newark).* (Newark, NJ: St. Patrick's Cathedral, June 3, 1941), 18-20.

²⁸ Joseph P. Flynn, *The Catholic Church in New Jersey*. (Morristown, NJ, 1904), 266-267. *Bishops of New Jersey*, 12.

(1814-77) the first bishop of this see that covered the entire Garden State from High Point to Cape May. Bayley was a convert from the Episcopal Church, and like Carroll he was descended from English ancestors and as such did not follow the typical profile of an average Catholic prelate.²⁹ Regardless of background, Bayley became the role model for state clergy and faithful alike. He recognized the perpetual importance of a seminary, college, parochial schools and related institutions designed to promote Catholic teaching and self-reliance. Catholicism being a faith based on traditions, the work and legacy of Carroll and Bayley influenced latter-day successors through their leadership examples, “bricks and mortar” approach and a budding influence on American Church life overall.³⁰

Polite and politically correct relations were carried on between American bishops and the Holy See mainly through written directives throughout the nineteenth century, but a major proactive breakthrough came with the First Vatican Council of 1869-70. Bishop Bayley participated in these proceedings, in which Church officials discussed and rationalized papal policies, as a representative of the United States.³¹ This conference centered upon the issue of papal infallibility on theological matters. The statement: *Roma locuta est causa finite est*, or “Rome has spoken, the case is closed” on all theological matters became the final and lasting pronouncement resulting from these sessions.³²

When the pontiff spoke on matters of faith and morals his voice was meant to echo that

²⁹ *The Bishops of Newark, 1853-1978, The First 125 Years of the Archdiocese of Newark As Seen Through the Lives and Administrations of the Seven Men Who Have Been its Leaders*. (South Orange, NJ: Seton Hall University Press, 1978), 6-12. (Bayley was the spiritual leader to 25 priests and more than 40,000 Catholics that lived in New Jersey during the mid-nineteenth century, of which most were of Irish extraction. Bayley was later named Catholic archbishop of Baltimore in 1872.)

³⁰ Ibid.

³¹ Röemer, 263.

³² Dolan, 222.

of Christ. This became a hard argument to refute for those trained to accept unquestioned compliance. However, there were critics among the American hierarchy who had grown accustomed to democratic reform, especially in the aftermath of the American Revolution and a recently fought Civil War.³³ Division arose in the thinking of more liberal bishops, and aversion to foreign accountability resulted from this scene. These mavericks were in the minority, but this showed that some early criticism of Holy See policy began to emerge as witnessed in a show of 21 nay votes against 120 pro ballots among North American prelates in favor of the papal infallibility measure at the First Vatican Council.³⁴ Even with negative votes on record, the Holy Father was regardless the ultimate voice on all Church-related matters that affected the United States. In the American tradition of adaptability, a search toward freedom of expression would become a familiar argument among future generations of bishops in the United States.

The hierarchical approach of religious life was ingrained in Church leaders who served at the top of the American Catholic leadership chain. The following missive written in 1880 by James Cardinal Gibbons, the pre-eminent voice on American Catholicism, described how the nation should be made to accept this renewed focus on external control of the Church. He further speculated that the choice of doctrinal guidelines should be re-examined and might be approved at a future date in line with the example of civil government.

I place these words together, for a nation is civilized in proportion as it receives the light of the Gospel . . . there are now seventy-five serving as many dioceses and vicariates. For their great progress under God and the fostering care of the Holy See we are indebted in no small degree to the

³³ Joseph H. Brady, *Confusion Twice Confounded, The First Amendment and the Supreme Court – An Historical Study*. (South Orange, NJ: Seton Hall University Press, 1954), 10 and 36.

³⁴ Ellis, 401.

civil liberty we enjoy in our enlightened republic. . . . Our Holy Father, Leo XIII . . . declares that the Church is not committed to any particular form of civil government . . . Our country has liberty without license, authority without despotism. Hers is no spirit of exclusiveness . . . But, while we are acknowledged to have a free government, we do not, perhaps, receive due credit for possessing a strong government. Yes, our nation is strong, and her strength lies, under Providence, in the majesty and supremacy of the law, in the loyalty of her citizens to that law, and in the affection of our people for their free institutions.³⁵

This viewpoint became a perpetual argument, as freedom of expression within the Catholic Church became an issue kept alive by succeeding generations of liberal bishops. Even with this first direct summit completed, Vatican officials did not fully understand the nature of American society and its celebration of manifest destiny. The presence of the United States as a Christian nation became a natural rallying point, but the concept of a religiously pluralistic nation remained as unnatural to Rome as that of unchecked local diocesan representation.³⁶

Within the United States, the closest equivalent to a local legislative congress for domestic prelates came with the Plenary Council of 1852.³⁷ This gathering and two subsequent sessions later that century served as a means of bringing more cohesiveness to the American hierarchy. American Catholic bishops debated domestic church policy and legislation options learned from their civil counterparts as a means of solidifying the American Catholic Church and uniting all bishops as a collective bargaining force.³⁸ The Second Plenary Council of Baltimore in 1884 is when the religion came of age in various

³⁵ Ibid., 477-478.

³⁶ Dolan, 241.

³⁷ Maynard, 502.

³⁸ James Hennessey, S.J. "United States Relations With Rome, 1789-1992," *The American Catholic Heritage – Reflections on the Growth and Influence of the Catholic Church in the United States*. (Rome: Pontifical North American College, 1992), 38.

ways, as Rome issued a warning prior to the conference that the official position of Pope Leo XXIII (1878-1903) resulted in a stern warning that the Church was “Catholic” although still American, with the former being the more important component.³⁹

What resulted from these deliberations is a reinforcement that Catholicism was not a foreign enterprise, and it did meld into the American concept of religious pluralism. It is important to note that Rome was not totally rigid or unsympathetic to the needs of bishops in the United States by this juncture. Leo XXIII endorsed the fight against domestic prejudice and, assimilation of immigrants from Europe, and continued promotion of virtues associated with the Catholic faith were seen as noble objectives.⁴⁰ The ongoing attempt to achieve acceptance of the Holy Father and to keep the peace alive domestically now reached a new plateau that ushered in the twentieth century and even further development on this score.

Solidification of the American Hierarchy – Late Nineteenth Century to World War II

To the Vatican, American loyalty on matters of Church doctrine during this era brought about fresh concerns in the wake of the aforementioned plenary councils. The era of Leo XIII resulted in various encyclical pronouncements, such as *Longinqua oceani* and *Testem benevolentiae* that addressed legislative matters and how the American hierarchy needed to uphold these standards, but Leo XIII also reminded Catholics that church and state had to remain separate.⁴¹ These particular documents further stressed

³⁹ Maynard, 502.

⁴⁰ Ibid., 502-503.

⁴¹ “Encyclicals.” *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November 20, 2007). (*Longinqua oceani* was issued in 1895 and *Testem benevolentiae* came four years later.)

that Church leadership should preach against such potential heresies as freedom of the press, liberalism and individualism. *Testem benevolentiae*, in particular, acknowledged that the United States held distinction as a land of obvious contrasts, and therefore rated a special case as a non-Catholic nation with a large nucleus and growing base of adherents. The pontiff also acknowledged that American bishops needed more latitude in order to achieve assimilation in a Protestant-dominated nation. Furthermore, the need to refrain from ecumenical outreach to non-Catholic sects and maintain papal authority reinforced this vision of religious solidification. The continuing caveat made to these bishops is that they could make strides to adapt as long as it did not interfere with established Catholic teachings.

In sum, it all came down to honoring doctrine. As long as no egregious development arose to compromise Church integrity in any manner, the Vatican did have *some* flexibility on promoting American values. Therefore, the fear that American Catholics would prioritize individual conscience over Church teaching remained a part of this equation. As a further result, fully-developed diplomatic relations (amongst heads of state) between the American government and Vatican City would not be facilitated until nearly a century later.⁴² The nature of history, especially in the case of Catholicism, shows that change does not often result immediately or in a major way, but toleration of dissenting viewpoints did come true and fostered understanding over time.

Further movements towards understanding with the American Church and its leadership came about through the efforts of Pius X (1903-14), who in his Apostolic Constitution entitled *Sapienti Consilio* of June 29, 1908 changed the status of the United

⁴² Ibid.

States from mission territory to that of an officially acknowledged nation.⁴³ This milestone also led to a more consolidated need for the bishops of New Jersey to bond together in line with their American counterparts to help keep their faith alive and well, now that more formal recognition had been granted. This placed more expectations on religious leadership as World War I approached and American military aid helped secure an Allied victory. The next step following peace in line with further recognition from the Vatican came through formation of the National Catholic Welfare Council (NCWC) in 1919.⁴⁴ This association, as a unified body that met on a yearly basis to discuss relevant Church issues and in which understanding and consensus became the ultimate goals, linked all members of the American hierarchy. The issues that the NCWC discussed included the fight for social justice for Catholics in American society during the Great Depression and threat of Communism that arose due to economic and political upheaval. These also became serious issues for the hierarchy to contend with even beyond this era of uncertainty and threat to basic survival of the Church. Another important consequence of the NCWC was consistent study of papal documents by bishops and transmission of these messages to the faithful beyond the Chancery Office.⁴⁵ This move towards collective understanding further defined the American bishops as one united and focused voice on Church affairs. With World War II concluded, the nation would transform itself into a global power and with peace at hand; the trend of wanting a more unique American Catholic Church would become a challenge to many spiritual leaders during this period.

⁴³ *Bishops of Newark*, 497 and Röemer, 321-322.

⁴⁴ Gerald Fogarty, "American Catholic Leadership and Social Justice," *The American Catholic Heritage – Reflections on the Growth and Influence of the Catholic Church in the United States*. (Rome: Pontifical North American College, 1992), 57.

⁴⁵ *Ibid.*, 58-59.

Irish-America and New Jersey Hierarchy - Mid-Twentieth Century Development

In order to understand how New Jersey obtained multiple dioceses during the twentieth century it is necessary to understand the division of the state ecclesiastical districts over time. These dioceses were often created in parallel manner with United States Congressional districts. In a sense, New Jersey bishops were political appointees themselves: each had local authority and had various issues to reconcile within his own geographic boundaries. Part of this vivisection resulted in a lessened, but mutually supportive cooperative between 1853 and 1948 as multiple bishops instead of one shared the task of lending moral guidance to Catholics statewide.⁴⁶

The Irish hierarchy became the unquestioned leaders of the Catholic Church in America. New Jersey was no exception to this rule. This ecclesiastical power structure has always possessed a European stamp if not directly, then by symbolic perception from the nineteenth century onward. Bishop Bayley and Winand Wigger, the third bishop of Newark (who was of German background) were exceptions to the typical progression of Irish-bred prelates. The Newark post included those who featured such Gaelic surnames as Corrigan and O'Connor while the first five bishops of Trenton were O'Farrell, McFaul, Walsh, McMahon and Kiley.⁴⁷ The Diocese of Trenton was created in 1881 and Newark was split as a result, but the latter see attained archdiocesan and ecclesiastical

⁴⁶ *Bishops of Newark*, 2-96.

⁴⁷ "Catholic Hierarchy." *Catholic Hierarchy On-Line*.

province status for New Jersey, while new episcopal centers were established in the cities of Paterson and Camden by 1937.⁴⁸

Although a majority of New Jersey bishops who served the Church in the immediate post-World War II period were first generation Americans and born in the twentieth century, each possessed varying levels of European-based influence. These men still claimed citizenship in the United States, and, as such, the question of church and state reconciliation remained an utmost concern. However, the Hibernian factor still loomed large, as did their Rome-endorsed education and allegiance to the Holy See. Aside from the occasional French, German, Polish or Italian bishop named by a pontiff (each elected pope being of Italian extraction from the founding days of the United States until 1978), the hierarchy in America was dominated by those of Irish-born, or Irish-American parentage from the earliest parts of the 1800s through the next century.

The Irish attitude of respect for Catholicism on the whole and clerical influence in particular came to represent a sign of sacrifice and deference associated with this group.⁴⁹ An additional factor to consider is that the Republic of Ireland is the only predominately Catholic nation in the English-speaking world. As such, this land has contributed a significant percentage of priests to the United States, with more Irish seminarians receiving Holy Orders per capita than anywhere in the world, even as the country moved

⁴⁸ Brady, 42-43. *New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition*. (Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963), 651-653. (The Constitution of Ireland was ratified in 1937 and became an important news item to many Irish throughout the new dioceses at this time.)

⁴⁹ Dolan, 190.

from Free State status in 1921 to official nationhood 27 years later.⁵⁰ Shared usage of the English language, immigration connections and a fervent devotion to the Vatican resulted in the appointment of many Irish bishops to head most American dioceses. A fundamentalist Protestant minister, Paul Blanshard, an outside observer writing in the early 1950s, found that Catholic bishops, especially those of Irish bearing, can be likened to temporal government, although power came mainly through second-hand pronouncement rather than through action alone:

The Irish priests have no political party of their own in any English-speaking country. But they have something very much more important politically: a program for the control of great areas of modern life which belong to democracy, such general areas as elementary education, freedom of thought, domestic-relations law, and medical hygiene. . . . On all these issues Irish bishops and priests are boldly political in the sense that they carry their moral authority over into the world of citizenship and tell their people what they should and should not do.⁵¹

Many prelates by virtue of their office were bold and unapologetic in their stances on moral issues that arose through life circumstances. The nature of Irish history is one of survival and cultivation of religious faith for a majority group ruled by an indifferent or unsympathetic minority. This became a source of fellowship for many American Catholics of Irish bearing or not who were subject to a Gaelic-led leadership faction.

A point regarding clergy and the laity is one that shows how perceptions of, and typical interactions with the parish priest often differs from that of the bishop is well placed. The political life of the Church was often foreign to the average Catholic who saw these ecclesiastical leaders only on special occasions.

⁵⁰ Paul Blanshard, *The Irish and Catholic Power – An American Interpretation*. (Boston: Beacon Press, 1953), 3. (The Irish legislature, or “Oireachtas,” approved the Republic of Ireland Act as an official law for the nation in 1948.)

⁵¹ Ibid., 6. (Irish Gaelic is the first official language of the Republic of Ireland, but English is the most commonly used language.)

To most of them, the Church was the local priest who helped people in times of trouble, ministered to the sick and dying, and acted as God's representative who gave them the sacraments. To such people, an archbishop was simply a better priest. They gave little thought to the ambition that went into the pursuit of such a position, nor did they consider the many responsibilities it held, such as raising the enormous sums needed for schools, churches, charities, and other activities. The laity generally saw members of the hierarchy only on special occasions, such as confirmation, high school and college graduations, and, of course, St. Patrick's Day parades.⁵²

As noted previously, most Church leaders who ascended to power were first-or second-generation Americans who had varying ties to their ancestral homeland, either through parental lessons, educational opportunities, socio-cultural influence, or other relevant factors, but outside of their individual lives, there was little diversity among the hierarchy at this time. Interestingly, a high number of those who reigned during the mid-twentieth century also served as auxiliary bishops within Newark prior to their reassignment to other New Jersey sees by Pope Pius XII (1939-58). Pius XII was a noted conservative on matters of doctrine, and he chose other like-minded prelates to carry out his vision. This reflection led to calculated decisions on who would lead Newark, Trenton, Paterson and Camden between World War II and his death in the late 1950s.

Those who headed dioceses within New Jersey from 1947-61 included the two top-ranking prelates: Archbishops Thomas J. Walsh (1928-52) and Thomas A. Boland (1953-74) of Newark, along with six others who headed the Dioceses of Trenton, Paterson and Camden during this time period. The description of each prelate from birthplace to educational background and related information although seemingly repetitive, is necessary to show the similarities of each leader and how he fits into the

⁵² John Cooney. *The American Pope. The Life and Times of Francis Cardinal Spellman*. (New York: Times Books, 1984.), 85.

American experience both spiritually and in concrete terms. Another aspect for consideration that went into the thought process behind appointment of those who became bishops of Newark rested in the background of the men who assumed this leadership post. A more detailed view of each individual will show the parallels of how old world and Americanizing factors were part of the persona associated with these Church leaders. A slight divergence in the standard of a straight Catholic education came with the enrollment of some future bishops at public schools where exposure to secular topics resulted. This choice in type of education depended upon respective circumstances of location and family means at the time. For example, Archbishop Walsh (who also served as the bishop of Trenton 1918-28) was born in Western Pennsylvania in 1873 and educated at public schools in this area before attending St. Bonaventure College (New York) from which he graduated in 1900. He later obtained doctorates in both Canon Law and Sacred Theology from the Pontifical Roman Seminary in 1907 and 1908, respectively.⁵³ Archbishop Boland, unlike Walsh, had been born in 1896 and was a native of Orange, New Jersey. However, he did attend public school through the fifth grade prior to entering Seton Hall College and eventual matriculation to the North American College in Rome. The future archbishop also worked at various labor-intensive jobs including service at a mill, a public service concern and later studied stenography, book-keeping and commercial law in addition to theology.⁵⁴ Boland was named the second bishop of Paterson in 1947 (after serving as an auxiliary to Bishop Walsh from 1940-47) before succeeding his mentor in 1953.

⁵³ *Bishops of Newark*, 101-102.

⁵⁴ *Ibid.*

Within the Diocese of Trenton, the Very Reverend William Griffin (1940-50) led this see during and immediately after World War II. Griffin was born in 1885 and hailed from Elizabeth, New Jersey. He followed a more traditional path of state-bound clergy in attending Seton Hall and the Immaculate Conception Seminary (connected to Setonia prior to 1926), but was one of the very few of his station not to pursue advanced study in Rome.⁵⁵ The first German to become bishop of Trenton was the Newark-born George Ahr (1950-80). Ahr was born in 1904 and his presence as the lone non-Irish representative was a true measure of proportion among the national hierarchy at large during this time. He was educated at parochial schools until he entered St. Vincent's College (Pennsylvania) and later Seton Hall prior to ordination and attendance at the North American College in 1928.⁵⁶

Bishop James McNulty, a former auxiliary in Newark, was born in New York City in 1900 and raised in Montclair prior to being named head of the Paterson Diocese (1953-63). Like his brethren he was an alumnus of parochial schools and Seton Hall and the American College at Louvain before his ordination in 1925.⁵⁷ Within the Diocese of Camden, their first bishop was Bartholomew Eustace (1937-56). Like McNulty, Eustace, born in 1887, was raised in Gotham and the product of Irish immigrant parents. He attended various public schools prior to enrollment at St. Francis Xavier College in New

⁵⁵ Rev. Msgr. Joseph C. Shenrock. *Upon This Rock – A New History of the Trenton Diocese*. (Trenton, NJ: Diocese of Trenton, 1993), 155.

⁵⁶ *Ibid.*, 187.

⁵⁷ Raymond J. Kupke. *Living Stones – A History of the Catholic Church in the Diocese of Paterson*. (Clifton, NJ: Diocese of Paterson, 1987), 255-256.

York City, then went on to the North American College afterwards.⁵⁸ Justin McCarthy (1957-59), who succeeded Eustace, was born in 1900. His family moved from Pennsylvania to Elizabeth where McCarthy attended nearby Seton Hall Preparatory School and College along with the Immaculate Conception Seminary prior to enrollment at the North American College in 1927.⁵⁹

The third bishop of Camden, Celestine Damiano (1959-67), became the first Italian prelate in New Jersey history. He was a non-traditional choice in various ways, as reflective of a growing trend towards liberalism in the Catholic Church that occurred through the election of John XXIII (1958-63) who would dictate the need for reform that would result in the landmark Second Vatican Council of the early-mid 1960s. Damiano was born in 1911 and hailed from Western New York. He later attended post-secondary school at St. Michael's Academy in Toronto, Canada and the Propaganda Fide College for missionary priest training purposes. From this institute, Damiano served as a papal representative to South Africa prior to his appointment in Camden in 1959.⁶⁰ Bishop Damiano signaled a more liberal shift in Church leadership and contrasted with Pius XII appointees who were more conservative in outlook. This added yet another level of contrast among the mid-twentieth-century hierarchy. Each of these biographical sketches shows that another dimension of New Jersey Catholics between the Cold War and Second Vatican eras rested in part on conditioning, environment and circumstance.

Bishops of New Jersey and Their Constituency, 1947-61

⁵⁸ Rev. Msgr. Charles J. Giglio. *Building God's Kingdom – A History of the Diocese of Camden*. (South Orange, NJ: Seton Hall University Press, 1987), 24-25.

⁵⁹ Ibid., 66-67.

⁶⁰ Ibid., 85-86.

Those who were named to head the various New Jersey dioceses shared a common religious grounding with the faithful. Although the state featured a vast number of Irish-American residents, the naming of Ahr and Damiano reflected the high number of citizens who shared a similar ethnic background with their direct spiritual leaders. Even though the Irish and Germans constituted the first major wave of Catholic immigration during the mid-1800s, they were followed by Italians and other Eastern Europeans before a growing Hispanic and African-American population helped to bring even further diversity to the religious scene in New Jersey. The Catholic population of New Jersey reached over 1.1 million out of 2.5 million inhabitants statewide by 1953, compared to just over the 1,000 mark a century and a half before.⁶¹ With this dramatic growth and the role of bishop established, the twentieth century has been coined as a “period of maturity” for the American Catholic Church.⁶² American society and culture in particular affected the work of bishops in various ways as they had to reconcile themselves with the impact of secular government, adverse legal decisions, educational opportunities and economic factors. Therefore, commerce, money, invention, and technological issues arose and threatened core values, and, in turn, led to a test of religious practice as the 1960s signaled a more liberal period in the Church and in the state.

⁶¹ *Bishops of Newark*, 126.

⁶² Röemer, 317.

Chapter 4

THE BINGO BILL: MONEY AND MORALITY AT PLAY

Introduction

The presence of religion in a capitalist society from an institutional perspective is built on a principle of financial advantage in order to keep the business alive and functional. This is especially true of private enterprise, public utilities, along with any diocesan-sponsored entity. Meeting operating expenses at the chancery level, but also for each parish to sustain basic operational needs that typically include physical plant maintenance, administrative salaries, church supplies, and other financial obligations to ensure operational solvency, cannot be done on faith and prayer alone. Therefore, money is a necessary commodity, and Catholicism has long been a “billion-dollar-a-year” enterprise, especially when it comes to building initiatives.¹

Beyond paying standard bills, having enough capital for very costly parochial educational systems from grade school through high school was a concern in many locales. In several instances, half of many parish budgets went into keeping their sponsored schools afloat and affordable for working class families. As chronicler of American Catholic history Jay P. Dolan noted, the Church and its relationship with money issues through the ages needed constant attention and regular infusions in order to ensure forward institutional progress. An increased awareness of status and maintaining a strong presence in the community became more pronounced during the 1940s-50s, as existing and new parishes alike had to keep up with cost of living expenses and rising inflation. He wrote that the

¹ Martin E. Marty. *An Invitation to American Catholic History*. (Chicago: The Thomas More Press, 1986), 175. (A Catholic chancery serves as the administrative center for the bishop of a diocese.)

financial concern did not define nineteenth-century parish life to the degree that it did in the twentieth century. . . . The Catholic “big” syndrome, with its penchant for large, costly churches, also drove up the debts of new suburban parishes. The Sunday envelope system or passing the basket at Mass was never sufficient to meet the rising cost of the twentieth-century parish. Thus, from their earliest days, Catholics were educated to support the church and did so with remarkable generosity. . . . Concern for finances has been a constant presence in church life regardless of time or place. But the challenges presented by the changing social environment of twentieth-century America added new and more vital issues to the church’s agenda.”¹

The reality of having to solicit funds for maintaining operations typically came from the laity. This money flowed in from collections that were taken up at Mass, special appeals made from parish priests along with letters from the bishop to aid in this campaign to help centralize endowments and keep the money flowing into the coffers of Church administrators. Sermon appeals, special collection envelopes, votive offerings, bulletin notices, and other direct marketing approaches only brought in so much revenue. This led to the need for alternative measures to solicit more funds for the cause.²

With rising costs and a relatively homogenous support group to draw upon, Church leaders often had to increase their financial acumen and creativity to maintain donation streams, since governmental backing was not an option. They, however, needed the permission of state officials to allow a more questionable practice to go forward with altruistic intent in mind, that of sponsoring bingo as a means of private, charitable financing. This became a major issue to many in non-Catholic circles, or those with more conservative leanings, a case of ends justifying means for the sake of profit alone. Prior to the 1940s, the playing of bingo was in vogue among many individuals, but was not

¹ Jay P. Dolan. *The American Catholic Experience*. (Garden City, NY: Image Books, 1985), 382-383.

² Marty, 170-176. “The People ... Yes,” *The Catholic Advocate*, May 1, 1954, 8.

always a legal enterprise depending upon locale and purpose.³ From a historical perspective, the game of bingo has had a long and associated history amongst the Catholics of New Jersey. Many times parishes having to pay off their construction debts for their edifice, schools and other institutions designed for religious purposes, especially those in suburban locales, had to find ways of stemming the flow of debt. Bingo, therefore, became a constant feature in many churches and bingo nights provided bonus money; bingo events were akin to the special fund-raising holidays such as Christmas and Easter, albeit it on a smaller and more flexible calendar than fixed celebrations in the life of a particular parish community.⁴

The Catholic Church has long been noted for its indulgence toward the game of bingo, which is a card game where numbered balls are drawn and numbers on a board are filled in as corresponding letters and digits until a five number-letter line across, down, or diagonally is completed.⁵ This particular game, beyond the money proffered to pay for cards, is also a chance for social interaction and further bonding between a priest and his congregation, aside from the usual preacher-to-listener dynamic. The appeal of viewing the clergy in such a forum often helped to humanize these priests as those who were willing to relate with their flock in a more interactive way. The bishops of New Jersey may not have seen this benefit, but it helped that they saw bingo as not so much a game

³ Ibid. *State of New Jersey, A New Constitution for the State. Agreed upon by the Delegates of the People of New Jersey In Convention, at Rutgers University, the State University of New Jersey, in New Brunswick, on September 10th, 1947. To be submitted to the people for their adoption or rejection, as a whole, at the General Election.* November 4, 1947. "Legalized Bingo Fought In Jersey," *New York Times*, July 29, 1947, 3.

⁴ Ibid., 382.

⁵ William Norman Thompson. *Gambling in America: An Encyclopedia of History, Issues, and Society.* (Santa Barbara, CA: ABC-CLIO, 2001), 16-26.

of chance that would promote vice, but rather a way of focused and sustained fund raising and helping to cement stronger community ties, as well.⁶

All of this support for bingo came under the heading of Catholic well-being and is part of the experience in which the majority and the leadership seemed to agree on the nature of bingo-generated income and its benefits across the board. This can be construed as a cynical view, but at the same time it was also a unifying source against the more conservative elements that do not endorse gambling for any reason, but rather fund support raising through alternative means such as bazaars, swap meets, and auctions.⁷ However, such events are not quite as popular, and income is based on volunteerism. Seemingly, the ideal way to Christian charity, but with limited time, the promise of immediate reward aside from the hope for heavenly favor helped to make gambling and bingo the more appealing alternative and a major focus of Catholic fund raising efforts.

On a wider level, games of chance have been an enduring reality since ancient times, including the famous story of cleansing the temple of those money lenders with whom the Lord found fault:

And Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the tables of the moneychangers, and the seats of them that sold doves, and said unto them, it is written, My house shall be called the house of prayer; but ye have made it a den of thieves.⁸

⁶ “Vote ‘Yes’ on The Bingo Amendment,” *The Catholic Advocate*, October 31, 1953, 1. “Bingo Arguments Revived in Jersey,” *New York Times*, April 17, 1954, 15.

⁷ Ibid. Marty, 170-176.

⁸ “Matthew 21:12-13.” *Bible Gateway.com On-Line*. <https://www.biblegateway.com/passage/?search=Matthew+21%3A12%E2%80%9313&version=KJV> Internet.. (accessed June 22, 2013).

A stigma has been attached to financial gain through such means and methods, as they are seen in some quarters as a sign of personal advantage and not part of the legitimate means of adding to the community chest, especially if conducted outside of legal means.

The lure of games of chance is as old as the temptation to win and challenge long odds. Such a concept feeds the desire for adventure and to try to gain financial advantage in the process.⁹ To many opposed to gambling, the problem is not the amount won, but the moral issue of coming out ahead without honest effort. This activity was not covered directly in the Catholic Douay-Rheims Bible or the more widely referenced King James Bible, but gambling was concurrently considered either an evil or a harmless pastime, depending upon different perspectives.¹⁰

Bingo in New Jersey During the War Era: A Prelude to Gaming Legislation

The financial issues that made the 1930s-40s a time of uncertainty and scratching for survival among many individuals that marked the Great Depression and later World War II eras, led to the creation of home front jobs, local travel restrictions, congregational bonding, and a growing appeal for such activities as bingo nights at regular intervals during these decades.¹¹ Finding diversion thus became a way to escape from wider troubles. Gambling became a popular form of entertainment as a result. A typical breakdown of what is involved with the operation of a church bingo night from this era

⁹ R.H. Charles, *Gambling & Betting, A Short Study Dealing With Their Origin And Their Relation To Morality And Religion*. (Edinburgh: T. & T. Clark, 1928.), 1.

¹⁰ Ibid. Newton Wayland Thompson and Raymond T. Stock. *Complete Concordance to the Bible* (Douay Version). (St. Louis, MO: B. Herder Book Company, 1945). *The Holy Bible: Old and New Testaments, King James Bible*. (Waheke Island: Floating Press, 2008).

¹¹ "Bingo," *Our Lady of Czestochowa Church Report*. Jersey City, NJ, February 2, 1942. "Bishop McLaughlin Would Revamp Laws on Gambling," *Paterson Evening News*, January 18, 1945.

can be taken from a January 30, 1942, communiqué from Our Lady of Czestochowa Church located in Jersey City.

In terms of game structure and accounting practice at this particular parish, a flat admission fee of \$0.40 and a lapboard of \$0.60 were charged off the top. An initial cost of \$1.00 per participant combined with an average attendance of 1200-1300 per night for regular Tuesday and Saturday evening games of which there were 25 per night, made for quite a windfall and helped the parish clear \$550.00 net while the local equipment supplier, Joseph Bosco Rental Company, earned \$400.00 in commissions from one event alone.¹² Most individuals came from Jersey City and throughout Hudson County, but some came from as far afield as Newark for these games since there were fewer games in Essex County at the time as compared to the post-war era.¹³ The incentive came with the jackpot amount of \$1,000 and consolation of \$500 with a \$20.00 prize per game and other special perks including door prizes and merchandise. When it came to post-game profit tallies, local parish authorities typically had to face a higher presence. This in the face of the Vicar General of Newark telling Father Joseph A. Smolen that the rental of buses to the parish and actually publicizing the games was “absolutely prohibited” by Archbishop Thomas J. Walsh so as to keep the games manageable and not to run afoul of the law.¹⁴ This typical scenario was all part of the profit margin factor that the

¹² Ibid.

¹³ “Bingo,” *Our Lady of Czestochowa Church Report*. (Ushers were paid \$1.50 per evening to help with the games at the parish, but another 20 extra hands were hired by church sponsors at \$2.00 a night. Rental equipment from Joseph Bosco included a fee of \$0.05 per chair, \$0.25 per table and \$0.01 ½ per lapboard along with a \$35.00 per week charge for the amplification system.)

¹⁴ Ibid.

Archdiocese of Newark kept in mind while still keeping the game alive and provincial in its operational focus to aid local concerns more fully.

When faced with economic concerns and fund raising ideas, the decision as to whether to endorse bingo and other games of chance through the years became tantamount to a decision between pragmatism and morality. Interestingly, between World War II and 1953, in particular, the Irish Catholic hierarchy in New Jersey had to deal with ongoing issues and diverging viewpoints on the validity of gambling. The popular Irish Sweepstakes horse races instituted in 1930, for example, enjoyed wide popularity in the United States and helped to aid hospitals across Ireland on the altruistic side of this exchange.¹⁵ On the surface, the choice would be against games of chance unless self-beneficial to the Catholic Church during the last era of post-war affluence found in America. The growth of civic and religious issues in this age provoked even more questioning in regard to moral self-control and self-profiting.

Bishop McLaughlin and Public Approval of Gaming for Charitable Purpose

The first major prelate who addressed the gaming issue in mainstream print was the Most Reverend Thomas J. McLaughlin, first bishop of Paterson, who became a lightning rod when it came to articulating a position on the gaming issue among those in authority throughout the Catholic Church in New Jersey. During the course of 1945, Bishop McLaughlin stated his position in an editorial piece on the subject where he cited the value of civil life and past precedent along with weighing in on moral judgment. He was quoted in local press circles about the need for bingo and to what degree it should be kept active along with how its place in community life filled both a social and support

¹⁵ "Irish Sweepstakes." *Encyclopedia Britannica Online*. <http://www.britannica.com/EBchecked/topic/294177/Irish-Sweepstakes>. (accessed July 27, 2013).

need. He further argued that civil lawmaking authorities should be cognizant of this fact as he outlined its virtues and how it should be moderated in a logically structured manner.¹⁶ Bishop McLaughlin expressed the views of his fellow prelates in the following manner:

Gambling, itself, if not indulged in to excess, if there be no element of fraud and if the persons who spend their time engaged in it as a pastime, is not intrinsically evil and no legislation can make it wrong. However, a man or woman who neglects his or her duties to the family or who wastes the funds necessary for the proper maintenance of the home or nation State or municipality, is certainly doing a grave wrong. Let us realize that were we to take the simplest dictionary definition of gambling it would mean one of two things, namely, “to play a game for a stake,” or “to waste or squander in gambling”. . . . Unfortunately, the manner in which most of the basic laws in our State were framed goes back to views prevailing in the original colonies which considered all gaming as intrinsically evil. Of course, everybody realizes today that this is ridiculous. It will never be absolutely repressed. It can, however, be confined to such limits that it would no longer be a public nuisance or scandal.¹⁷

The response to Bishop McLaughlin was mixed from both municipal authorities and those who belonged to the New Jersey Council of Churches, a governing body that was dominated by ministers of various Protestant denominations.¹⁸ These men of the cloth were often diametrically opposed to gambling in all its forms and considered any such activity an actual sin.¹⁹ This constituted a strong consensus of those who tended to view biblical scripture in fundamental terms and in contrast to exceptions that the Catholic Church made for bingo as an acceptable revenue stream source, making for a divided Christian front against Protestant ministers who did not condone gambling under any circumstance.

¹⁶ “Thomas H. McLaughlin, Bishop of Paterson,” *Morning Call*, Paterson, NJ, January 18, 1945.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ “Churches in Jersey Differ on Bingo Vote,” *New York Times*, October 31, 1953, 1 and 18.

The evaluation by Bishop McLaughlin, along with editorial observations made by the local press, provided a galvanizing effect on public opinion which differed depending upon background and moral conviction. Most favored the choice of gaming as part of a democratic society.²⁰ In making his views public, Bishop McLaughlin did not really strike back at his co-religionists, but he discouraged all who tried to deny this freedom of choice.²¹ From here, the debate raged further on through the media and religious boards alike.

The gaming debate was not only church-state in terms of potential contention, but also was an inter-denominational issue that the Catholic hierarchy was used to fighting as many in the higher echelons of government tended to be of the Protestant faith. Therefore, any judgments that imposed on Catholic doctrine, or even perceived slights were resented by these prelates. Emblematic of this, the McLaughlin statement and response elicited responses from local Protestant Ministers. For example, the Reverend Charles Smith Webster, pastor of Westminster Presbyterian Church in Paterson, said:

Gambling, in my humble estimation, is intrinsically evil, inasmuch as it is in direct contravention to what the Bishop would call Divine Revelation, namely, Jesus Christ. Did not Jesus Himself declare, "For what is a man profited, if he gain the whole world, and lose his own soul?" He emphasized that the individual must not be possessed of a materialistic philosophy of life. The individual must place spiritual values before material values."²²

Although Protestant and Catholic groups did not always see the same way on the degree of gambling allowance, they both did petition the government, showing discontent in the

²⁰ "Thomas H. McLaughlin, Bishop of Paterson." *Morning Call* (Paterson, NJ), January 18, 1945.

²¹ "A Call to Clarification of Laws on Gambling to End the Farcical Situations Which Clog Enforcement," *Paterson Evening News*, January 18, 1945.

²² "Clergyman Hits Gambling Opinion," *Newark Evening News*, January 1945.

ranks, so to speak.²³ Most Methodist spokesmen demanded that all forms of gambling be wiped out by constitutional edict if it could not be done through divine intervention and on the individual honor system.²⁴ In contrast, Catholics called for the legalization of gaming to be sponsored by religious and charitable institutions so they could monitor and control their bingo enterprises without interference from anyone who did not agree with their viewpoint.²⁵

Overview of Gaming Laws in New Jersey, Post-War Realities

During the 1940s-50s, New Jersey was still a state where the collective Protestant representation made a majority among religious in the state.²⁶ Even though the Catholic bishops had to deal with condemnation from their more conservative brethren, the main judgment in terms of allowance of gambling in any form came from the secular government. These authorities had a history of weighing the value of gaming in New Jersey to promote civic projects as well as curbing wide-spread abuses of money flowing in from underworld sources. As of 1939 through the 1940s, the only gambling allowed in the state legally was para-mutual betting at state-endorsed horse tracks.²⁷ State law R.S. 2:135-1 at this juncture read: "It shall be lawful to hold, carry on and operate in this state

²³ "Churches in Jersey Differ on Bingo Vote," 1 and 18.

²⁴ Rev. S.A. Jeanes, *General Secretary of the Lord's Day Alliance of New Jersey and Legislative secretary of the New Jersey Conference on Christian Legislation at the Public Hearing on Senate Concurrent Resolutions 8, 9, and 10 Dealing with Bingo and Raffles*. Trenton, NJ. June 15, 1953.

²⁵ "Jersey Car Raffle Ruled No Violation," *New York Times*, April 21, 1953, 29. "Trenton Priest Denies Immorality of Bingo," *The Catholic Advocate*, May 2, 1953, 11.

²⁶ *New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition*. (Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963), 262-263 and 650-657.

²⁷ New Jersey State Law Proclamation R.S. 2:135-1. Trenton, NJ: New Jersey State Legislature, 1939. (Para-mutual or para-mutuel betting is from the French *pari mutuel* which translates to a system whereby all bets on a particular game are placed mutually into a pool whereby taxes are removed and the winner is provided with winnings by an odds system based upon the level of chance involved.)

race meetings where at the trotting, running or steeple-chase racing of horses only may be conducted between the hours of sunrise and sunset on weekdays only in duly legalized race tracks, at which the pari-mutuel system of betting shall be permitted.”²⁸

Furthermore, this document stated that:

No lottery, roulette, or game of chance of any form shall be authorized by the Legislature in this state, and no ticket in any lottery shall be bought or sold within this state . . . nor shall pool-selling, book-making, or gambling of any kind be authorized . . . except pari-mutuel betting on the results of the racing of horses only, from which the state shall derive a reasonable revenue for the support of government.²⁹

This is how despite, the endorsement of Catholic bishops, Protestant ministers and their allies had to abide by state law, but in the name of non-profit status they had a precedent and ethical grounds upon which to justify their actions.³⁰ The goal, therefore, became for the Church leaders to find acceptance across the board from their secular lawmaking counterparts.

To provide perspective on the legitimacy of bingo, the legal aspects tended to run parallel to the religious when it came to formal dictates that allowed for gaming to take place. In trying to test the limits of acceptance, a case study from within Hudson County tends to be among the most controversial of New Jersey areas from a political standpoint with a strong Catholic tradition coupled with a longstanding reputation for political intrigue and corruption. A violation of the law in Hudson County was taken to the courts, as gambling remained against the law at this point during the 1940s. Despite the questionable issues against the validity of bingo, civic law supersedes Canon law in a

²⁸ Ibid.

²⁹ Ibid.

³⁰ “Brogan Outlaws Bingo Games In Charge to Jury,” *Hudson Dispatch*, January 1945, 1.

democratic society. Prior to legalization, an average turnout of 1,500 every night (each paying a \$3.00 admission fee) attended events in the Hudson County area alone.³¹ Individual games often featured a top purse of \$500 per card, and the parish enjoyed an estimated \$3.9 million average annual gross revenue, in turn.³² The parishes of Our Lady of Czestochowa (Jersey City), Our Lady of Grace (Hoboken), St. Brigid's (North Bergen), or St. Aedan's (Jersey City) accounted for nearly half of the 60 games per week held within Hudson County in the decade after World War II.³³ Many also came from New York City to New Jersey in order to partake in such games of chance, showing the great appeal of bingo, and thus bringing about wider concern in regard to the issues of too much money being funneled into non-government endorsed sources, although it most directly benefited the Church.³⁴

In a noted move to regulate the flow of gambling activity in Hudson County in particular during World War II, State Supreme Court Justice Thomas J. Brogan wrote to Attorney General of New Jersey Walter Van Riper asking him to investigate abuses of the system and anything that countered the existing law.³⁵ It all began after Charles A. Merklein, a former Jersey City school teacher, noted that the lure of any gambling

³¹ Ibid. "Hudson County's Bingo Games Appear to Be Doomed by Law," *New York Times*, February 4, 1945, 1. Gerald Leinwand. *Mackeral in the Moonlight: Four Corrupt American Mayors*. (Jefferson, NC: McFarland & Company, Inc., 2004), 76. (Frank Hague [1876-1956], the Irish-American mayor of Jersey City from 1917 to 1947 was a powerful force in Hudson County politics during his time in office. Self-proclaiming "I am the law!," he ruled his domain with nearly complete authority. Conversely, when it came to his relations with the Catholic Church he was a weekly communicant and frequent donor to charitable causes. Prior to formal gaming laws, he did allow bingo to be played in the 28 different parishes located within his jurisdiction despite restrictions elsewhere in Jersey City.)

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ "Brogan Outlaws Bingo Games," 1.

establishment was a menace to war workers and community at large.³⁶ After some extensive field work had been completed, a report was filed that led to the verdict from Van Riper in sum that: “bingo had been going on so long in the open without concealment and in good causes that the situation required permanent clarification by the law enforcement authorities.”³⁷

Challenges to the game have arisen periodically and some positives resulted including regulation of bingo and the stabilization of horse race wagering practices.³⁸ Since the state regulated these forms of gambling it was deemed legal and also any non-authorized betting resulted in punishment. The charitable purposes were the main justification and a sticking point in how civil authorities and religious forces could reconcile these activities, as well as who would receive the money. By January 30, 1945, before a Hudson County Common Pleas Court, the Grand Jury found in favor of aid organizations.³⁹ Brogan, a Catholic, saw this whole business as a violation of the state law and counter to the text of the constitution; thus, in his opinion this became a closed case as he discerned no difference between private, institutional or charitable profit.⁴⁰

The Catholic Church was swift in its reaction to the Brogan decision. This included compliance, for lack of a better alternative, as respect to state laws was required. Monsignor John C. McClary, Vicar-General of the Archdiocese of Newark who spoke on

³⁶ Ibid.

³⁷ “A Call to Clarification of Laws on Gambling to End the Farcical Situations Which Clog Enforcement.”

³⁸ New Jersey State Law Proclamation R.S. 2:135-1.

³⁹ “Grand Jury Sounds Bingo Death Knell, *The Jersey Journal*, February 7, 1947.

⁴⁰ “Hudson County’s Bingo Games Appeal To Be Doomed By Law.” “Colford Sees Bingo Ban Revenge For Defeat of Edge’s Constitution,” *Hudson Dispatch*, February 13, 1945, 12.

behalf of Archbishop Walsh, announced that “his excellency” would send a message to be read in all parishes throughout Bergen, Essex, Hudson and Union Counties about how churches could not sponsor bingo games when this decision was released.⁴¹ At this point, the press detailed the whole scene in the following terms: “While no specific reference is made in the presentment to church bingo games, it was announced from many Roman Catholic pulpits in Jersey City Sunday that, in view of the pronouncement of the chief justice that bingo is prohibited by the state constitution and statutes, no more bingo would be permitted.”⁴² Only pari-mutuel betting at authorized state operated race tracks would be allowed. All other forms of gaming, the chief justice asserted, were forbidden by the state constitution and related safeguards. This decision resulted in further debate and fighting for legitimacy among those who wanted fair access to bingo.⁴³

The Church saw that the civil law held sway and accepted the edicts of the civil judiciary as a reality they could not change. Some saw the investigative actions of Judge Van Riper as somewhat anti-Catholic in focus and as payback for some prominent Catholics who did not support the new constitution when it was debated back in 1944 and expressed reservations until its full passage was unveiled.⁴⁴ Charles Kilmurray, a Republican ward leader from Hudson County, argued that prejudice was not at the heart of the matter and answered charges made by James McGovern, Jr., head of the Hudson County Federation of Holy Name Societies, who made this particular charge. Both McGovern and Kilmurray were Catholic and in light of this situation the latter stated:

⁴¹ “Grand Jury Sounds Bingo Death Knell.”

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

It is difficult to understand how it is that some people can talk about church and religion and in their statements violate one or more of the tenets of the church. . . . I believe that the prosecutor merits the commendation of all fair minded people for unqualifiedly absolving the churches and charitable organizations of any immoral or illegal intent in their operation of the bingo games.⁴⁵

McGovern was not alone; other Church organization leaders acted separately, but no doubt thought that those opponents who were Catholic were “Judases” along with all others who chose to stonewall bingo as a means of fund-raising were considered enemies to the cause.⁴⁶

When it came to developing legal interpretations and public welfare in mid-twentieth century New Jersey, the issue became one of gaming as a means of generating capital for institutional support. However, the question of the ends justifying the means crossed over church lines into the legislative realm as controversy and contention did ensue as a result. Many have believed gambling is a universal wrong on both moral and religious grounds. On a temporal level, some see it as an unevenly regulated practice when it came to those who wanted to use it for tax exemptions. Those who wanted to pursue it for their own enrichment were punished, which some saw as an unfair advantage for those who used the funds for religious purposes. The specter of illegal involvement remained an issue that could not be denied, so the government needed to clarify its position. With this in mind, according to the 1947 New Jersey Constitution (Section VII:2), the following qualifications were put into place in order to curb the illegal practices of wagering in its varied forms. This document states:

⁴⁵ “Kilmurray Assails McGovern Bingo Blast,” *Jersey Journal*, February 14, 1945.

⁴⁶ “Seeks Motivation Behind Letter Urging Bingo Ban,” *Jersey Journal*, February 13, 1945, 1 and 12. (No evidence of any written comment from Archbishop Walsh on this issue has been discovered to date.)

No gambling of any kind shall be authorized by the Legislature unless the specific kind, restrictions and control thereof have been heretofore submitted to, and authorized by a majority of the votes cast by, the people of a special election or shall hereafter be submitted to, and authorized by a majority of the votes cast thereon by, the legally qualified voters of the State voting at a general election, except that, without any such submission or authorization; A. It shall be lawful for bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct, under such restrictions and control as shall from time to time be prescribed by the Legislature by law, games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of game of chance sometimes known as bingo or lotto, played with cards bearing numbers or other designations.”⁴⁷

This act provided a means for the support of special causes including spiritual organizations; thus, when it came to advocacy, the state legislature made provisions noting that the state has the obligation to recognize and justify the allowance of these games to be conducted on a regular basis without penalty under constitutional provision.⁴⁸ This helped to popularize the game all the more, allowing for further demand through individual parishes across the state. The standard had now been set with the adoption of this document in 1947.

Gaming From A Governmental Perspective – Constitutional, Legislative, and Gubernatorial Involvement

The laity was also anxious about permission to allow bingo to resume. From a theoretical perspective, the Constitution of 1947 allowed for the pursuit of gambling, but certain moves from the legislative end of deliberation had to be formalized after ratification. This act was followed by debate within the New Jersey state legislature in 1948, as the subject of localized government oversight of gaming laws by municipality

⁴⁷ *Our Great State Papers*. (Philadelphia: The John C. Winston Company, 1948), 45-46.

⁴⁸ *Ibid.*

would be considered along with sponsorship entities including accredited veteran, charitable, educational, religious and fraternal organizations.⁴⁹ In this session, Democratic Assemblyman Bernard Vogel, of Middlesex County, introduced a bill calling for a referendum on the playing of bingo by organization type. It was referred to the Senate Judiciary Committee, but the bill was ultimately defeated along party lines: Democrats yea and Republicans in the negative, which was seen in some quarters as a mirrored Catholic v. Protestant equivalent with the GOP in the majority at this time.⁵⁰ Memorials were presented at the Constitutional Convention and later to the Legislature of the State of New Jersey for 1948. This resulted in serious debate over gaming initiatives that took on additional evaluation by state officials as bingo remained a sticking point both fiscally and in fairness in relation to other games of chance that could not be fully resolved right away.⁵¹

Further movement and consideration among the legal community came to the fore during the 1949 election year in New Jersey and led to the emergence of gaming as a minor campaign issue between all involved who had a vested interest in this matter.⁵² The principals running for governor included State Senator Elmer H. Wene (Democrat) against the incumbent Alfred E. Driscoll (Republican). The Republican hold on the state was consistent; to those who wanted to keep the status quo, the gaming issue became a key issue in this power struggle. Ironically, most leaders representing the Catholic

⁴⁹ “At the 1948 Session of the Legislature,” Report Document, (Trenton, NJ, 1948).

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² “Bingo Rises Again As Issue In Jersey,” *New York Times*, November 5, 1949, 9. “Legalized Bingo Fought In Jersey,” *New York Times*, July 29, 1947, 3. “Bingo Legislation Is Issue In Jersey,” *New York Times*, October 17, 1949, 25.

hierarchy tended to gravitate to the GOP, unlike the Irish-Catholic members of their flock who were most often raised to be loyal Democrats.⁵³ Bishops, as part of their elevated position of authority, often did not like to be overshadowed by secular forces, and this might be part of the reason for which they did not make a stronger stand for legalization on the first round of civil laws governing the approval of charity-sanctioned bingo games. Although the issue was not listed on ballots as a separate referendum in 1949, the candidates commented on the gaming phenomenon nonetheless. Governor Driscoll noted in response to criticism that bingo to many was a “harmless pastime” that was under the control either in part or whole by gangsters and racketeers.⁵⁴ Such was the stigma that any form of gambling was often thought to be tied to an immoral cause despite the noble intent. This was a fact that faced politicians when choosing sides, and combined with the religious aspects a position on gambling made for a challenge to endorsement or deferral.

Although the bingo issue was not on the ballot proper, it remained a whispered-about issue, nonetheless. Those in favor of gambling naturally tended to settle in the Wene camp. The *Catholic News*, in its New Jersey edition, ran a full-length story along with an editorial and a full-page advertisement that held the New Jersey Council of Churches had first injected bingo into this campaign to draw positive support and bring

⁵³ Ibid. (Traditionally, the rural counties of New Jersey, including Hunterdon, Morris, Somerset, and Warren, where fewer Catholics resided, tended to vote Republican; the urban areas, such as Trenton, Jersey City, Newark, and New Brunswick, where larger Catholic enclaves could be found, often supported Democratic candidates.)

⁵⁴ Ibid.

necessary awareness.⁵⁵ Various Catholic groups within the Archdiocese of Newark were waging their own campaign of sending out pamphlets, and the order of advertising space resulted in a full-page spread in the *Catholic News* and different daily mainstream press outlets in order to gain support for bingo playing commencing in early October.⁵⁶ This was seen as retaliatory, in a way. Protestant churches had sent out 2,000 questionnaires asking for politician stands on bingo in previous days.⁵⁷ The work of promoting the candidacy of Wene and his Democratic co-legislators included 200,000 flyers entitled: “The Bingo Memorial of the Constitutional Convention.” These were printed and most circulated to students, to share with parents and on to Holy Name and Rosary societies and other church groups, by 400 nuns who were representatives of the principals and teachers from the Archdiocese of Newark school system.⁵⁸ These circulars featured the name of James J. McMahon of Montclair, a former Essex County Democratic chair. However, no mention of the Church was made in these four-page circulars and they were not distributed in any parish proper.⁵⁹

The Reverend John J. Dougherty of Immaculate Conception Seminary, Darlington, New Jersey, noted that a justification is that the game of bingo helps with the

⁵⁵ “Bingo Rises Again As Issue In Jersey.” (The *Catholic News* was the precursor to the *Catholic Advocate* which was founded in 1951. *The Catholic News*, published in New York City, provided news on the faith to the Catholic population of New Jersey prior to this time.)

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ “Bingo Legislation Is Issue In Jersey.”

⁵⁹ Ibid. (This article also went on to state: “However, the consciences of some, misguided by the declaration [without proof] by some non-Catholics of the sinfulness of all gambling, raised a public protest against the tacit legalization of any gambling.”)

welfare of the educational institutions sponsored by the Church.⁶⁰ This campaign was carried out on two fronts against the law and Protestant organizations who had started making gambling a campaign issue. It would be a rousing one that during the 1940s-50s was somewhat comparable to Prohibition during the 1920s as a “hot button” topic which involved religious and secular forces.⁶¹ Despite the pressures evident at this point, Governor Driscoll won re-election, did not endorse the gaming measures, and did not allow voters of New Jersey to make their own voices heard via referendum. He also declined to make any public comment on the Catholic position in regard to bingo.⁶² The real test when it came to public judgment arrived four years later, when gaming became a prominent campaign issue. Governor Driscoll did not stand for re-election in 1953.⁶³ Therefore, it became a case of soliciting the views of new candidates Paul L. Troast (1894-72), a non-politician who was noted for chairing the New Jersey Turnpike construction committee and was drafted as the Republican nominee. He went up against Democrat Robert B. Meyner (1908-90), former state senator of Philipsburg.⁶⁴ Each had to articulate and deal with a new round of issues that revolved around formal gaming laws and regulations. In a speech delivered at Long Branch, Meyner called for bi-partisan support in quelling the underworld association with gambling; he wanted to, in succinct

⁶⁰ “Bingo Rises Again As Issue In Jersey.”

⁶¹ Ibid.

⁶² Ibid. “Bingo and Reason,” *The Catholic Advocate*, April 23, 1953, 6. (This election did not yield any change in this law. At a later time, a bill to legalize bingo was vetoed in 1952, but some thought it was deemed an open invitation to allow those from the underworld to become rich by legal means.)

⁶³ “N.J. Bingo Vote Asked By Meyner,” 1953.

⁶⁴ “Republican Scramble On in Legislature To Legalize Bingo Game,” *Hudson Dispatch* (Bergen Edition), May 19, 1953, 1.

terms, “clean up the mess in Trenton,” and further promised to break down those chronic and corrupt syndicate gamblers and their allies.⁶⁵

Meyner went on to defend the underdog who was not causing wide-spread concern through wagering abuse. In other words, those to be defended, in his estimation, included: “Mom at her charity card parties. Grandma at her church bingo game, and Aunt May at her cake raffle [; these women] should not be the concern of the local constabulary or the County Prosecutor’s Office,” and with this in mind, he argued the public should have the right and ability to decide for themselves.⁶⁶ Clearly, Meyner wanted to have bingo legalized. “When I am elected Governor,” he said, “the people can be assured of exercising the personal rights without snooping. Church-loving women can be assured that they can bake a cake – and give it away – without molestation from me or the police.”⁶⁷ This position started to gain momentum during the spring of 1953 in an environment where police chiefs in Elizabeth and Asbury Park clamped down on bingo and raffles games in their respective towns; events were cancelled in such places in Trenton as St. Hedwig, Sacred Heart School and even the Veterans of Foreign Wars hall.⁶⁸ Even prior to the final decisions made by state lawmakers, on May 17 Governor Driscoll in tandem with the New Jersey Council of Churches called for a referendum on bingo and placed it with liquor license allowance as priority legislative items to be formalized.⁶⁹ The Council of Churches and the Protestant influence that argued against

⁶⁵ “N.J. Bingo Vote Asked By Meyner.”

⁶⁶ “Meyner Chides Bingo Snoopers,” *Bergen Evening Record*, May 1, 1953.

⁶⁷ *Ibid.*

⁶⁸ “Police in Jersey Ban Bingo Games,” *New York Times*, April 12, 1953, 44.

⁶⁹ “Bingo, Pro and Con, Preached in Jersey,” *New York Times*, November 2, 1953, 18.

bingo made the issue a semi-holy war of sorts on the legislative front. It was unofficially called “pulpit politics,” as the religious influence in regard to the gambling debate carried over into the mainstream.⁷⁰

Bingo As An Election Issue – Church and State Intersections

Legalized gaming came up as a major state-wide legislative issue in 1953, and at this time the bill would be represented under the auspices of religious, veterans rights, and other charitable organizations. This bill was passed by the State Senate by a vote of 13-6, while the assembly approved the measure by a vote of 36-17 just before these bodies reached adjournment for this session.⁷¹ This document then went to Governor Driscoll who had until May 27 to veto or approve the bill.⁷²

This stringent legislation, sponsored by Republican Senator Malcolm Forbes of Somerset, required that a favorable vote by at least 15 percent of the voters was needed via a mandated referendum in each of the over 500 municipalities in New Jersey before bingo could be legally played state-wide.⁷³ Various special provisions were inserted into this bill in order to help it move forward. These included the call that cash prizes could have a top value of \$25.00 for merchandise awards in any single contest and the control of play had to abide by regulations imposed by municipalities where games took place.⁷⁴ It was also stipulated that religious, welfare, or service organizations sponsoring bingo

⁷⁰ Ibid.

⁷¹ “N.J. Legislature Approves Bill for Bingo Referendum,” *The Catholic Advocate*, April 12, 1952, 2.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid.

games must have been in existence for at least five years before they could benefit from charitable contests of any kind.⁷⁵ This document also prohibited any participation by minors and barred games from taking place on Sunday.⁷⁶

The press, for the most part, urged Governor Driscoll to act in favor of moving this measure forward, although many thought it might risk his political legacy to do so.⁷⁷ The questions that arose in its aftermath included the following points of order. The press became more vocal in its questioning of the incumbent's position and did it make political sense? Was it perhaps a moral issue with the governor? Has he, as a Bergen County paper suggested, "consulted with his Presbyterian conscience" and acted according to its conscientious objections in gambling?⁷⁸ As a *Catholic Advocate* account of the time illustrated, the governor might have considered *all* gambling as morally wrong, but they would write: "We admire moral courage even when it is misguided. Yet we do recognize that the misguided conscience of one man is a poor guide for the rest. We object strongly to having unfounded morality imposed upon us. There is no moral ground for judging gambling wrong in itself. The mere statements of some religious groups that it is wrong do not make it so. Their statements are only as strong as their reasons."⁷⁹

This organ went on to illustrate its case more precisely as they went on to state:

⁷⁵ Ibid.

⁷⁷ Ibid.

⁷⁷ "The Bingo Vote," *The Catholic Advocate*, June 7, 1952, 6. (Elsewhere in Trenton, legislative bills were introduced by Senator Vogel [D-Middlesex] and Assemblyman Casciano [D-Hudson], but were rejected by a number of Republican legislators. The GOP did favor their own gaming bill in 1952, but regardless of party affiliation, Meyner said that several charitable and religious activities have been financed by bingo and that the game has helped to pay for hospitals, schools, and fire trucks.)

⁷⁸ Ibid.

⁷⁹ Ibid.

Our position, simply but strongly, is this: We believe that bingo is not morally wrong and that it is no way morally wrong to submit the bingo issue to a referendum. If the Governor thinks it is wrong, his judgment is faulty as an hour spent with a Catholic ethicist would prove to him conclusively. If the Governor agrees that bingo is not morally wrong, then he is still subject to the Constitutional Convention's direction that this issue be submitted to the voters. The bingo issue will not die as long as the memory of the Constitutional Convention lasts neither will it be ignored. Our legislatures, and notably Republican legislators, should see to it that the issue is faced.⁸⁰

Thus, a semi-holy war of expression went on in the media and trickled down among the readership as this major church-state issue underwent more serious debate.

The time frame that connected the proposed bill and the call for a public vote resulted in opposing forces that became more active in trying to draw support and face down resistance. For example, various church groups that opposed the legislation became more active and urged people to take to heart the evils of gambling:

The Greater Paterson Council of Churches in annual session at the Church of the Covenant, Paterson, NJ, Tuesday, May 12, 1953, reaffirms its opposition to attempts to legalize bingo. . . . Gambling stimulates covetousness in men, outright thievery, and frequently violence and even murder against God's Commandments. It is completely contrary to the guide of charity and religion in no way lessens its evil implications. The only solution is eradication and strict enforcement of the law, not by stimulating interest in and legalizing the evil.⁸¹

Conversely, the Catholic bishops of New Jersey continued their assault via the parochial press; as seen in this June 1953 editorial from the pages of the *Catholic Advocate*. This

⁸⁰ Ibid. (An "ethicist" is one who writes or focuses upon ethical principles as a subject area.)

⁸¹ "Church Council Raps Bingo; Meyner for Bi-Party Bill," *Paterson Evening News*, May 13, 1953, 32. (The statewide Catholic reaction to Bingo echoed that of the Suffragan See of Newark including the capital city of Trenton. An example of Church reactions came from Monsignor Martin J. Lipinski, pastor of St. Hedwig, Trenton who charged that Dr. Charles A. Sayre, president of the Council of Churches, had publicly insulted a number of innocent people when he termed bingo "immoral." Msgr. Lipinski went on to say: "There has been made the rather common error of failing to distinguish that which is immoral in itself or otherwise forbidden by God from that which is wrong only because it is forbidden by a man-made law . . . there should be adduced some proof, either from the revealed word of God or from some principle of His natural law. What commandment does gambling as such violate? What virtue does it infringe? What principle of the natural law does it overthrow?")

paper provided the following editorial statement to clearly articulate their stance for the readership:

With the politics, pure or otherwise, involved in our State's 'bingo' issue, we as a Catholic news-paper are not concerned. With the moral issues involved we are deeply concerned. Especially are we disturbed what statements are issued, usually by ministerial groups, about the immorality of all gambling. Perhaps we should not be perturbed by declarations which offer no proof for their support, but we will not permit our readers to be ensnared by wrong ethical statements. Ethically, it is not correct to make the unqualified assertion that gambling is wrong. If gambling is wrong just because it is gambling, then it always was wrong, even a hundred years ago when Protestant churches and sectarian colleges also gained financial support from gambling activities. . . . For our part we know of nothing in Scripture which forbids gambling as morally wrong. We know of no solid argument from human reason that warrants that conclusion. On the contrary, we reason that if it's permissible for one to give away a dollar to a friend without any condition connected with it, that it will not be wrong to give that dollar upon a condition for example, if a certain number is drawn. . . . Still there remains the fundamental truth that gambling in itself, that is, merely because it is gambling, is not morally wrong. Circumstances may make it so. They will not always do so.⁸²

The reach of the Catholic press via *The Advocate* among readers throughout Essex, Hudson, Union, and Bergen Counties was extensive: more than 1.1 communicants found exposure to these arguments.⁸³ The message was received and found support among those affiliated with the Church at all levels, especially at the top, when the bishops believed that there was money to be earned to aid their building programs and financial reserves through this government-sanctioned mandate.⁸⁴

The fall brought an even more intensive interest in the need to address the gaming debate as Election Day approached. In addition to swaying the public to a favorable vote,

⁸² "Morality of Gambling," *The Catholic Advocate*, June 13, 1953, 6. (As Election Day approached, the *Catholic Advocate* made full use of their own editorial pages to advise their readership of the stance held by the Archbishop of Newark.)

⁸³ "Bingo, Pro and Con, Preached in Jersey."

⁸⁴ "Morality of Gambling," 6.

the candidates for governor needed to take their own stand based on these divergent arguments swirling around them. A letter from Robert Meyner to Samuel A. Jeanes, Chair of the Anti-Bingo-Raffles Committee of the New Jersey Council of Churches written on September 30, 1953, days before the general election was a polite nod, but clear message to his fellow politicians despite how the religious views of the candidate were influenced, in turn, by popular will. Meyner reinforced this stance in the following speech,

In my speeches with respect to bingo, The 1947 Constitution contemplated putting to the people the question in the form of a referendum, a referendum to be specific as to how, when and where bingo and games of chance could be played. The present Legislature has chosen not to do this but rather to ask for a blank check, giving them authority by satisfaction of a constitutional amendment to regulate bingo and games of chance.⁸⁵

Conversely, Jeanes, in rallying Protestant ministers to take the campaign against the amendment to the pulpits, noted in his writings that there were more far-ranging social issues at stake, along with the moral dangers implied and inherent. He believed there are further considerations beyond bingo, in their view that any concession to gaming came with a moral price.⁸⁶ “This amendment,” he declared, “would permit legalization of big scale, commercialized gambling under the cloak of religion and charity. Prizes at a quiet game of bridge or penny ante would still be illegal. . . . The big-time operator, the crime syndicate, not the charity, would be the real beneficiary. Only the net profits-if any-go to

⁸⁵ “Bingo, Pro and Con, Preached in Jersey.”

⁸⁶ “Jersey Churches at Odds With Bingo,” *New York Times*, October 31, 1953, 18.

charity.”⁸⁷ This further clarified the intent of the gaming issue and despite opposition; this bill was expected to pass on Election Day, November 3, 1953.⁸⁸

Seeing that the pro forces were in the lead, both Meyner, a Democrat, and Troast, a Republican, agreed that bingo should be legalized by the end of this campaign so they neutralized the issue and made it a virtual lock that they would support those who favored the gaming trend.⁸⁹ Leading into the last days before the election of 1953, the newspapers both mainstream and Catholic were active in maintaining coverage, and the letter writing campaigns on both sides heated up as a result of this issue. The end result came with Meyner attaining the governorship on Election Day, 1953 by 153,919 ballots and the popular vote on the question of legalized charitable gaming resulted in 928,070 in favor to 368,917 against.⁹⁰

Bingo and Religious Connections – Freedom of Choice Secured

⁸⁷ Ibid.

⁸⁸ “Good Work on Bingo!” *Hudson Dispatch*, May 27, 1953. (In a public resolution made by the New Jersey Department of the Catholic War Veterans asked the Legislature to legalize bingo games and raffles for charitable organizations. Mary Broadbent, the wife of Councilman John E. Broadbent of West Paterson even wrote a song about the debate. “I suppose that you’ve all heard of the latest/ Card parties and bingos are out/ These evils are being crushed firmly/tis long overdue/ there’s no doubt/Why, old ladies were squandering their money/Three and four dollars a night!/ Now I ask all you high-minded people/Was this a good thing was it right?/Well I guess that you now know my feelings, and that is my final remark, I really must hurry, [I have a tip on the fifth race at Garden State Park].” Meyner seemed to enjoy the song, according to press accounts.)

⁸⁹ “Bingo Wins In Runaway,” *Trenton Times*, November 4, 1953, 1.

⁹⁰ Ibid. (The Catholic press gave credence to the need for this legislation with the following arguments: “First, since innocent games of chance are not sinful in themselves your ‘Yes’ vote will not be a vote for immorality. True these games may be abused by individuals but do not individuals abuse automobiles as well? Second, innocent games of chance have been a tremendous help to many a parish in its building and school program. Since we Catholics are obliged to finance the entire cost of our own school system while at the same time supporting the public school system by our taxes, we should be allowed to lessen the financial strain upon ourselves by any sinless means. Innocent games of chance can be a considerable help. We do not hesitate to ask our non-Catholic friends to help us in this financial strain. . . . Sixth, a “Yes” vote will not harm any community.”)

Post-election response came in various forms, but from the Catholic end, the response was to a favorable result and one that showed that the state could respond to a shared means of beneficial church-state interaction. In the wake of the election results, more than 300 different non-profit organizations wanted to secure gambling licenses and because of the administrative backlog, Our Lady of Mount Virgin Church in Garfield was immediately successful in conducting games ahead of most other venues. Less than 24 hours after the closing of the polls, the first legal bingo game in New Jersey since 1945 was held at this parish. Just before 8:00 p.m. there were 1,000 players on-site with \$1,000 in prizes given away. The proceeds to retire a debt on the new church building of \$500,000 was the prime motivation.⁹¹ Under the new law bingo and raffle sponsors had to register with the State Games of Chance Control Commission and were required to obtain a license from their municipality before conducting contests. Another Catholic church, St. Joseph's of Bayonne, scheduled a game, but could not obtain approvals in time so they had to wait until they received written approval beyond the final victorious vote tally.⁹²

In terms of enterprise and further update, the pages of the *Catholic Advocate* showed that this result brought further benefit and was heralded with the proliferation of bingo supplier and vendor advertising. Universal Bingo Supply Company and Chair Hire of Paterson along with John A. Roberts, the largest company of its kind in Newark, placed ads in November 1954 editions of the paper.⁹³ This showed a trend towards

⁹¹ "Hudson County's Bingo Games Appeal To Be Doomed By Law." "Colford Sees Bingo Ban Revenge For Defeat of Edge's Constitution."

⁹² George Cable Wright. "One Church Uses Jersey Bingo Law," *New York Times*, April 22, 1954, 31

⁹³ *Catholic Advocate*, November 10, 1954, 3-18.

permanence and a cottage industry on top of the revenue. This was another aspect of commercialism in the name of charity, but no outcry came over this issue.

Another post-election response came from the *New York Times*. The April 1954 article gave an overview of the gaming issue:

Bingo and raffles have long been popular in New Jersey. Until they were banned as illegal last April by all county prosecutors, as many as 200 bingo games or raffles were held nightly throughout the state. The great majority were operated for the benefit of civic, charitable, religious, veterans and volunteer fire organizations. To prevent the operation of bingo and raffles by others, especially professional gamblers, the Legislature set up the Legalized Games of Chance Control Commission. The legalization was accomplished by the adoption last November of a constitutional amendment. . . . Qualified groups wishing to operate bingo games or raffles must register with the commission, from which they will receive a registration number. This they must take to a municipality which permits the form of gambling they wish to operate.⁹⁴

This outlined the aftermath of this approved bill and showed how the popularity of bingo proliferated and its proceeds helped different organizations financially.

Thus, the efforts of the hierarchy came to the fore and were able to result in the influence they held and reconciled with themselves that gambling was a necessary and profitable activity that helped bring financial support to parishes while providing a joint means of community support. The Church had to rely on state government in order to achieve success in this measure, and Church reliance on state authority led to a favorable outcome for the Church. The decision was made democratically, and not all were satisfied by the outcome; however, restrictions and other measures ensured that gaming would be controlled and only permitted for specific purposes. This can be considered a victory by the bishops and brought with it further means of keeping a connection to

⁹⁴ "Jersey Long Enamored of Bingo; Raffles and '50-50' Also Popular," *New York Times*, April 21, 1954, 22.

congregants not only in pews, but also in the need of keeping ties to parish life alive. The economic support when it came to church and state connections showed that a wider endorsement helped allow church administrative leaders in their cause of self-sufficiency and share in the post-war economic windfall that parishioners willingly shared through their spiritual patrons and home parish.

Chapter 5

QUESTIONABLE COMMERCE, THE “BLUE LAWS” AND CHURCH LEADERSHIP PERSPECTIVES

Introduction

The next big church and state battle for the Catholic hierarchy was over the regulation of commerce. When it came to readjustment to post-World War II America for both returning veterans and those on the home front, there was a general change in attitude regarding what to expect in a land at peace poised for greater commercial growth. The boom cycle in manufacturing and agri-business was especially key as non-rationed goods became more plentiful than ever before, and the growth of retail outlets and improved transportation routes made the acquisition and distribution of goods easier.¹ Basic necessities still carried the greatest importance, and as such services including the local grocery, gas station, or drug store were mainstays in any community. Additionally, when it came to specific shopping habits, time management and geographical proximity of a department or specialty store also became an important visitation barometer regardless of routine purchases, or as the demand for different home products such as appliances, televisions, automobiles, and other modern conveniences which became more popular after rationing from World War II ended and industrial production resumed for a peace time economy.² Therefore, added buying stops beyond purchasing necessary goods became fairly commonplace to the mainstream of society, but when the issue of seven-day shopping options was broached, this became a major point of contention among many in the religious community.

¹ Mark C. Carnes, ed. *The Columbia History of Post-World War II America*. (New York: Columbia University Press, 2007), 162, 320-323.

² *Ibid.*, 79-81, 180-183.

As hard as Catholic bishops fought for the legalization of bingo games to help with the internal economy of the Church that became a staple on Saturday nights, they railed with the same type of intensity against those who chose to use the Sabbath for “non-essential activities” that did not involve Mass attendance or related spiritual enterprise. Venturing out to spend money on anything that did not involve basic life functions such as food and medical supplies on a Sunday was seen by many as an excessive overindulgence. Formal legal measures made to regulate Sunday commerce are typically known as “Blue Laws,” and became a standard endorsed by both religious and secular authorities.¹ Where the question of freedom in exploring commercial endeavors has arisen, the ethical argument tends to follow regardless of circumstance. For example, the Reverend William J. Smith, S.J. wrote in a 1952 article, “Capitalism Hasn’t Been Canonized,” that: “One thing is certain – American capitalism is in a restless state of transition. . . . American capitalism conforms in all its essential principles and practices to the standard of a Christian social order.”² This is one instance of status where harmony was sought, but the reality of wider spending as greater wealth was earned by the working class helped to raise questions of ethical behavior regarding Sunday shopping. Even as the hierarchy condemned the Sunday shopper, they had to keep in mind that opposing viewpoints would still surface among intrepid merchants and through the democratic ideal of free enterprise.

¹ “Blue Laws.” *Free Legal Dictionary On-Line*. <http://legal-dictionary.thefreedictionary.com/Blue+Laws>. (accessed August 5, 2013).

² Rev. William J. Smith, S.J., “Capitalism Hasn’t Been Canonized,” *The Catholic Advocate*, April 19, 1952, 7.

Catholic prelates rely on the Vatican for legislation on Church matters; Pope Leo XIII, in his encyclical of 1891 entitled *Rerum Novarum*, reaffirms respect for the Sabbath, as found in Section 41 of this document.³ This papal edict mandated a cessation of labor on Sundays and certain holy days.⁴ The rest from labor is not to be understood as mere giving way to idleness; much less must it be an occasion for spending money and for self indulgence, as many would have it be; but it should be rest from labor, hallowed by religion. Rest (combined with religious observances) disposes man to forget for a while the business of his everyday life, to turn his thoughts to things heavenly, and to the worship which he so strictly owes to the eternal Godhead.⁵ It is this, above all, which is the reason and motive of Sunday rest; a rest sanctioned by God's great law of the Ancient Covenant – "Remember thou keep holy the Sabbath day, and taught to the world by His own mysterious 'rest' after the creation of man: "He rested on the seventh day from all His work which He had done."⁶ This helped to solidify for contemporary Catholics the Church stance on respect for Sunday worship.

Adherence to the concept of a "Christian social order" was still in vogue during the 1940s-50s and became a common means of solidifying the argument for Blue Laws among Catholic leaders who believed state leadership could be swayed into supporting their cause. Various pronouncements were made to reinforce the Catholic position. For

³ "Rerum Novarum." *Encyclical of Pope Leo XIII on Capital and Labor, May 15, 1891*. <http://www.papalencyclicals.net/Leo13/I13rerum.htm>. (accessed January 5, 2015).

⁴ Ibid.

⁵ Floyd Anderson. "Paramus Adopts Sunday Shop Law," *The Catholic Advocate*, April 6, 1957, 1. (*Godhead* is a term from the Middle English that means "divine nature" or "substance of God.")

⁶ "Mediator Dei." *Pope Pius XII, November 20, 1947*. http://www.vatican.va/holy_father/pius_xii/encyclicals/20111947_mediator-dei_en.html. (accessed October 11, 2013).

example, the papal encyclical *Mediator Dei* from Pius XII outlined how Catholics must not conduct business, shop or work on Sundays and called for a more active role of the laity in the celebration of Mass and Church life in a regular manner, but with varying degrees of success.⁷ The exception was for duties that advance the common good, but congregants were to keep in mind followers still had to attend Sunday Mass as a show of fidelity to their Church above all else and keep the temporal in its proper place and time.⁸

The ebb and flow of economic tides had a tremendous impact on the sustained popularity, or not, of Sunday shopping options. The state of financial advantage and reward became a means of social identity and goal setting for those who were employed in a certain “line of work,” and it brought a more cohesive sense of community among those who joined the wider labor force and those who shared the same faith. With a more defined sense of purpose, the goal of joining the middle class or the social register was another common goal that affected the concepts of personal opportunity and free enterprise. According to Catholic historian Jay P. Dolan the status of Catholics, in particular, vastly improved in the wake of World War II.⁹ The upward mobility factor, aided by the GI Bill for subsidized education and housing, improved their job prospects in the business world and raised their social standing prospects, in turn.¹⁰ A large number

⁷ Ibid. Jay P. Dolan, *The American Catholic Experience – A History from Colonial Times to the Present*. (Garden City, NY: Image Books, 1985), 389, 428-429. (Moves to reform devotional Catholicism were being made and, as with any change, it took some individuals time to become used to new practices. Vatican II encouraged an English-language Mass option, and the priest facing the congregants became common. The “Catholic Mass” replaced the pre-Vatican II “Latin Mass,” where the priest would face the altar and his was the only voice heard and in Latin, while those who sat in the pews said the rosary and recited prayers to themselves while following the ritual.)

⁸ Ibid.

⁹ Dolan, 357.

¹⁰ Carnes, 19-20.

of veterans achieved this objective and one visible sign of success came through the move to suburbia in great numbers, making non-urban areas a mecca for those who worked particularly, although not exclusively, in white collar professions including those in sales, law, and medicine, to name a few.¹¹

However, the message of moral responsibility broadcast by the clergy cut across all socio-economic classes. As the 40-hour work week became a standard with some having to make longer commutes to and from the workplace and professions requiring Saturday office attendance, the amount of free time available to run errands often became less flexible than before.¹² Part of the incentive for intensive and sustained work schedules was to attain desired modern amenities designed to make their lives all the more convenient, along with keeping their status-seeking intact. Dolan went on to summarize this view in the following terms:

The mass production of the automobile hastened the pace of suburbanization[;] . . . highways and better roads made suburbia more accessible; and federal home-loan policies made it easier for people to purchase homes in the suburbs. Prior to 1950, downtown U.S.A. still possessed a magnetic appeal. As a retail, financial, and entertainment center, the city attracted many people. But things changed rapidly after World War II. The modern shopping center, born in the 1920s, skyrocketed to popularity in the 1950s. Housing construction increased as the government expanded its generous home-loan policies to World War II veterans; more highways and more automobiles made the suburban trend possible, and commuting became a way of life for the majority of American workers.¹³

These measures led to a proliferation of greed in some cases, but also to the opportunity to expand beyond traditional norms as free enterprise and fair competition were ever

¹¹ Ibid., 109.

¹² Ibid., 127-128.

¹³ Dolan, 357.

present. According to official reports “highway retail outlets” within New Jersey during the mid-1950s transacted over \$100 million in business on an annual basis, making for a lucrative commercial venture.¹⁴

Conversely, part of the threat that was seen by Church officials centered upon too great a dependence on capitalism. Money was a corporeal thing and its attractiveness came with multiple spending options. Spiritual devotion was more linear and faith-based. In other words,

Many shortsighted merchants are trying to corner a little extra business by plastering “Open Sunday” signs all over their display windows. Short sighted because they should realize that the pressure of economics will soon force their competitors to follow suit. All of them will have seven-day payrolls and seven-day expenses without actually increasing their market. After all, people are going to buy only so many cars and so much food, no matter how long the stores are open.¹⁵

This seemed a reasonable response from a solely religious standpoint, but further arguments were offered to the faithful on this score.

On a more specific level when it came to how money circulated, according to most bishops, financial contributions donated to chancery coffers, or an individual parish collection basket held a pragmatic place, as the Church depended upon financial contributions to keep services alive. Unlike required expenditures including food, shelter, and the imposition of different taxes to support public services, charitable giving was strictly voluntary. Basic saving or giving decisions were ultimately decided by an individual or collectively by a family unit. However, bishops sometimes were resentful when parishioners did not offer a fair share of money that was left over from spending on

¹⁴ Milton Honig. “New Jersey’s Ban On Sunday Sales Is Upset By Court,” *New York Times*, May 9, 1959, 1 and 14.

¹⁵ “Advocate Gets Results,” *The Catholic Advocate*, February 4, 1956, 4.

their own essential needs.¹⁶ Giving to any charity became a more selective process, too, as popular secular organizations including Easter Seals, March of Dimes, Red Cross, and other entities competed with religious institutions for funds.¹⁷ This made personal budgeting a more involved and systematic undertaking. During the mid-twentieth century, Catholics tended to reject the complete separation of church and state when it came to the fundamentals of labor issues. The hierarchy had a long history of supporting a fair living wage for their congregation to help members of the faith sustain themselves. In other words, according to author Jerome G. Kerwin, it is a matter of cause and effect from both a spiritual and pragmatic approach:

Man must eat in order to pray. . . . The state will either be friendly to religion or hostile – there is no middle ground. . . . The Catholic also rejects the idea that religion is the expression of a national spirit. . . . The Church conceives of herself as a perfect society, just as the state is, but having an end more important for man than any purely human organization. The Catholic believes that his Church is *one* and *holy*.¹⁸

The clergy continued to make their case when faced with the decision-making potential of their parishioners. However, competing voices remained beyond the altar on what constituted a “perfect society” and with regard to the “national spirit” in a free and capitalist society.

By the early 1950s, the American hierarchy put forth their own pronouncements on the issue of economics and morality to reinforce their collective viewpoints to the

¹⁶ Lincoln T. Bouscaren, T. Lincoln, S.J. and Adam C. Ellis, S.J. *Canon Law, A Text and Commentary*. (Milwaukee: The Bruce Publishing Company, 1951), 830.

¹⁷ *Ibid.*, 798.

¹⁸ Jerome G. Kerwin. *Catholic Viewpoint on Church and State*. (Garden City, NY: Hanover House, 1960), 83.

public. Within the document “God’s Law: The Measure of Man’s Conduct on Morality and Economics,” the consensus stance of these bishops can be summarized as follows:

Morality has its place in business and industry because the conditions under which men work, the wages they get, the kind of work they do, all are subject to the jurisdiction of the moral law. When economic conditions are such that the raising of a family by working people is made dishearteningly difficult and at times impossible, then, those responsible for this deplorable situation are guilty of breaking God’s law and they are also accomplices in the sins resulting from their injustice.¹⁹

This statement against unwarranted commerce came through further spiritual argument and helps to provide perspective on what punishment might result for those who stray from the teachings of these prelates.

Part of the effort in helping to illuminate individuals, especially those in the Church, on proper spiritual conduct is found in Canon Law. The following definitions also related to the clergy in particular:

Art. 1. Temporal Goods. All material things which possess an economic value, that is, a value in use or exchange which can be computed in money. 1. *Ecclesiastical goods* are temporal goods owned by any *moral* person in the Church, destined for the use and purposes proper to that moral person (cf c. 1497, 1). It may be stated here once and for all that the canons on temporal goods do not apply to the property, whether real or personal, owned by *individual* religious. Such property is not *ecclesiastical* property but is governed by the canons relating to the vow of poverty (cf. cc. 569, 580 sqq.).²⁰

¹⁹ *Our Bishops Speak: National Pastorals and Annual Statements of the Hierarchy of the United States, 1919-1951*. (Milwaukee: The Bruce Publishing Company, 1952), 373. “Economics and Morals,” *The Catholic Advocate*, August 7, 1954, 6. (A question was posed to those who followed American bishops: “And can we be less shrewd in saving our souls than we are guarding prosperity? It is to the kingdom of God on earth, to the Church of Christ that we must look for warning on the approach of spiritual disaster. Nor has the Church left us without direction. The pronouncements of the most articulate of Popes, the annual statements by the Bishops of the country, the national organizations for decent entertainment, and – by no means the least – the weekly sermon in which the parish priest conveys to his people a wisdom beyond his own, all these reflect the moral status of world and nation . . . in taking prompt action under the guidance of the Church, mobilizing their resources both as Catholics and as Americans against each appearance of a threat to public morals.”)

²⁰ Bouscaren, Lincoln, and Ellis, 251.

Furthermore, the following canon addresses the material culture associated with livelihood:

Art. 2. Administration of Temporal Goods. The property of the institute, of the province, and of the house is to be administered conformably to the constitutions. Besides superiors, those officials who are empowered by the constitutions can, within the limits of their office, validly incur expenses and perform the juridical acts necessary for ordinary administration (c. 532). . . . 1. Investment of money: To invest money means to exchange it for non-consumable and productive goods, such as real estate, stocks, bonds, etc. Money deposited in a bank at call is not considered as invested.²¹

These were the standards that defined fiscal responsibility for priests, but the circle of commerce in its varied forms was part of regular life for every member of the laity and still subject to judgments by moral authorities. Thus, the Church emphasized the “Blue Laws” and how they would help maintain a means of ethical order.

According to the Synodal Statutes of Newark from 1941, the following rules were made to ensure that the clergy were not involved in any questionable endeavors: “Priests should refrain from unnecessary social visiting in the homes of the laity. Familiar and frequent association with women must always be absolutely avoided.”²² In further detail, the following rule was made to reinforce more precise restrictions:

Priests are reminded that they are prohibited by Canon 142 from engaging in any secular business either directly themselves or indirectly through others for their own financial advantage or for the advantage of others; in particular, they are prohibited from speculating in securities offered for public sale, even with their own money. Violation of this Statute renders a priest subject to the penalties which the Ordinary may deem necessary as stated in Canon 2380.²³

²¹ Ibid.

²² *Statutes of the Archdiocese of Newark Enacted and Promulgated by His Excellency, Most Rev. Thomas Joseph Walsh, S.T.D., J.C.D. Archbishop of Newark in The First Archdiocesan Synod (Sixteenth of the Diocese of Newark).* Newark, NJ: St. Patrick’s Cathedral, June 3, 1941), 18.

²³ Ibid., 19.

In theory, therefore, no one was immune to the reach of the hierarchy when it came to justification for any of their actions that might potentially go against Church teaching and its application.

Introduction to “Blue Laws” in New Jersey and General Church Arguments

Another part of the church and state equation that created debate over secular business interfering with religious tradition came with the question of ethical commercial practices. This is particularly evident in the presence of “Blue Laws” within a certain town, county, or region where arrangements have been made to honor traditions based on respect for custom, regardless of legislative support in regard to upholding the law. The term “Blue Laws” dealt with anything that went against the grain of moral codes during the seventeenth century and eventually covered such proscribed “evils” that included gambling, drinking, attending baseball games, or any type of activity deemed even remotely sacrilegious well into the 1900s.²⁴

The rigidity of keeping Sundays totally free of non-religious activity waned over the years, but never fully left those who advocated for respectful observance. With this in mind, the most questionable latter-day example of the “Blue Laws” came in the form of closure for non-essential business enterprises on Sundays. This practice was derived, in part, from the seventh day of creation law made by the Lord which required total rest

²⁴ “Blue Laws.” *Free Legal Dictionary On-Line*. (The common tale about the origin of the term *Blue Laws* is that *Blue* in this term came from the paper used by the Puritans to draft their rules, but many historians have dismissed this theory. The term *bluenose* refers to a “prudish, moralistic person.” Many states after the eighteenth century had their own laws to disallow merchants and workers from earning money on Sundays. Today, after the secular purposes have been backed up through constitutional support, enforcement of the Blue Laws has varied. The case of *McGowan v. Maryland* [1961] Supreme Court decision defeated the Establishment Clause claim and went beyond the original religious intent which distinguished the validity of the “Blue Laws.”)

from personal labor and translated into a means of keeping at least one day commerce-free in line with the need for a more enlightened and controlled community. Those who disobeyed this commandment could not profit through self-promotion.²⁵ With increased salaries and flows of money, the timely appeal of lower prices and sales targeted to the Sunday shopper was another danger to overcome. The endorsement of a ban on the secularization of Sundays was one issue upon which most Christian denominations had agreed, and each lobbied the government to take a legal stand with business leaders who feared additional operational hours would be a terrible precedent and dishonor a sacred tradition.²⁶ Therefore, the Catholic Church was in line with such powerful lobbies as the Lord's Day Alliance of New Jersey Council of Churches and the New Jersey and Newark Conference of Methodist Churches, along with other fundamentalist organizations.²⁷

The Sunday shopping ban was a measure that had consistent support of all Christian denominations and lobbying groups in unison, due to its biblical roots and commercial practice changes. Even the Reverend Samuel A. Jeanes, general secretary of the New Jersey Alliance who opposed the gaming measures of the early 1950s, agreed with his Catholic hierarchical brethren in having the Sunday shopping-free edict hold true despite any opposing loopholes allowed by state authorities. In a more clearly defined response and analysis, State Senator James F. Murray, Jr. of Jersey City noted:

²⁵ Ibid.

²⁶ Honig.

²⁷ Walter F. Judkins, "Public Voices Its Concern Over Sunday Sales in State," *The Catholic Advocate*, March 22, 1958, 18. "To Hold Hearing On Sunday Closing," *The Catholic Advocate*, February 22, 1958, 1.

I am completely in sympathy with any legislation that would put an end to such unnecessary Sunday shopping and other commercialization that would tend to perpetuate the unfortunate current disregard for the Lord's Day observance. . . . I have been contacted by clergymen, businessmen and citizens of Protestant, Catholic and Jewish persuasion, all of whom are overwhelmingly in favor of terminating the present situation and of re-establishing the Lord's Day as a true day of rest as far as possible.²⁸

Even in southern New Jersey, which was less inhabited and not as prone to vehicular problems, the position against Sunday commerce was the same in the Dioceses of Camden and Trenton as it was in Newark and Paterson.

Secular arguments were often voiced by those who did not believe in the religious principles underlying the basic concept. Those who had only one day off during the week were unable to perform necessary errands during evening hours or on Saturdays as an alternate. Within the confines of New Jersey especially, the profitability for some urban-based merchants rested on extra business to their balance books as suburbanization took away former customers and the growth of interstate highway initiatives of the 1950s that led to the heavily-traveled Garden State Parkway and New Jersey Turnpike, for example, helped ease travel.²⁹ Shopping centers and malls were beneficiaries of the economic boom of the 1950s and were often located on, or near superhighways, especially within the more populous municipalities of Northern New Jersey.³⁰ Furthermore, as New Jersey was (and remains) the most densely populated state in the Union, most residents relied on their cars for driving to and from work, attending Mass, and performing necessary tasks near their homes. Automotive traffic, therefore, kept commerce alive and growing, but

²⁸ "Legislators Introduce Bills Against Sunday Shops," *Catholic Advocate*, January 21, 1956, 1-2.

²⁹ Joe Thomas. "More Problems Posed By Sunday Sales Ruling," *The Catholic Advocate*, April 7, 1960, 1 and 7.

³⁰ Floyd Anderson. "'Sunday Shopping' Stirring State," *The Catholic Advocate*, October 23, 1956, 1.

with more cars on the road concerns arose among state officials about lessening travel restrictions on the Lord's Day as part of their mission on behalf of public welfare. Also to be judged was the humanistic factor: the Sunday ban would help the sales force in terms of the number of hours they would be required to work from a high of 60-70 hours per week to a more reasonable amount, along with the argument about cutting down on the number of traffic accidents for those motoring to and from stores which were often located on major thoroughfares. In other words, it was a case of an individual deliberating between an inherited moral law and an optional material choice. The clergy and citizenry of New Jersey also realized that they lived in a unique place during a changing time, resulting in renewed questioning of business practices.

Although partially based on an agrarian economy, hence, the nickname, "The Garden State;" New Jersey was also heavily driven by ties to commercial industry and served as headquarters to many prominent chemical and pharmaceutical companies. During the early to mid-1960s in particular, New Jersey was among the most important centers for manufactured goods in the United States, ranking seventh nationwide.³¹ In other words, although New Jersey may have served as a merchandising source and was debating the validity of Blue Laws internally, this wide-spread issue touched anyone who supported or condemned the practice of a non-essential and commerce-free Sabbath. In other words,

Hardware, electrical appliance, automobiles, food, - name it, and you can buy it on a Sunday in New Jersey. IS IT JUST New Jersey? Not at all. It's a nationwide trend, a tidal wave, almost, that could sweep a good many businesses to disaster if it is not stopped, by law or otherwise. . . . A

³¹ *New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition.* (Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963), 336. (The salary level was about \$3.8 billion statewide at this time, as well.)

VERY OBVIOUS statement is this: The stores wouldn't be open if they didn't get the customers. That's where you come in. If you – and your family, and your neighbors – would stay away from these "Sunday" stores, they would soon stop.³²

The wide spread sentiment would soon take more formal shape in official pronouncements designed to articulate what would ultimately be permissible or not.

In addition, the Catholic press was quite vocal in its publishing articles in favor of the "Blue Laws" and the perceived harm they prevented. The need for keeping at least one day of respect was driven home many times over in print and word of mouth alike.

One editorial in the *Catholic Advocate* summarized this viewpoint in detail:

Nobody really profits from "business as usual" on Sunday. Not God, whose day is profaned. Not society, whose religious supports are thus gradually undermined. Not families, whose main family day is destroyed by shopping concerns. Not the individual who is hurt when the dollar sign comes between him and God. In a Christian society there is no place for a de-Christianized Sunday. . . . With the help of the parish priest we shall ask every Catholic adult to shop only weekdays and to keep Sunday holy by keeping it wholly for the Lord. Sunday buying and selling is pretty much a recent headache. Until the past few years business men took it for granted that stores would be closed on Sundays. . . . In view of the growing menace to our Christian Sunday it becomes vital to remind Catholics of the full law of the Church on Sunday observance. Canon 1248 of the laws of the Church prescribe that we must abstain on Sundays from public buying and selling except when long-established custom permits this. This law of the Church binds both sides of the counter. Catholic businessmen may not sell and Catholic shoppers may not buy. Like servile work, shopping is to be restricted to weekdays so that Sunday may be entirely the Lord's Day.³³

³² Floyd Anderson. "The Scandalous Growth in New Jersey Sunday Shopping," *The Catholic Advocate* 1956, 1.

³³ "Sunday Closing Campaign," *The Catholic Advocate*, 1956, 1. (This article also noted the negative methods involved with such a campaign: "For these reasons *The Advocate* begins with this issue a campaign to oppose the growing menace of 'business as usual' on Sunday. By special editorials and features we wish to alert every adult among the 1,299,402 Catholics of Bergen, Essex, Hudson, Morris, Passaic, Sussex and Union Counties to the peril of this spiritual corrosion in our daily life.")

This quote outlines the issue in general terms and the campaign to educate the Catholic population of New Jersey while reminding them there is no substitute, or exception, when it came to following a moral path. These journalists also cite the words of their leader and while they do not refer to their bishop directly, his imprimatur was there in every word that saw print.³⁴

Further concerted efforts were made in New Jersey at the behest of the hierarchy to help solidify and promote their stance for “Blue Laws” on a wider and more firm front. As was written in the pages of the *Catholic Advocate* around this time, the motivation for this more concentrated push against Sunday commerce was based on logic, but guilt was also utilized as well in this effort. Beyond free will and whim, when it came to “Blue Law” fundamentals, the core question: “Is Sunday shopping necessary?,” was often asked.

Commercialism on a grander scale was another result of the post-war boost in economic advantage and proliferation. According to an article written by Joe Thomas, a reporter for the *Catholic Advocate* in 1955, the following example shows the clear appeal of a shopping trip:

In the heart of one of Essex County’s biggest shopping districts. . . . In both instances I stationed myself before a Roth and Schlenger (R&S) auto store. . . . Of the 11 men I questioned, nine came to make a specific purchase, two to make a credit payment. Signs inside not only proclaimed “Sale!” but also “E-Z Pay-Plan,” and invited the customer to “Use Your Credit.” Most of those who made small purchases. But most also stayed to look around at the other bargains and some bought more than they had come in for. Most of the men who entered were casually – even sloppily – dressed. Many looked as if they hadn’t shaved since Friday morning. None looked as if they might have been to church that morning. . . . On my way Route 22, I passed through always-busy Union Center. It was deserted except for the early movie crowd. The R&S highway store was

³⁴ Ibid. *Catholic Advocate*, Editorials, January-December, 1956.

less than three minutes away. . . . A quick trip up and down both sides of the strip was revealing. Despite the threat of rain – and it rained heavily an hour later – the area was bustling with activity. Every type of shopper distraction imaginable was available. There were kiddie-lands, golf ranges, restaurants, night clubs, hamburger joints, hardware stores, linoleum and department stores, do-it-yourself stores, lumber stores, do-it-yourself stores, furniture stores, bill-boards, neon lights and gas stations. . . . Many of them had come a good distance. One elderly couple had come from Passaic via the Garden State Parkway. . . . And what were all these people doing on a raw, windy Sunday in Union? Convenience, evidently, wasn't the important item here as it was in Irvington . . . “The signs all say “Sale! Sale! Sale.” . . . Screwdrivers or automobiles. Toys or furniture. The philosophy is the same.³⁵

This overview is one that helps to illuminate the attraction of economic savings and the promise of value, making it a case of an ethical argument to those who were choosing savings over salvation in this debate.

Church-affiliated lay organizations such as the Holy Name Society also weighed in on the topic with their own view of materialism and pointed to those who had to work for, or with, those businesses who kept alive the Sunday openings. These organizations also keyed in on the aforementioned arguments as reinforcement for their stance in favor of the “Blue Laws” for all. Therefore, the more common explanation about the perils of *actually* trying to engage in commercial trade was met with the following familiar warnings:

The ill will of individuals opposed to Sunday shopping, labor problems – employees working on Sunday are paid double time, Shrinkage – loss in perishable services and pilfering skyrocketing, supermarket – running inventory and business is steady, those who shop on Sundays are those who normally did it on Mondays, Monday slower as a result, service to customers. . . . Traffic issues in Newark – Broad Street, Jersey City and Paterson, Hackensack and Elizabeth and Asbury Park, etc. Newark News

³⁵ Joe Thomas, “Public Looking For Bargains On Sunday,” *The Catholic Advocate*, November 12, 1955, 1.

– front page on Monday pointed out – Route 46, blocked at four different points Two Guys, Pine Brook Auction Mart, etc.³⁶

Thus, the examples that were outlined in the Catholic press mirrored a prevalent viewpoint among those more tied to religious perceptions than to the lasting arguments of convenience and opportunism.

Advisement and thought patterns continued to proceed with further impetus from the hierarchy via the media. The bottom line was that Catholics were literally commanded to honor the Third Commandment and to remember that the Sabbath belongs exclusively to the Lord and not to “Lord & Taylor,” or to any other profit-making venture outside of necessary and emergency circumstance alone. Procuring the essentials of sustenance, such as food stuffs and medical needs, for example, was condoned, but when it came to defining and defending what could not be offered for sale on Sundays, a list of precise items was included in the lawmakers’ directory under the banner of prohibited goods. These included clothing, furnishings, home or office appliances of any kind, lumber and other building materials.³⁷

The possibility of a backlash was also posed to the readership. The parochial press placed the following scenarios in print, whereby they questioned individuals on the consequences of not following the Sunday commandment in numerical order:

1. The cost of breaking God’s law. 2. The cost of denying someone the privilege of worship on Sunday. 3. Don’t forget to add in the cost of encouraging bad sportsmanship. Most of the merchants want to keep the rules and stay closed on Sundays. 4. Then there’s the cost of placing your future Sundays in jeopardy. You may have Sunday off now, but unless the

³⁶ “Holy Name Protests ‘Sunday Shops’; Dayton Chains Halt Sunday Sales,” *The Catholic Advocate*, November 24, 1956, 13.

³⁷ Ibid.

trend of Sunday business is stopped, you might find yourself working to protect your job or your business.³⁸

On a more consistent and religious-oriented front, the protests among various church groups continued not only within parishes proper, but also among religious organizations that supported the Catholic mission. These organization included the Holy Name Society and Knights of Columbus, which created resolutions at their chapters in the Church of the Annunciation, Paramus and Thomas F. Canty Council 3197 of Hillside, respectively, as just a couple of typical examples in this regard.³⁹ The Catholic Church also had its own specific views that apply in a more precise form of practice, especially among their priests as a model for the parishioners.

Further arguments were provided in the following questions posed to Catholic readers via the bishops of New Jersey through the parochial press. A factor that also came to mind was the example of families keeping the values learned from the pews alive after the sermon had concluded. It was not always successful, as ever-competing voices in the form of commercials, popular culture references, more colorful packaging, and peer pressure often vied for top place in the marketplace of ideas. Repeated articles in the Catholic press were also designed to engender warnings about worldly temptations as represented in accounts such as this:

There is a state of mind which sees Sunday as God's Day and makes every effort to consecrate the day to Him in a special way. . . . Consider the usual reading material that is family fare on any given Sunday. Most

³⁸ Anderson, "'Sunday Shopping' Stirring State."

³⁹ "Court Urges Sunday Sales Study," *The Catholic Advocate*, October 26, 1957, 1. (In South Orange and Woodbridge, the State Superior Court had ruled that ordinances were invalid. The South Orange ordinance was invalid because it permitted Sunday operation of some businesses which are banned by state law: "The state law has been ruled invalid but unenforceable by the Supreme Court because no penalty for violation is provided." The Supreme Court split on both affirming decisions, voting 3-2 against the South Orange ordinance and 4-1 against defying the law in Woodbridge.)

youngsters think of Sunday as a day to hurry home from church to grab the comics before Dad can get the sport section or Mom the society page. There is not the same enthusiasm for spiritual reading on Sunday, because the Sunday mentality at present is a worldly one. Mass is over, the day has been sanctified, let the way of the world take over once again. Especially, the so-called Sunday supplement is a bold and brazen denial of all that Sunday is supposed to be. If you haven't thought about it until now, take a look at the average magazine in the paper.⁴⁰

So by word, deed, or practice, the arguments intensified as the pressure from other avenues remained steadfast, but not unchallenged. In parallel measure, the state was listening to concerns and making its own determination on the "Blue Laws" when viewing their impact on the welfare of the population and their ultimate legal standing. Therefore, this issue, like many others, would have religious overtones and be subject to wider interpretation.

Governmental, Judicial, and Community Impact on the "Blue Laws"

When it came to the content associated with the "Blue Laws," moral protests were often mirrored by objections on secular grounds, as well. The final word, in effect, came from the State of New Jersey, which had the power to enact and enforce laws to help safeguard the health and welfare of its populace.⁴¹ In relation to Archbishop Walsh and his published pulpit, the editorial board of the *Catholic Advocate* was pro-active in

⁴⁰ "Sunday Mentality," *The Catholic Advocate*, July 14, 1956, 8. (One popular analogy that arose from this era that shows popular competition came in the late 1940s-early 1950s when network television was in its infancy. The popular Texaco Star Theatre comedy show on the National Broadcasting Company featuring Milton Berle was seen by over 80% of the viewing audience at its peak and viewed by New Jerseyans on WNBT-TV or KYW-TV in New York City and Philadelphia, respectively. The less successful DuMont network started by New Jersey and technician Allen DuMont featured the show "Life is Worth Living" that starred Bishop Fulton J. Sheen opposite of Berle and achieved its own success as it could be seen on either WABD-TV or WPTZ-TV by those in the state. Sheen, a frequent visitor to New Jersey, had appeal among all religious groups for his wit, and message and was emblematic of the appeal had by a prelate who could relate to the masses and had access to them through a modern and entertaining means of communication.)

⁴¹ "State Legislature Take Note!" *The Catholic Advocate*, January 5, 1957, 4

reaching out to various state legislators (presumably all Catholic) to solicit their respective opinions on the plan to make the “Blue Laws” permanently observed not only in New Jersey, but throughout the world if possible. In other words, the question about favoring a bill that prohibited unnecessary Sunday sales with a corresponding penalty if not followed would help to make for more unified support.⁴² Among the responses received at the Archdiocese of Newark Chancery included one from Assemblyman D. A. Cundari of Newark, who noted that sellers should at least not be opened during hours when services were taking place, while Union County Assemblywoman Florence P. Dwyer of Elizabeth noted that she wanted a “dangerous trend” of non-serious shopping ended under threat of penalty if ignored.⁴³ Voices of opposition were also heard throughout various branches of state government including the executive and judiciary which had to deal with opposition from the public and various legislators when it came to justifying the continuation of “Blue Law” legislation.

Another factor to which enemies of Sunday shopping alluded was that of underworld influence. This was taken up as another tool for discrediting those who opposed the “Blue Laws” by utilizing further moral warning signs. Therefore, links to a criminal element became a topic that would arise at various junctures to influence “Blue Laws” enforcement by any official means necessary.⁴⁴ New Jersey Governor Alfred

⁴² Anderson. “Sunday Shopping’ Stirring State,” 1-2.

⁴³ Ibid. “Union Bans Sunday Shops,” *The Catholic Advocate*, July 14, 1956, 1. (Even on a local level the impact was felt, “Union Township banned the sale of non-essential merchandise on Sundays. Passed by a 3-1 vote. Businessmen have been high on the non-Sunday shopping as well. Fine is no more than \$200, imprisonment not to exceed 90 days. A long list of items not to sell on the list included – television sets, radios, windows, paint, wallpaper, wearing apparel, shoes, toys, tile, ladders, lumber, fertilizer, seeds, junk, laundering, and other wares.)

⁴⁴ “Sunday Closing Campaign,” 1.

Driscoll, for example, took steps to confront underworld influences such as racketeering, money laundering, and all aspects of organized crime that were long-standing issues that shadowed politics and commerce in some quarters throughout the course of state history.⁴⁵ Although there were continued accusations of questionable business practices that were less dramatic than the example above, the general Sunday shopping movement was not directly tied into anything illegal beyond the limits imposed by state and/or federal law.

The New Jersey State Supreme Court had officially ruled after an original 1951 decision to modernize statutes on existing state “Blue Laws,” clarifying the situation in order to make for allowances for special commercial enterprises that dealt in essential commodities.⁴⁶ At first, this court ruling did not affect local ordinances that enforced Sunday closings, but under the existing Home Rule Act at that time, municipalities were empowered to prohibit Sunday sales.⁴⁷ Working in tandem, the state legislature and members of the bench also had to entertain issues regarding the constitutionality of the act and its reception since, as one lawmaker noted at this time, it was the “hottest thing” being debated at the state house during the mid-1950s.⁴⁸

⁴⁵ Paul A. Stellhorn and Michael J. Birkner, eds. *The Governors of New Jersey 1664-1974, Biographical Essays*. Trenton, NJ: New Jersey Historical Commission, 1982. (Governor Driscoll along with Governor Thomas E. Dewey of New York created the Bi-State Waterfront Commission in 1950 to remove racketeers from the Hudson River docks. During the same year, the state police broke up a nationwide Western Union bookmaking network and moved in on a statewide narcotics syndicate.)

⁴⁶ Anderson. “Sunday Shopping’ Stirring State,” 1-2.

⁴⁷ Ibid., 2.

⁴⁸ Ibid.

Although talked about for years beforehand, the issue came to a very public head as Governor Robert Meyner articulated the major intricacies of the subject on the whole to the state legislature in 1956. He said,

It's a many pronged problem. . . . There's the traffic problem brought by increase of retail outlets along highways; there's the economic problem where we have merchants of cities and towns, in business for a long time, paying substantial taxes while competitors on the highways are not as highly taxed because local tax assessors have not yet realized the full potential of their property; there's the resort area problem where many merchants from Sandy Hook to Cape May concentrate their business activities is a few months of the summer. . . . And finally . . . there's the problem of deciding just what is necessary business and what isn't.⁴⁹

Part of the success in building more awareness among the government representatives would ironically come through local chambers of commerce and allied business associations on the municipality front. From this point forward, legislators went on to introduce more specific measures to define sharper restrictions on Sunday commerce. Senator Kenneth C. Hand of Union County brought forth a legislative bill that stated violators of the "Blue Laws" would be classified as causing a disorderly disturbance.⁵⁰

Resistance to "Blue Laws" continued to arise as certain business owners advocated for a more permissive interpretation before a specific city or town council. For example, the Superior Court of New Jersey on July 23, 1956 ruled against the Village of South Orange ordinance that Sunday trade was declared invalid when the Hertz Washmobile System charged discrimination. Judge Joseph Weintraub wrote the decision that the South Orange ordinance did not measure up to state regulations and the Village's

⁴⁹ "Gov. Meyner Talks on Bingo, Sunday Shops With Holy Name Men," *The Catholic Advocate*, March 17, 1956, 5.

⁵⁰ Ibid.

own rules on car washes and their place as an essential service.⁵¹ However, further advocacy on behalf of the “Blue Laws” made these instances less common as the decade moved forward. Despite the failure of car washes to be deemed viable, other types of businesses that catered to entertainment, in particular – baseball, movies, and amusements became a source of debate.⁵²

As noted, the one aspect of the “Blue Laws” that perhaps remained the most contentious was the question of automotive traffic, but ironically the sale of new cars and gasoline fell into the “necessary product” debate category.⁵³ Along with the aforementioned support from local chambers of commerce and business associations from legitimate business sources, legislation was enacted and enforced by Governor Robert Meyner, who was sympathetic to the Sunday closure movement and signed two bills that penalized individuals involved either directly or even those who facilitated purchase orders of an automobile on a Sunday.⁵⁴

This latter point became among the most discussed aspects of the phenomenon, especially since transit in New Jersey was strongly tied up in automotive maintenance in order to facilitate safe and reliable transportation to work, school, stores, church, and other places in the course of a week. This was particularly true for those who could not depend upon train or pedal power to successfully complete their chores in a timely and efficient manner due to geographical constraints or other mitigating factors.

⁵¹ “Courts Act Against Sunday Laws in S. Orange, Union,” *The Catholic Advocate*, July 28, 1956, 1 and 2.

⁵² “Gov. Meyner Talks on Bingo,” 5. Alan Raucher. “Sunday Business and the Decline of Sunday Closing Laws: A Historical Overview,” *Journal of Church & State*, Winter 1994, 7.

⁵³ “Governor Backs Bingo Advocates,” *New York Times*, January 25, 1955, 18.

⁵⁴ “Advocate Gets Results,” *The Catholic Advocate*, February 4, 1956, 4.

Who buys cars on Sundays? And who buys television sets and refrigerators and lumber and cement on Sundays? A survey would be most interesting – but these automobile dealers feel that a great many of the buyers are Catholic. That might be a fair supposition, since the majority of the population in northern New Jersey is Catholic. And certainly if Catholics did not patronize the Sunday shops, it would not be profitable for them to open.⁵⁵

This was another aspect of the complaint against increased traffic on Sundays to figure out the best and fairest way to move forward with the laws. A total of 80.2% of members from the New Jersey State Automotive Trade Association in 1954 favored closing on Sunday.⁵⁶ Auto dealers in New Jersey would remain closed on Sundays, at least until the United States Supreme Court took up the issue.⁵⁷ The New Jersey Supreme Court ruled that state legislation forcing the dealers to restrict their business to the other six days was valid. In Trenton, the court ruled 7-0 in favor.⁵⁸ The State Supreme Court rejected a plea not to enforce until an appeal to the United States Supreme Court was attempted.⁵⁹

The state ultimately found two years later that car sales still fell into the non-essential category, and this ban served as an example to all related rulings.⁶⁰ The New Jersey Supreme Court reversed a Superior Court ruling that car sales made on Sundays were illegal and deemed “unconstitutional.” Therefore, the selling of cars was seen as a matter of sacrificing the day as the price for “living in a well ordered society” and

⁵⁵ Ibid.

⁵⁶ “State Supreme Court Upholds Ban On Sunday Automobile Sales,” *The Catholic Advocate*, December 22, 1956, 1.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Ibid.

keeping the majority view of anti-Sunday shoppers in-tact.⁶¹ Otherwise, the opinions by Chief Justice Arthur T. Vanderbilt covered very specific industries and activities that touched on local economy in various circumstances. For example, “He pointed out that at the present time, statutes and court decisions prohibiting Sunday activity include bans against barbering, pawnbrokering, hunting, taking of clams and oysters, fishing with nets, horse racing, conducting bingo games and raffles, and the service of process.”⁶²

The press also followed these decision-making debates with regularly published releases about how the “Blue Laws” affected this issue. As the *Catholic Advocate* noted with the State Supreme Court decision against having car dealers legally open on Sundays, this became a significant step in the “cause of right and human decency . . . (to) overcome the demands of evil and greed,” as the Church saw it.⁶³

Added support to the stance taken by bishops came from the Citizens Committee for Sunday Closing in New Jersey, headquartered in Jersey City, which, with its heavily Catholic population, upheld the state law and did not tolerate those who opposed the Sunday ban. The outreach made by the Citizens Committee was wide-spread according to press accounts of the time period: “More than 500 merchants in 80 cities and towns have indicated their opposition in Sunday shops by contributing to the Citizens Committee for Sunday Closing in New Jersey, Harry F. Salomon, president, has declared. Latest compilation of the number of petitioners who seek a state law banning non-essential

⁶¹ Ibid.

⁶² Ibid.

⁶³ “State Legislature: Take Note!”

business on Sunday shows 20,000 signatures, with hundreds more arriving every day.”⁶⁴

This led to a very active means of advocating for Sunday closures despite the potential for many businesses to make extra financial profits.

Interestingly, the voices of labor union representatives and those associated with promoting commerce would seem to be united in maximizing profits and income, but this was apparently not the majority case when it came to finding uniformity in regard to the Sunday situation. Labor unions, including statewide ones who had a large number of Catholic members, were a factor when it came to the moral question.⁶⁵ However, their arguments were made on a secular basis with the goal of protecting their clientele, friends, and family as the prime consideration. In this view, John Rafferty, Executive Secretary of the New Jersey Catholic Conference mentioned: “Unnecessary Sunday business in New Jersey has the support of organized labor . . . [but] . . . Religion has no place in the matter under consideration. . . . The only factors to be studied here are the public health, the public safety and the public welfare.”⁶⁶ This provided another argument to complement the religious-centered objections to the Sunday shopping movement.

Formalization of Laws and Conclusion

After much debate and thought regarding the factors involved with allowing Sunday shopping at least on limited terms, the final word came via the state legislature,

⁶⁴ “500 Merchants Asking State Law On Sunday Shops,” *The Catholic Advocate*, May 11, 1957, 1.

⁶⁵ Ibid.

⁶⁶ William F., Judkins, Jr. “Sunday Shops Defy Paramus Ordinance,” *The Catholic Advocate*, November 23, 1957, 1. “To Hold Hearing On Sunday Closing,” *The Catholic Advocate*, February 22, 1958, 1.

which had the precedents of the judicial branch in helping this body come to a decision. On April 17, 1958, the New Jersey Assembly legally approved a bill by a vote of 33-14 not allowing for any unnecessary purchasing of goods on a Sunday under threat of financial penalty, and even prison time if the practice persisted. The measure, Bill Number 22,

prohibits “selling or offering to sell or attempting to sell, clothing, or wearing apparel, building and lumber supply materials, (home) furniture, household and office furnishings and appliances on Sunday.” . . . The Penalties are also specifically set forth . . . “Any person,” the bills state “who violates any provision of this act is a disorderly person and upon conviction for the first offense shall pay a fine of \$25; and for the second offense shall pay a fine of \$100 and for the third offense shall pay a fine of \$200 or be imprisoned for a period of not more than 30 days or both . . . and 30 days to 6 months for a fourth and later offenses.”⁶⁷

The bill was passed after prolonged debate. This was another success for religious lobbying groups although the wording of the law could not state this openly, but it was a sub-text to the issue nonetheless.

The State Senate, unlike their counterparts in the lower house, approved the bill by a unanimous 13-0 count by the Republican-controlled chamber. However, even with this uniform nod of agreement, certain adjustments and amendments were made for the coastal counties of Atlantic, Cape May, and Ocean. They were not affected like the rest of the state, making it 18 of 21 counties that had to comply with this measure.⁶⁸ The overall legislation did pass through the Assembly on June 16, 1958. However, even with the majority vote made, there was one hurdle that had to be cleared; the bill proper would

⁶⁷ “Governor Signs Sunday Sales Ban,” *The Catholic Advocate*, August 8, 1958, 1.

⁶⁸ “Senate Passes Sunday Bill; Constitutionality Questioned,” *The Catholic Advocate*, May 24, 1958, 1.

be voided if it the “Blue Laws” were declared unconstitutional.⁶⁹ On the other hand, those who were pro-“Blue Law” were subject to being a minority group, but one which tried to make their arguments known throughout 1956-58 when the debates and discussions raged on. For example, various community ordinances were part of the equation.

Superior Court Judge J. Wallace Layden made a ruling on December 1 as he upheld a Paramus ordinance limiting the goods which may be sold on Sundays to those which are essential, charitable or connected with recreation.⁷⁰ Judge Leyden said that Paramus acted within its police power in adopting such legislation, differing only in that it imposes a penalty, which he felt was permissible under the Home Rule Act. The Paramus ordinance became effective in November 1957, and provides a penalty of up to \$200 fine and 90 days in jail. Paramus stores have been closed on Sundays ever since, with the exception of a short period in August and September. Three highway discount houses – Masters-Jersey, Inc., Great Eastern Mills, and Ramsey Department Store – contested the law, arguing that a 1958 state law superseded the old law with which the Paramus ordinance was in accord. They also argued that the constitutionality of this measure had not been determined, and that therefore no Sunday closing law existed. Judge Layden ruled, however, that the 1958 law does not supersede the previous law but is supplemental to it.⁷¹ Attempts to modify or circumvent the law and conventional wisdom were commonplace and happened on a regular basis during this period, but most were not

⁶⁹ Ibid.

⁷⁰ “Paramus Sunday Law Valid,” *The Catholic Advocate*, December 5, 1958, 1.

⁷¹ Ibid.

successful; the gray areas were limited, as were the number of enterprises that could be open and functional in the process.

The constitutionality of these rules was put into question among certain segments of the public who looked at the laws as unfair to free commerce.⁷² It would thus become difficult to legislate a full ban on Sunday sales throughout the state, as various communities had to adapt to the needs of their various constituents. New Jersey Superior Court Judge Everett M. Scherer ruled that the 1958 statute was arbitrary and discriminatory. He had a specific view of problems that centered on Atlantic, Cape May, and Ocean counties, in particular, which featured coastal shore communities that relied heavily on tourist trade, especially on weekends in the summer, but also throughout the year.⁷³ Governor Meyner, despite appeals from the central and southern coastal counties, on August 4 made an appeal to have the state legislature include all counties in the bill and to abide by its spirit and substance in full.⁷⁴ Therefore, some exceptions were made, but this still remained a point of contention for the more serious opponents of the “Blue Law” situation statewide and beyond.

This framework was endorsed by the Citizens Committee for Sunday Closing, which wanted Governor Meyner to sign the bill and make it a formal law. The issue reached an apex on August 4, 1958, when he signed the bill into law, but had to wait for the judiciary to approve the final parts.⁷⁵ In 1959, there came a referendum calling for the

⁷² Honig.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ “State Will Not Fight Sunday Closing Stay,” *The Catholic Advocate*, August 15, 1958, 1. “Assembly Passes Sunday Closing Law,” *The Catholic Advocate*, June 28, 1958, 1.

enforcement of the Sunday closing law that was approved by the voters of 12 different counties within the Garden State.⁷⁶ However, challenges were made to its constitutionality, even into the early 1960s. The United States Supreme Court did uphold the ban on Sunday business enterprise: “if they do so for legitimate social reasons and not for religious reasons that would favor one religious group’s Sabbath Day.”⁷⁷ Therefore, the die had been cast, and it was a cause that remained very strong in intensity throughout this time period. One of the editorials from the bishops as found in the press can be found within the text below that outlined the feeling of relief and resolution that this crusade was done in the right manner for a proper purpose overall:

There is much more to Sunday shopping and its ban than the legal aspects and angles. Something should be done to halt the cheap merchants who are deliberately and defiantly thumbing their noses at Catholics and others who are striving to protect the sanctity of the Lord’s Day. A crude form of low-grade commercialism has made its appearance. . . . In this struggle very little has been said about the shoppers themselves. Who are they? Who are the people who are making it profitable for the merchants to stay open on Sundays? In this area, where we have a heavy Catholic population. It is reasonable to believe that many of the Sunday afternoon shoppers are the same people who attended Mass in the morning. . . . In the halls of the legislature, where the question of Sunday shopping is debated, there exists a sacrosanct taboo. Legislators never advocate a ban on Sunday shopping because Sunday is a holy day. Indeed not. The purpose of such a law, if and when it is enacted, is strictly utilitarian . . . people need a rest after six days of work. . . . There is a possibility that the present law may be called unconstitutional. But in the meantime the fact

⁷⁶ Ibid. (Further commentary from the press was also forthcoming. “State officials have announced they will not at this time contest a temporary injunction restraining enforcement of the state’s new Sunday-closing law. . . . The Restraining order was issued by Superior Court Judge Joseph L. Smith four days after Gov. Robert B. Meyner had signed the bill on Aug. 4. Judge Smith said that he intended to apply the restraint until he settles the question of the bill’s constitutionality. This determination will follow a full trial procedure, including a pretrial hearing and the trial is in open court. It would probably be the middle of autumn before such action is concluded. The ruling came as the result of court action begun by seven retail firms. . . . John J. Clancy, an attorney for the retail stores, termed the Sunday closing legislation a ‘hodge-podge, a compromise in an effort to satisfy one group.’ Under the terms of the legislation, Sunday sale of clothing, home and office appliances and furnishings, lumber and building materials would be prohibited in 18 of New Jersey’s 21 counties. Atlantic, Cape May and Ocean Counties are excluded.”)

⁷⁷ “Sunday, A Day of Rest,” *The Catholic Advocate*, June 29, 1961, 4.

remains that stores would not remain open on Sundays if business were bad. It is up to us to make it unprofitable for any merchant who refuses to close his doors on Sundays. That would be something like a boycott, and the bleeding hearts might call it un-American. We have heard that before. It is a fallacious argument-full of holes.⁷⁸

This reinforced the consensus of the argument against Sunday commerce.

Thus, “Blue Laws” supporters among the hierarchy and others who mirrored their view won a victory for responsible and ethical shopping practices that curtailed commercialism on Sundays for many years thereafter, but today Bergen is the only county in New Jersey and the nation that follows this practice, as voters consistently uphold this tradition.⁷⁹ The moral arguments and the secular needs remain present today, so these debates of the era laid the groundwork for the future of free commerce and an eventual need for the bishops to realize that the world did not revolve around religion and theirs as the final word.

Beyond the 1950s and moving forward, the weight of public opinion opened up further as large retail chain stores made the move, along with commercialization being a strong incentive as a lobby, for Sunday openings. They were largely successful as the trend moved towards ease and convenience over moral conviction. As historian Alan Raucher noted about the present-day legacy of the “Blue Laws” and how they were not enduring despite the best efforts of prelates, it became another issue where public opinion turned gradually to a more mainstream view. He wrote: “Changes in the legal status of Sunday in the United States came about as a result of a long and gradual process. The fact that most Americans, by private and contractual arrangements, still do not work on

⁷⁸ “I Won’t Shop on Sunday,” *The Catholic Advocate*, August 15, 1958, 6.

⁷⁹ “Blue Laws.” *Free Legal Dictionary On-Line*.

Sundays should not obscure that change: Sunday closing laws have largely died, though perhaps not as one recent scholar put it, ‘On their own accord.’ In that legal transformation, opponents often called attention to the principles of the separation of church and state and religious freedom.”⁸⁰ As noted previously, Bergen County remains faithful to the “Blue Laws” but this remains at best a partial victory for the Church; it is the legacy of a time when the consensus was in their corner before time, motivation, convenience, and related circumstances overruled their message of loyalty and virtue.

⁸⁰ Ibid. Raucher, 14.

Chapter 6

CHURCH HIERARCHY AND STATE OF MEDICAL-RELIGIOUS AFFILIATION IN NEW JERSEY

Introduction

The construction of physical houses of worship and benevolent organizations, such as the Mount Carmel Guild, Knights of Columbus, and the Office of Catholic Charities, within the Archdiocese of Newark and other sees in New Jersey has been part of the institutional approach to charity made by Church administrators over the years. However, the most obvious and vital operations are religious-sponsored hospitals that became commonplace, especially within urban areas surrounding large population bases. Aside from individual parishes, these infirmaries were also closely identified with the Catholic Church due to the patronage of bishops who encouraged their proliferation and mission of health care to co-religionists and the general public alike.

The tradition of Catholic-sponsored professional medical assistance is long standing; within the state, such major facilities including St. Mary's, Hoboken; St. Mary's, Newark; and St. Francis, Jersey City were established during the 1860s, and served as predecessors to the dozen Catholic hospitals opened statewide by the 1920s.¹ Each of the four sees in New Jersey had its own multiple "general" hospitals by the mid-1950s which included (with the number of patients per year) St. James, Newark (4,328); St. Michael's, Newark (16,172); St. Elizabeth, Elizabeth (7,807); Alexian Brothers Hospital, Elizabeth (3,435); St. Mary's, Hoboken (8,231); St. Francis, Jersey City

¹ "History of Hospitals in Archdiocese Reveals Charity of the People." *Archdiocese of Newark Homepage History and Archives*. http://www.rcan.org/index.cfm?fuseaction=feature.display&feature_ID=102. (accessed May 1, 2014).

(17,930); St. Vincent's, Montclair (3,196); St. Mary's, Orange (5,378); and Holy Name, Teaneck (10,374) in the Archdiocese of Newark, along with St. Francis, Trenton (9,655 – In-Patients, 15,163 – Dispensary) and St. Peter's, New Brunswick (10,468) found within the Diocese of Trenton, for example.¹ Within the course of New Jersey history, the various bishops who endorsed the presence of hospitals now wanted to provide a means of educating nurses, doctors, and dentists through their own educational system to staff these units. This led to the creation of a medical school during the 1950s which would be under Church auspices, but also connected to the needs of the masses. The resulting educational institution was Seton Hall University School of Medicine and Dentistry, established in 1954.²

Just prior to the start of the Seton Hall initiative, Pope Pius XII provided clarification of the Catholic stance on healthcare through his September 14, 1952, address entitled: “The Moral Limits of Medical Research and Treatment,” which came from Vatican channels to the bishops of New Jersey and helped to explain medical ethics in clearer depth. This document further outlined the Catholic position towards physicians and their affiliation in the following manner: “In order to justify the morality of new procedures, new attempts and methods of research and medical treatment, three main principles must be kept in mind: 1) The interests of medical science. 2) The interests of the individual patient to be treated. 3) The interests of the community, (or) the ‘bonum

¹ *Catholic Directory*. (New York: PJ Kenedy, 1954), 132-134, 321, 507. (Additionally, the Diocese of Camden hosted Our Lady of Lourdes, Camden and Our Lady of Mercy, Sea Isle City. Included within the Diocese of Paterson were St. Joseph's, Paterson [12,220]; St. Clare's, Denville [655]; All Souls, Morristown [5,907]; and St. Mary's, Passaic [15,465].)

² “Seton Hall to Sign Medical School Agreement Aug. 11,” *The Catholic Advocate*, July 31, 1954, 1. (Alternately referred to as the Seton Hall University College of Medicine & Dentistry.)

commune.”³ He went on to talk about the wave of the future in having the medical establishment adhere to a moral higher ground.⁴

Furthermore, in the section, the “Interests of Science as Justification for Research and the Use of New Methods,” Pius XII proclaimed that ethics would be valued above all else regardless of scientific advances as he wrote in further detail:

(Not) all methods, or any single method, arrived at by scientific and technical research offers every moral guarantee. . . . Sometimes it happens that a method cannot be used without injuring the rights of others or without violating some moral rule of absolute value. In such a case, although one rightly envisages and pursues the increase of knowledge, morally the method is not admissible. Why not? Because science is not the highest value, that to which all other orders of values-or in the same order of value, all particular values-should be subordinated. Science itself, therefore, as well as its research and acquisitions, must be inserted in the order of values. Here there are well defined limits which even medical science cannot transgress without violating higher moral rules. The confidential relations between doctor and patient, the personal right of the patient to the life of his body and soul in its psychic and moral integrity are just some of the many values superior to scientific interest. This point will become more obvious as we proceed.⁵

Therefore, attention to moral issues in health was paramount.

This goal of righteousness was further elaborated on by Pius XII in this document:

Where does the doctor find a moral limit in research into and use of new methods and procedures in the “interests of the patient?” The limit is the same as that for the patient. It is that which is fixed by the judgment of sound reason, which is set by the demands of the natural moral law, which is deduced from the natural teleology inscribed in beings and from the scale of values expressed by the nature of things. The limit is the same for the doctor as for the patient because, as we have already said, the doctor as

³ Pope Pius XII. *The Moral Limits of Medical Research and Treatment*. (Address given at the First International Congress on the Histopathology of the Nervous System, September 14, 1952.), 5.

⁴ *Ibid.*, 5-7.

⁵ Pope Pius XII. *Interests of Science as Justification for Research and the Use of New Methods*. (Address given at the First International Congress on the Histopathology of the Nervous System, September 14, 1952.), 18.

a private individual disposes only of the rights given him by the patient and because the patient can give only what he himself possesses.⁶

The mention of health practitioners and their role along with the rights of those in need of care make such interactions a personal endeavor, but respect of each individual and his role is needed within the confines of existing religious principles.

Further perspective brought the following means of looking at the period after World War II and the need for “research centers,” as the pontiff illustrated:

The great postwar trials brought to light a terrifying number of documents testifying to the sacrifice of the individual in the “medical interests of the community.” In the minutes of these trials one finds testimony and reports showing how, with the consent and, at times, even under the formal order of public authority, certain research centers systematically demanded to be furnished with persons from concentration camps for their medical experiments.⁷

Traditional methods of care were endorsed by the Vatican, and though the advance of natural science was acknowledged, the mid-century examination of advancing medicine resulted in likely areas where the Church could be more active in heeding the call of medical aid. However, this was a slow process and one that still had limitations based on human rights, but conversely the duty found in corporal works of mercy, such as unfaltering medical aid in most instances, was one that remained a constant.⁸

Beyond the Vatican and its pronouncements, the hierarchy in New Jersey expected the faithful to be in lockstep with Church teaching expectations in regard to proper medical protocols. Prior to the onset of modern medical practices it was a case of having a distinctly Catholic presence within care units, as often times nuns doubled as

⁶ Ibid., 18-25.

⁷ Ibid., 25.

⁸ Ibid.

nurses who served the patients and aided hospital staff as needed.⁹ When it came to specialists, physicians often came from the ranks of various medical schools around the nation and were often recruited by Catholic hospitals if they respected moral codes. However, with the Hippocratic Oath that required doctors to save lives by any rational means possible it became a case where some top level doctors would ultimately be affiliated with public hospitals, or enter private practice instead of having to worry about restrictions on such issues as birth control, euthanasia, and other major items of concern.¹⁰ On a daily basis, Catholic hospitals faced the challenge of maintaining the best possible balance in having a fully faith-based presence on all levels while utilizing and advancing medical technology. However, this ideal was rarely attained since students at many parochial colleges and universities more often than not earned their degree in the liberal arts instead of the natural sciences.¹¹ With incentive to remedy this situation, it was therefore a novel move to create a medical school affiliated with a Catholic university not only within New Jersey, but elsewhere in the country. Therefore, the inauguration of Seton Hall University School of Medicine and Dentistry in 1954 became a case whereby straight health studies would be taught at a Church-affiliated institution of

⁹ *The Bishops of Newark, 1853-1978, The First 125 Years of the Archdiocese of Newark as Seen Through the Lives and Administrations of the Seven Men Who Have Been Its Leaders.* (South Orange, NJ: Seton Hall University Press, 1978), 18 and 86. (The Hippocratic Oath is taken from Ionic Greek and written during the fifth century BC by Hippocrates. This document offers a means for any novice physician to pledge to will uphold ethical and proper treatment in the course of duties.)

¹⁰ "History of Hospitals in Archdiocese Reveals Charity of the People." *Archdiocese of Newark Homepage History and Archives.*

¹¹ "Historical Overview of Jesuit (and Other Catholic and Religiously Affiliated) Health Sciences Schools." *Jesuit History*. <http://welie.net/Jesuit/history%20health%20sciences%20schools.htm>. (accessed February 10, 2014).

higher learning, but also became the only one of its kind in the Garden State, be it either church or state sponsored.¹²

The Vision and Blueprint for a Catholic Medical School in New Jersey

The creation of the Seton Hall University Medical and Dental School featured a steady progression towards incorporation prior to its formalization during the mid-1950s. The college had instituted the first nursing degree program in New Jersey in 1937 and earned accreditation status five years later.¹³ Afterwards, Seton Hall started its own graduate medical education program in 1946 to help physicians, surgeons, and dentists sharpen their respective skill sets. They enlisted sponsorship through the Essex County (New Jersey) Medical Society with cooperation from state hospitals and health organizations along with leading schools of medicine including Columbia, Cornell, Georgetown, Harvard, and the University of Pennsylvania, to name a few partner institutions that sent their teachers to local hospitals. Some physicians from these institutions also spent their ancillary time teaching at Seton Hall.¹⁴

Beyond these individual instances of residency, when it came to further development of the school, on February 17, 1947, the bishops of New Jersey convened a meeting to discuss and eventually approve a lobbying organization christened the “New Jersey State Legislative Council,” a Catholic-oriented body created to serve the needs of

¹² *Founders' Projects for...New Jersey's First College of Medicine and Dentistry*. South Orange, NJ: Seton Hall University, 1957), 1-6. (The first professional nursing degree for high school graduates at Seton Hall was also started in 1953.)

¹³ Ibid.

¹⁴ “In Their Hands,” Seton Hall College of Medicine & Dentistry. (South Orange, NJ: Seton Hall University, 1954-55), 4. (Cooperating hospitals included the Martland Medical Center, Beth Israel, St. Michael's, Columbus, Clara Maass, Mountainside, Jersey City Medical Center and Kessler Institute.)

the Church in line with new state measures; in other words, this was done to build meaningful legislation and to guard against unfair legislation towards their co-religionists through the presence of an appointed priest and one lawyer representing the Dioceses of Camden, Newark, Paterson, and Trenton. A secretary for this organization was selected by the bishops to steer this committee under their sponsorship.¹⁵ The Diocesan Legislative Council thus became active in studying legislative bills and recommending the best decisions for their constituency.¹⁶ By March, the committee drafted their own constitution and a set of by-laws proposed under the heading of the New Jersey Conference of Catholic Hospitals of the Catholic Hospital Association of the United States and Canada.¹⁷ The segment under Article III., entitled “Ecclesiastical Authority,” featured the following provisions that led to the application of the constitution as a means of having bishops exert authority in their own sees when it came to founding the board whose general purpose is to make continuous study of public affairs as these may have impact upon the interests of the Church.¹⁸ The Most Reverend William A. Griffin, bishop of Trenton, presided over the Council.¹⁹

Encouraged by the efforts of the New Jersey Constitutional Convention in 1947, the prelates of each diocese statewide endorsed a seven-year study to determine how to create a medical school at Seton Hall College. Counted among the most important factors

¹⁵ *Meeting Minutes of New Jersey State Legislative Council Minutes*, (Trenton, NJ: Stacy-Trent Hotel, March 11, 1947), 1. (Occurred a few months prior to the 1947 State Constitutional Convention.)

¹⁶ *Ibid.*, 2-3.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*, 1-3. (Along with Bishop Griffin, Archbishop Boland of Newark and Bishop McNulty of the Diocese of Paterson became the main driving forces involved with the creation of this initiative.)

that led the school to move forward included the establishment of the first-of-its-kind institution within New Jersey borders and to help develop a convenient medical or dental training ground for in-state students to attend. Along with geographical considerations, interest in careers in medicine exploded after World War II, as health care opportunities continued to expand. The “baby boom” influx along with larger and denser population centers in the Garden State and longer life expectancies were cited as the top rationales for creating the school.²⁰ The results of the self-study found that there was a solid need for advanced medical training to keep up with advances in the field; therefore, 1954 became the year in which Seton Hall started the steps of incorporation for the school. They set up the following plan where these ideals were further articulated in the following manner: “Aims and Objectives. The Seton Hall College of Medicine and Dentistry has been organized to establish and conduct a college of medicine and dentistry for the purpose of training and qualifying students in the medical and dental sciences.”²¹ Directly related to this immediate objective is the ultimate mission of the College; i.e., the improvement of health services by: “(1) increasing the supply of well-trained members of the medical team; (2) encouraging and conducting research in the medical and dental sciences; (3) coordinating and disseminating knowledge and experience gained through scientific research and observation and through the academic exchange of ideas.”²² Each fell into line with aims that the hierarchy of New Jersey endorsed as per

²⁰ *A Blueprint for Health Progress in New Jersey – Seton Hall College of Medicine and Dentistry*. (South Orange, NJ: Seton Hall University, 1957), 4. Founders’ Project, 1-6. (Seton Hall became a university in 1950. At the time, New Jersey was the seventh largest state in the Union.)

²¹ *Seton Hall School of Medicine and Dentistry Medical Center Chronology*. (South Orange, NJ: Seton Hall University, 1960s), 2.

²² *Ibid.*, 4. *White Paper on the Transfer of Seton Hall College of Medicine and Dentistry to the State of New Jersey*. (South Orange, NJ: Seton Hall University, March 10, 1965), 1-2.

the mission of Seton Hall.²³ For most of duration of the Medical and Dental School, Archbishop Thomas A. Boland of Newark appointed Bishop John J. Dougherty, auxiliary for the diocese and university president, as his direct representative regarding issues connected to this institution after the death of Msgr. John L. McNulty who served as the first administrative director for the school.²⁴

Validation for the school and justification for sponsorship had support from the start, as promotional literature pointed out their model as one in which the State of New Jersey would be the beneficiary of more doctors educated in-state.²⁵ The goal was to also raise the standards of education and training of medical professionals in the most advanced manner possible. Further progress on the health front was also based on:

Broad and deep research in medicine, its underlying sciences, and its social use; well-rounded, balanced, and sufficiently financed undergraduate, graduate and postgraduate education for all the health and related professions; and continued adaptation of medicine and related sciences to social needs and uses through comprehensive service programs meeting high standards. Seton Hall hopes to make broad contributions to health services in New Jersey in the spirit of our Divine Lord Who has said: "Whatsoever you do unto these the least of My brethren you do it unto Me."²⁶

²³ *Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1954-1955*. (South Orange, NJ: Seton Hall University, 1954), 32 ("Seton Hall was founded as a Catholic institution of higher learning. In the years that have been marked by its growth into a university, while it has opened its facilities to members of all faiths, it has never lost that fundamental character of a theocentric philosophy of life, which recognizes man as created by God, and as destined to return to God through the proper use of the time and talents allotted to him by God. In all its schools, therefore, it strives to develop the complete human personality, to imbue it with a proper sense of individual and civic responsibility through a program of sound general education, and to provide that type of training which is the particular objective of each school.")

²⁴ *White Paper on the Transfer of Seton Hall College*, 1-6. (Msgr. John L. McNulty (1898- 1959) served as President of Seton Hall College/University from 1949-59. Bishop John J. Dougherty (1930-1996) succeeded Msgr. McNulty as University President and held this office from 1959-69.)

²⁵ *Ibid.*

²⁶ "Seton Hall on the March," *Paterson News*, August 14, 1954, 16. (The first official meeting of the Board of Trustees was held on August 11.)

From planning stages to actual implementation, the school opened and followed a path which led to the first students receiving their degrees by 1960.²⁷

Prior to the first commencement ceremony, the timeline of Seton Hall showed the relatively quick progression in which the school was formed and bureaucracy handled during the whole of 1954. On March 17, Monsignor John McNulty, president of Seton Hall, approved the recommendations of the evaluation force and the Board of Trustees accepted the plan unanimously four days later. The school was ultimately incorporated on August 6, and the American Medical Association gave its approval to the Seton Hall plan that same day.²⁸ There was a complication in regard to exclusivity, in that a referendum was raised to build a state-controlled medical school and was placed on the state election ballot in 1954. With their allegiance already directed towards Seton Hall, the Catholic hierarchy was against having state taxpayers foot this bill.²⁹ Archbishop Thomas Boland of Newark wrote a confidential note to the priests of the See, stating that the newspaper would carry a front page editorial that outlined a referendum and \$25 million bond issued to obtain funds for a state medical-dental school and health center, and that voters should reject this plan on Election Day.³⁰ Archbishop Boland advocated his position through the clergy under his care and direction and mandated that priests could not under any circumstances mention names or indulge in political rhetoric when it came to this

²⁷ *Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1954-55*. 1-12.

²⁸ Archbishop Thomas A. Boland letter to Priests concerning Referendum on the State Medical-Dental School, October 27, 1954.

²⁹ *Ibid.*

³⁰ *Ibid.*

announcement, making this issue one that was so important as to be kept purely advertised at the discretion of the Church leadership.³¹

The *Catholic Advocate*, therefore, argued that with the first medical school having just been established in the state, it was not a time to “glut” the market with more medical schools at once. The other factor was taxpayer expense: Seton Hall was footing the bill through private enterprise which, in the view of the *Catholic Advocate*, was enough to seal the void in a pragmatic manner.³² Along with Church officials, Dr. Harold Murray, past president of the State and County Medical Societies, criticized the bill along with citizens who had a vested interest in this issue. Points found in this referendum included the following provisions:

- 1) Does not spell out the true facts and actual costs of the state controlled school.
- 2) Leaves the manner of taxation on an indefinite basis making the possibility of income, or personal or sales taxes an eventuality in New Jersey.
- 3) Deliberately avoids naming the location and site of the school.
- 4) Puts the management of the school on a political status rather than on a university basis.
- 5) Fails to take cognizance of the fact that the leading medical schools of the nation, Harvard, Cornell, NYU, Rochester, Columbia, Jefferson, Dartmouth, Georgetown, are all privately endowed institutions, free of any state control or state taxation.
- 6) Call upon the voter to authorize the first step toward political and state medicine.³³

Further warning signs were also issued by special interest groups who had an interest in this case.

These groups noted that \$25 million was inadequate to start a school, in their estimation, and since money was a major concern, the attempt would inevitably come

³¹ “Editorials on Medical School Referendum,” *The Catholic Advocate*, October 30, 1954, 2.

³² “Doctors Urge a ‘No-Vote’ on Referendum Authorizing State Medical-Dental School,” *The Catholic Advocate*, October 30, 1954, 2.

³³ *Issues on the Referendum for a State Medical-Dental School and Health Center*. (Jersey City, NJ: Seton Hall University, 1954.), 1-3. “Vote ‘No’ on Medical School Referendum,” *The Catholic Advocate*, October 30, 1954, 1.

through private contributions and a minimal commitment from the general public without legislation.³⁴ The general populace was especially pleased that the school would place minimal burdens on taxpayers. In promoting this approach, literature noted:

Seton Hall Medical School . . . THIS PROJECT WILL COST THE STATE ABSOLUTELY NOTHING. It will utilize the eminently adequate Jersey City Medical Center which was built AT A COST OF \$80,000,000. This private institution operating in public facilities WILL ACCOMPLISH EVERY OBJECTIVE called for by the proponents of a State medical-dental school . . . AND DO IT WITHOUT ADDING A SINGLE DOLLAR TO THE STATE'S PRESENT DEBT.³⁵

If a public medical school were to be established it was said that a tax imposed on cigarettes (also amusements, gasoline, highways, etc.) would be enacted to make this enterprise a reality. It was further noted that the referendum was an: “ICEBERG, WITH THE SMALL ITEM APPEARING ABOVE WHILE BELOW THE SURFACE THE GREATER PART OF THE DEBT INCURRED REMAIN UNSEEN . . . THE VOTE ON THE REFERENDUM IS AN EMPHATIC NO. IT IS A SUBTERFUGE FOR POLITICAL CHICANERY AND AN UNNECESSARY BURDEN ON THE ALREADY OVERTAXED RESIDENTS OF THE STATE OF NEW JERSEY,” which became a prophetic statement as the cost for a state-run medical school would be estimated to be around \$65 million and would be a problem for state citizens to support over the long term.³⁶

On Election Day, the citizens of New Jersey voted on this referendum and the final vote tally was 718,020 against and 565,878 in favor of this measure; thus, Seton

³⁴ Ibid.

³⁵ *Seton Hall School of Medicine and Dentistry Medical Center Chronology*, 1.

³⁶ “In Their Hands,” 2. (In early December, the State Dental Committee under President Dr. William A. Giblin worked with Monsignor McNulty in consultation on the procedures).

Hall could proceed uncontested.³⁷ The actual chartering came to light under the New Jersey Department of Education under New Jersey Revised Statutes 18:20-1,1 on November 5. A license to function came six days later, as the state legislature unanimously passed a bill to approve operations.³⁸ A contract was then signed with Jersey City for leasing the clinical building in the Medical Center of Jersey City on December 10.³⁹ Thereafter, the first educational offering, a post-graduate course in orthodontics, was given at the Jersey City Medical Center in June 1955. A physical plant expansion that connected Seton Hall to its different Urban Division campuses beyond South Orange into Newark, Paterson, and Jersey City became a helpful feeder system towards graduate study opportunities.⁴⁰

During the mid-1950s, the presidential report of 1955 reinforced the aims and objectives of the institution. This included the coordination and breaking down of knowledge sharing where the exchange of ideas could benefit scientific research objectives being promoted through the school.⁴¹ On Monday, March 21, 1955, Dr. Dean F. Smiley and Dr. John L. Turner, representatives of the Association of American Medical Colleges, inspected the facilities and met with Dean Charles L. Brown, Jersey City Mayor Bernard L. Berry, and Monsignor McNulty.⁴² This report quotes the article: “The Problem of Medical Care” by Franz Goldmann and Hugh R. Leavell, “Annals of the

³⁷ *Seton Hall School of Medicine and Dentistry - Jersey City, New Jersey, Summary & President's Report, Board of Trustees Meeting*, (May 6, 1955), 2.

³⁸ *Ibid.*, 1-3.

³⁹ *Ibid.*, 2-3.

⁴⁰ *Ibid.*, 4.

⁴¹ *Ibid.*, 5.

⁴² *Ibid.*

American Academy of Political and Social Science,” which proposed that health care education would be promoted in three different ways: wider delving into the study of medicine, a detailed look into the science of this subject, and social viability through a well-financed and socially acceptable program that will strive towards the highest standards in the industry to summarize this approach.⁴³ Approval later came through Archbishop Boland based on these recommendations.

The look at deeper issues also had a spiritual overtone, as Seton Hall hoped to make broad contributions to health service in New Jersey in the spirit of our Divine Lord Who has said: “Whatsoever you do unto these the least of My brethren you do it unto Me.”⁴⁴ Particular projects under advisement were of chronically ill patients, geriatrics, rehabilitation program, rehabilitation of the physically handicapped, short-term psychiatric clinic to serve as a checkup station for state institutions for patients, out-patient and short-term.⁴⁵ Additional projects promoted by the medical school would be rehabilitation of alcoholics under a plan similar to that at St. Michael’s Hospital, Newark, a graduate major in industrial medicine, treatment of occupational diseases, wire transmission service, telecasts and wire services and surgeries to various hospitals.⁴⁶

⁴³ Ibid.

⁴⁴ “In Their Hands,” 2. *Seton Hall College of Medicine and Dentistry Medical Center Chronology*, 1. *Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1961-1962*. (South Orange, NJ: Seton Hall University, 1961), 11.

⁴⁵ “A Blueprint for Health Progress in New Jersey,” 4.

⁴⁶ Ibid. (Letters of support were transmitted to the school from President Dwight Eisenhower and Governor Meyner in February 1957. Meyner wrote: “I believe that the Seton Hall College has before it a career rich in opportunities for raising the level of health of or citizens. As an educational institution that will rank with the finest in the nation, it offers broad new career vistas for the youth of our State in the high professions of medicine and dentistry.”)

The experts wrote of the bottom line and most important needs in bold face: IT MUST BE NOTED THAT IN ALL PROJECTED PLANS THE COST OF RESEARCH AND OF PATIENT CARE IS EXTREMELY HIGH SO THAT THE EXTENT OF CONTRIBUTION IN EACH AREA IS DEPENDENT ON THE FINANCIAL SUPPORT GIVEN BY INTERESTED INDIVIDUALS, INDUSTRIES, FOUNDATIONS, AND GOVERNMENT AGENCIES.”⁴⁷ The final step came when Governor Robert Meyner signed into law the Seton Hall College of Medicine and Dentistry Act in May 1955, and the first class of candidates for the M.D. degree were admitted for the 1956 fall semester.⁴⁸ When it came to numbers, the initial estimate was to have 100 doctors and 50 dentists graduated on an annual basis once the school established its reputation and solidified operational support.⁴⁹

The status of the Seton Hall School of Medicine and Dentistry centered on its unique status as only one of three Catholic, non-Jesuit affiliated institutions in history to have a medical school and the only one to have its own dental component.⁵⁰ Emphasizing

⁴⁷ “Historical Overview of Jesuit (and Other Catholic and Religiously Affiliated) Health Sciences Schools.” *Jesuit History*. (Seton Hall shared the non-Jesuit distinction with New York Medical College founded in 1860. Although NYMC was not exclusively Catholic, it had a connection to the Archdiocese of New York and Niagara College which lasted from 1898-1900. In terms of dental schools, it was one of eight Catholic-affiliated schools including those administered in the Jesuit tradition.)

⁴⁸ “Seton Hall College of Medicine and Dentistry Set Up,” *The Catholic Advocate*, August 14, 1954, 1.

⁴⁹ *Founders’ Projects for New Jersey’s First College of Medicine and Dentistry*. South Orange, NJ: Seton Hall University, 1957), 1-6. *Seton Hall College of Medicine and Dentistry Bulletin*, 1961-1962, 11. (During its opening ceremonies, the following words were also presented regarding the positive prospects: “We are proud and happy, humble and grateful, to be able to throw open the doors of New Jersey’s first medical and dental college to the young men and women of our state, and all states, of our faith, and all faiths.”)

⁵⁰ *New Jersey’s First Medical – Dental College, The Seton Hall School of Medicine and Dentistry*. (South Orange, NJ: Seton Hall University, 1950s).. “(The new graduate school will become the fifth major educational unit surrounding the original College of Arts and Sciences. It will expand the educational opportunities that Seton Hall is today making available to nearly 7,500 men and women students of: “all races, colors, and creeds.” The school also had extension campuses for different programs

institutional oversight by a diocesan clergy and not a religious order, Archbishop Boland on the opening of the college evoked the Christian approach to medical education that set it apart from its public school brethren. The ideal vision was articulated as a “step which carries out for us the plan of our Divine Savior for His Disciplines, Our Lord’s love of the sick and infirm is noted on page after page of the Gospels.”⁵¹ Furthermore, Archbishop Boland cited the large number of instances in which Jesus Christ traveled the valleys, mountains and lake shores where “the sick and infirm were brought to Him and by a word or touch of His hand He healed their bodies and brought surcease to their hearts.”⁵² This set up an idealistic scenario which the school attempted to operate over the next decade, but in pragmatic terms, this entity would ultimately be subject to secular and financial influences, whereby long-term sustainability and profitability would be difficult to maintain.

Early Years of the Medical School and Search for Stability

Founded on a “Democratic Tradition” that featured a fair admissions policy which did not limit its scope to Catholics alone, the school did not waver on its tradition of any qualified individual being able to enroll if he chose.⁵³ Admission was merit-based alone,

in Camden, Trenton, Lyons, Red Bank, Paterson, Long Branch, Matawan, Hackensack and New Brunswick.”)

⁵¹ *Seton Hall School of Medicine and Dentistry Bulletin*, 1961-1962, 11. Robert A. Schwartz, “Historical Review. The New Jersey Medical School,” *Acta Dermatoven, APA*, 2005.

⁵² *Ibid.* (The National Heart Advisory Council to the National Institutes of Health offered a grant application which led a clinical research clinic proposal. The adjacent B.S. Pollack Hospital and the Margaret Hague Maternity Hospital, Hudson County institutions would add another 700 beds to their facility. This group of buildings was located in a city of 300,000 people.)

⁵³ William F. Judkins, Jr. “Seton Hall’s Medical and Dental School,” *The Catholic Advocate*, August 21, 1954, 9. *Presidents Report*, 1955, 7. (The replacement value of these buildings was estimated around \$80 million.)

as the factors of religious background, color, ethnicity, and creed were not factored into the admissions cycle.⁵⁴ A democratic approach also helped when it came to weathering the challenge of a public medical school; acceptance of Seton Hall as an “independent, non-profit institution of higher learning” was now operational, and from here “Setonia” became an option for the growing number of those choosing a career in medicine or dentistry.⁵⁵ Instead of starting from scratch, Seton Hall had already established a history of health-based education in previous years. The infrastructure was also helped by an established science-infused curriculum (biology, chemistry, etc.), and by the mid-1950s, the nursing program at this school, which had begun as an Urban Division a couple of decades earlier, had risen to become the largest nursing program in the eastern United States. In addition to the classroom, there was a \$2.5 million science and research building constructed on the South Orange campus, but the medical school looked more outwardly recruitment-wise to find the right partnerships for maximum benefit.⁵⁶

When it came to background research, the officials at Seton Hall saw Newark and/or Jersey City as the most promising locales due to the proximity, population sizes, and availability of transportation lines across the region. The Jersey City Medical Center, the largest of its type in the state, was the connection most endorsed after final consultation with the American Medical and Dental Associations had been made, and the complex became home to the school.⁵⁷ A fifty-year lease was subsequently made

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ “Seton Hall to Sign Medical School Agreement Aug. 11,” *The Catholic Advocate*, July 31, 1954, 1.

⁵⁷ *New Jersey’s Medical & Dental College*.

between the university and Jersey City Mayor Bernard J. Berry on August 11, 1954. The first survey showed that there were 1,700 beds spread among 20 stories at this facility, and the dental clinic hosted around 32,000 visitors per year.⁵⁸ Included in this complex were the medical building, clinic, surgical theater, isolation unit, staff house, nursing residence, power house, laundry, garage, storehouse and morgue building.⁵⁹ Seton Hall planned to set aside 400 beds at the Jersey City Medical Center for care of the chronically ill; they also planned to admit patients at a financial rate below that charged in nursing homes of the time along, with the “poor” and “indigent” having care regardless of circumstance and reimbursement from the Department of Welfare from a federal funding pool, with the prediction that people would come from both near and far to seek care here.⁶⁰ When it came to further external affiliations, students were not only allowed to pursue clinical objectives at Jersey City Medical Center proper, but additional alliances with the Catholic-sponsored St. Michael’s Hospital, Newark and Greystone Park State Hospital, Morris Plains were made by Seton Hall officials during the early years.⁶¹

In terms of the leadership which guided the school and upheld its mission, Archbishop Boland led the Archdiocese of Newark, but after him, Monsignor John McNulty, the University President, became the chief director of operations. Under the

⁵⁸ Ibid. *Seton Hall College of Medicine and Dentistry Medical Center Chronology*, 3. “In Their Hands,” *Seton Hall School of Medicine*, 1954-55, 6. (The Jersey City Medical Center featured more than 18,000 admissions per year. The general hospital also included the Pollak Hospital for Chest Diseases, Margaret Hague Maternity Hospital, and Hudson County Hospital for Mental Diseases. “In the words of Dr. Edward J. McCormick, Past President of the American Medical Association, who was the main speaker at a banquet tendered to the new Deans on February 21, 1955: ‘The eyes of the Nation are upon Seton Hall in this new project.’”)

⁵⁹ *President’s Report, 1955*, 6.

⁶⁰ *Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1963-1964*. (South Orange, NJ: Seton Hall University, 1963), 27.

⁶¹ Ibid., 13.

McNulty administration, the first Dean of the College of Medicine, Dr. Charles L. Brown, M.D. from Philadelphia was selected for this post on January 13, 1955, and, exactly one week later, Merritte M.J. Maxwell, D.D.S., planning officer for the United States Naval Dental School in Bethesda, Maryland, was appointed as Dean of the College of Dentistry, as these gentlemen became the actual “hands-on” brain trust.⁶² At its onset, the leadership of this enterprise looked to have a target enrollment of 400 medical and 200 dental students secured by the first semester. In regard to admission requirements, a student had to possess at least three years of college and 90 credit hours, including 14 semester hours in Chemistry, 12 in Biology, 8 in Physics, and 6 in English, and a modern language in order to be enrolled.⁶³ Articulated in more precise terms according to the general catalog: “Credits earned in college of pharmacy are not usually acceptable,” and

credits earned in dentistry, osteopathy, nursing, veterinary medicine, chiropody, chiropractic, optometry, forestry and theology, or correspondence courses, are not acceptable. . . . Students are selected on the basis of scholastic achievement, fitness and aptitude for the study of medicine as well as other personal qualification. Since success in medicine depends on a number of related factors in the student’s development, of which his scholastic accomplishments are only a part, the Committee on Admissions will give detailed consideration to such features as the following: use of language, special aptitudes, mechanical skill, health, age,

⁶² *Report of the Special Committee on the Seton Hall College of Medicine and Dentistry.* (South Orange, NJ: Seton Hall University, April 11, 1956), 2.

⁶³ *Report of the Seton Hall Fact-Finding Committee. Appointed by the Governor and Leaders of the Senate and General Assembly to Study and Report Conclusions on the Problem of the Seton Hall College of Medicine and Dentistry.* (South Orange, NJ: Seton Hall University, 1964), 1-15. *Inaugural Day – Seton Hall College of Medicine and Dentistry.* (Jersey City, NJ: Seton Hall University, 1954), 4. (Students came from Pennsylvania, Illinois, Connecticut, Massachusetts, Michigan, and the District of Columbia. A total of 44 graduated from Catholic colleges. The enrollment of dental students in 1954 numbered 17 from New Jersey, 12 from New York, and others from Pennsylvania, Ohio, Massachusetts, Maine, Illinois, and Connecticut. In 1956 there were 80 students enrolled overall, but by 1962 there was a drop off to 76; there were 68 students in 1963, and 75 in 1964. Of the entering class of 80 students in 1963, 47 were from New Jersey.)

stamina and perseverance. There are no restrictions as to race, color, creed or geographical origin.⁶⁴

This was the accepted model of study qualification kept intact over the duration of this program from 1956 through the mid-1960s.

When it came to demographics to justify its viability, Seton Hall Medical hosted a total of 24 professors and instructors who were hired to handle part of the first-and second-year course offerings.⁶⁵ In terms of exact numbers, the first applied student body included a majority of 44 and 17 (medical and dental, respectively) who hailed from New Jersey with New York second (22 and 12 medical and dentistry, respectively) and Illinois, Michigan, and Ohio represented at the extreme geographically. Most came from the ranks of undergraduate Catholic colleges and universities, which remained a constant as overall enrollments ranged from 80 in 1956 to 75 by 1964.⁶⁶ In looking at the school by way of a self-study at the two-year mark in 1958, the Very Reverend Monsignor M. I. Fronczak, Liaison Officer to the Medical School, wrote to Archbishop Boland and noted various data in regard to student demographics of interest to the administration. This report looked at the first, or “charter class” of medical students in 1960, 52.2% of whom were from New Jersey and 72.5% of whom were Catholic, with the second largest

⁶⁴ Ibid. Very Reverend Msgr. M.I. Fronczak, Liaison Officer Medical School, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 2, 1958, 1-4. (In regard to religious background within the Class of 1960 for example, the breakdown was as follows: Protestants 7 [8.75%], Greek Orthodox – 3 [3.75%] and Other [Armenian Apostolic] – 1 [1.25%]. Class of 1961 – New Jersey [51, 63.7%], Catholics [56, 70%], Hebrew [11, 13.75%], Protestant [9, 11.25%]. Class of 1962 – New Jersey [45, 56.25%], Catholics [58, 72.50%], Protestants [8, 10%]. Dental School 1960 – Total 36. New Jersey [21], Catholics [24]. Dental School 1961 – Total 41. New Jersey [20], Catholics [32]. Dental School 1962 – New Jersey [25], Catholics [31].)

⁶⁵ *Seton Hall University Catalog, 1963-64*, 18-29. (Academic units within the Medical School at the time included the Departments of Anatomy, Anesthesiology, Biochemistry, Medicine, Microbiology, Obstetrics and Gynecology, Pathology, Pediatrics, Pharmacology, Physiology, Preventive Medicine and Community Health, Psychiatry, Radiology, and Surgery.)

⁶⁶ *Seton Hall College of Medicine and Dentistry Medical Center Chronology*, 4.

contingent being of the Jewish faith (13.75%).⁶⁷ These numbers showed a logical relation to community and diversity as the school continued its promotional efforts.

The prospectus that awaited students extended through four academic sessions which lasted 36 weeks apiece. The goal was to take on a structured curriculum that promoted both the theoretical knowledge of medical science, and the application of textbook learning, lecture notes, and laboratory work toward practical success. After completing the first-year and fundamental courses, students had a solid knowledge of medical practice principles. Thereafter, the third year in particular was the time when students could begin to evaluate patients, prior to senior term when the responsibility for individual welfare was more pronounced and intensive, making for a detailed apprenticeship program.⁶⁸ The curriculum choices offered an interesting connection to the Christian work of health care and potential issues that might be seen as controversial in Church circles such as euthanasia, abortion, and stem cell research which were more later day issues, but still at cross purposes when it comes to scientific inquest and moral responsibility. Direct specialty programs at the school included care of the chronically ill, a graduate program in geriatrics, a rehabilitation program for the physically handicapped, a short-term psychotic clinic, a support system for alcoholics, a graduate major in

⁶⁷ *New Jersey's Medical & Dental College, A Blueprint for Health Progress in New Jersey*, 7-8. (Promotional publications for the school outlined various statistics, including that heart disease accounted for 46.3 % of deaths and cancer accounted for 17.7% of deaths throughout New Jersey in 1953. They also noted that alcoholism resulted in a loss of 12 million hours of productivity in the workplace, while mental illness caused a 50 million hour deficit.)

⁶⁸ *Seton Hall School Catalog, 1954-1955*, 12. *Seton Hall School Catalog, 1963-64*, 18. (The catalogue for 1954 outlined various additional expenses for the medical student. This breakdown included a Student Health Fee of \$20.00, Library Fee - \$15.00, Locker Fee - \$3.00, Equipment Cost (estimated) - \$200.00, and a Breakage Fee of \$20.00. By 1964, rates were raised to help defray costs as the last year of operations commenced. This included a \$100.00 per year deposit and application fee of \$10.00. Major expenses included Tuition - \$1,450.00 per year, \$17.50 for rental of lab gowns, Deficiency or Special Examination Fee - \$10.00, an estimated cost of books, supplies, and other necessities were \$210.00 while the Graduation Fee topped \$30.00.)

industrial medicine, and study center for occupational diseases.⁶⁹ In addition to basic sciences, medicine, and surgical plans, the class offerings included Anatomy, Bio-Chemistry, Pathology, Psychology, Gynecology, Office Proctology, Perimetry, Psychosomatic Medicine, Clinical Surgery and Dental Oral Surgery, among other options.⁷⁰ These became staples of the curriculum that allowed for specialized study and eventual application, and helped the administration gauge where money would be best spent to improve the operational infrastructure.

The Presence of Financial Concern and Medical School Sustainability

Course billing was vital and calibrated accordingly to support school operations, but fixed at a competitive rate to help attract and maintain matriculation of the student body. Over the first stage, the tuition per year was \$950.00, but this would rise to \$1,450.00 per annum by 1964.⁷¹ Moving beyond academic performance that determined ultimate acceptance and application, tuition fees became crucial in keeping the school fiscally solvent. In the beginning administrators carefully evaluated which facets of education would be the most expensive: finances were a main concern because a medical or dental student, regardless of field, paid only 20% of the costs that he would pay at a public school.⁷² This attention to educational success came about over the first four years

⁶⁹ Ibid. *Labor's Stake in New Jersey's First College of Medicine and Dentistry*. Jersey City, NJ: Seton Hall College of Medicine and Dentistry, 1950s.

⁷⁰ Judkins, Jr. "Seton Hall's Medical and Dental School," 9. *State of New Jersey Senate, No. 317*. Messrs. Summerill and Farley, June 2, 1954.

⁷¹ *Seton Hall College of Medicine and Dentistry Medical Center Chronology*, 7 and 10. *A Blueprint for Health Progress*, 7-8. (The Jersey City site overall was valued at \$8-9 million in 1954. Reconstruction of the medical and dental buildings which included labs, classrooms, faculty research areas, conference and administrative offices was priced at \$2,670,000.)

⁷² Ibid. (Seton Hall Medical was initially an all-male institution except for the Urban Division schools in Jersey City and Newark.)

at Seton Hall, but on the other hand resulted in the institution not being eligible to receive funds from national foundations.⁷³

When it came to key financing aspects for the medical school, the major issue was economic stability as it related to the hierarchy and their investment in this enterprise. Seton Hall became literally an in-house operation, which was a rarity as none of the other 81 medical colleges in operation nationwide during the spring of 1956 were as self-reliant due to their better endowments and lack of religious affiliation.⁷⁴ University President Msgr. John McNulty placed the cost of \$5.5 million as part of their first capital campaign to aid with construction costs as he along with local benefactor, Leonard Dreyfuss, former head of the New Jersey Civil Defense force, were the top voices in promoting fiscal development at the institution.⁷⁵ Individual estimated costs of reconstruction centered on transforming the clinical building into a medical and dental education unit (including classrooms, conference rooms, laboratories, equipment, etc.) was placed at an estimated cost of \$2.5 million. Rental of the Jersey City Medical Center proper reached approximately \$275,000 per year. However, despite concerted efforts, early deficits were placed at around \$4.4 million.⁷⁶ In terms of outside financial support, Pfizer, Ford Foundation, and other corporate entities provided help. The Ford Foundation gave \$800,000 to Seton Hall as part of a nationwide \$90 million program to help various

⁷³ *Seton Hall Presents Its Medical and Dental College*. (South Orange, NJ: Seton Hall University, 1955), 1-5.

⁷⁴ *Report of the Seton Hall Fact-Finding Committee*, 1-11.

⁷⁵ *Ibid.*, 11. Fronczak to Boland, 1. (According to the report on finances for the fiscal year 1962-63, a deficit of \$862,100 was anticipated and it was expected to become even worse the following year.)

⁷⁶ *Report of the Seton Hall Fact-Finding Committee*, 21.

medical schools.⁷⁷ These were endowment incomes that were to be held for 10 years and the principal then could be spent by the school, but it still remained a shortfall that would continue to carry forward.⁷⁸

Despite finding different revenue streams, the financing of this school was problematic at the start, as it ran at a constant deficit throughout the remainder of the 1950s and early 1960s.⁷⁹ This situation became a constant threat, and critics were even more aware of the issues and the reality of the long-range view and the survival of Seton Hall as a sponsor of this school. The realities of money and mounting expectations were reported to Archbishop Boland at the eight year mark, and he noted that the Archdiocese of Newark could not continue to subsidize the college without knowing what sources they could depend upon.⁸⁰ Meanwhile, training costs continued to rise. The problem came from maintaining costs that were normally covered through endowment interest, personal gifts, or the usual sponsorship from a parent institution. Unlike the public schools which could rely on funding from the state, Seton Hall could not manage its affairs. Such a trend was the usual pattern, but in this case the funding circle was not on sure footing, as first hoped.⁸¹

Even though the bishops of New Jersey were behind the enterprise, the reality is that the school and the Archdiocese of Newark were two separate entities, and the

⁷⁷ Ibid.

⁷⁸ "Seton Hall Solution Questioned," *Bergen Record*, July 30, 1964, 1 and 3.

⁷⁹ Ibid. *Report of the Seton Hall Fact-Finding Committee*, 1-16.

⁸⁰ Ibid.

⁸¹ Angelo Baglivo. "Hopes Fade for Establishing Martland Medical School," *Newark Evening News*, October 21, 1960, 23.

financial pipeline was not an automatic one. In a fact-finding study, the prelates were even more on guard regarding the deepening financial picture before them. This institution was independent of Seton Hall University proper and was a unit under separate incorporation apart from the Archdiocese of Newark. Outside of minimal funds obtained from the federal government, foundations and private sources (primarily business organizations of the state), the money invested in the College was supplied through cash advances by the archdiocese and bank borrowings by the separate corporation.⁸² The bank loans representing, for the most part, the deficits accruing from operation of the College since its inception, now totaled over \$7 million.⁸³ It had been stated to the college community that the total investment to date was approximately \$20 million, although the corporation owned none of the buildings occupied by the school.⁸⁴ Thus, the problems of finance led the school to look at an escape plan would not come for years, if ever. Recommendations that the state buy the financially troubled institution became more pronounced at the same time that Rutgers, The State University of New Jersey was planning its own medical school in 1966. It was proposed that New Jersey needed 400 doctors per year to maintain its current doctor to patient ratio; therefore, the introduction of the state university into graduate health education was a serious plan and threat to Seton Hall.⁸⁵

Attempts to Salvage Catholic-Based Medical Education and Transition Talks

⁸² *Report of the Seton Hall Fact-Finding Committee*, 11.

⁸³ *Ibid.*, 10-15. (\$7,050,000 was the exact figure.)

⁸⁴ *Ibid.*

⁸⁵ *Special Report to the President of Seton Hall University*. (South Orange, NJ: Executive Faculty Meeting Report Ad Hoc Committee, December 5, 1961), 3.

By the 1960s, Seton Hall and the Archdiocese of Newark favored an effort to create a graduate school of medicine at the Martland Medical Center in Newark as a change of venue, but legal and logistical problems with Jersey City Medical stood in the way.⁸⁶ The rationale for wanting to change venues came from issues with administrators at Jersey City Medical and the educational program issues that arose, including daily operational problems as well as the basic science classrooms and laboratories that were not satisfactory either in size or functionality and needed to be upgraded for future success.⁸⁷ Additionally, there were internal problems: the faculty voiced grievances in a 1961 report, where they cited that no formal budgets had been established and future development plans were incomplete. There were also issues with scholarship funding, student loans, teacher pensions, and salaries, which all contributed to the financial issues that faced the school beyond small endowments. This made for unrest within the ranks of the school as uncertainty plagued the school infra-structure.⁸⁸ In addition to inner turmoil, the issue of Church teaching in the classroom became a topic of contention. A confidential note about one student whose father wrote to the administration regarding a student who was punished for a public demonstration of faith in the classroom showed there were some problems in terms of conduct and freedom of expression.⁸⁹ These items were considered serious, and the infra-structure contributed to issues that arose between

⁸⁶ Fronczak to Boland, 4.

⁸⁷ *Urban Takeover. Protestants & Other Americans United for Separation of Church & State*, (December, 1962), 13-14. (The organization Protestants and Other Americans United for Separation of Church and State [POAU] tried to bring lawsuits against the school. A series of legal moves made by the POAU could not block the repeated “giveaways” of support to Seton Hall.)

⁸⁸ “Dismiss Suit Against Seton Medical School,” *The Catholic Advocate*, June 11, 1955, 1.

⁸⁹ “Would Void Seton Hall’s College Pact,” *Jersey Journal*, 1960s.

the administration and instructors as charges of inequity decreased support and proved a liability.

Old antagonisms also came to the fore, as those who did not want a Catholic-operated medical school were worried not only about having a religious sponsorship in the first place, but also about any growth in the future. The following quote is offered as representative of a lasting antagonism against taking tax money away from towns by the Church according to certain critics:

In New Jersey, the Roman Catholic university of Seton Hall has been taken to the heart of certain officials who vie with one another in giving away the public's assets. The biggest grab for the school was the \$40 million Jersey City medical center. . . . Public indignation was bitter. An elderly woman picketed Seton Hall with a sandwich sign which read: "Vatican bleeder, go home. True religion lives by faith, not by taxes." The giveaway had to be postponed, but the city fathers and the clerics are only biding their time. The giveaway of public hospitals to the Roman Catholic Church has almost become common practice.⁹⁰

There had also been instances of donations to public hospitals and other religious concerns, but no outcry was made regarding these measures so the bishops had to contend with constant pressure from more militant protestors.

Further protests at this time directed towards the Catholic Church in regard to religious teachings at the medical center remained constant, as well, but took on a judicial edge. An initial suit against the school came in 1955 as Mr. John Gimenz of the Lafayette Methodist Church in Jersey City introduced a complaint against the school and its presence within the area.⁹¹ However, from a legal standpoint, Seton Hall had a lease with

⁹⁰ Ibid.

⁹¹ Ibid.

the city so therefore he had no right to challenge the management and operation of the Medical Center. Rental fees therefore stood unless there was a breach of contract.⁹²

Another major objection that arose against the medical school came in 1958 as the Jersey City Association for Separation of Church and State initiated multiple court actions against the Medical School. They filed a suit in Superior Court against the city, Hudson County and Seton Hall based on Catholic officials having complete control of the hospital.⁹³ The brief noted that there were charges that the affiliation agreement should be rejected. Various reasons were given in regard to the unlawfulness of church participation with some describing the Jersey City Medical School as an “arm of the Roman Catholic Church” in the hospital business, so to speak, as objections continued to mount from those who did not approve of Seton Hall having its connection with this institution.⁹⁴ In more precise terms, “the contention is that the Roman Catholic Church, with the city’s approval, is stepping outside a sphere to which religion has been restricted by federal and state law. Hudson County has been included in the suit.”⁹⁵ The argument was that the city did not derive any benefit from the association and the agreement itself was “vague, uncertain, indefinite” and doesn’t clarify the obligations imposed on either Jersey City or Seton Hall.⁹⁶ The community, “unlawfully and without power,” turned over the hospital’s

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ *Association Starts Seventh Court Action Against Medical School of Catholic University*, *NCWC News Service* (Domestic). January 30, 1961.

⁹⁶ Ibid.

management to the college.⁹⁷ Because of the contract, municipal taxpayers would be affected adversely, since they “will suffer pecuniary damage and loss.”⁹⁸ Also within the complaint, the association noted that the Catholic Church has a ban on the teaching of “birth control and therapeutic abortions,” but also the presence of spiritual symbols and potential bias in regard to fair employment.⁹⁹ There was some merit to this argument, but this attempt by the Association for Separation of Church and State to discredit the school failed, yet at the same time there were other legal complaints against the school in the form of more visible and pressing litigation.¹⁰⁰

The Jersey City Association was persistent in their fight as they took their case to the New Jersey Supreme Court after it was dismissed twice by a lower court.¹⁰¹

Ultimately, the main part of the suit was to block a \$465,000 city bond issue that would provide capital for lab facilities at the Jersey City Medical Center. The suit claimed that a laboratory was being planned directly for the school as a direct violation of church and state separation.¹⁰² In another suit, Seton Hall paid Jersey City \$250,000 to settle back rent discrepancies and local government was satisfied with this return.¹⁰³ However, the Association maintained that the city got only about half of what was due and the overall

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² “Catholic School Gets Split Decision In Church-State Cases,” NCWC News Service (Domestic). February 13, 1961.

¹⁰³ Ibid.

settlement was unfair to taxpayers.¹⁰⁴ Briefs filed with the Supreme Court contain strong language. These documents written by Robert Greenburg, association attorney in the suit against the bond issue, attacked the Seton Hall brief as being “replete with scurrility and vituperation, totally unprofessional, untrue and without basis in the record.”¹⁰⁵ Lawyers James F. X. O’Brien, for Seton Hall, and Meyer Fesin, for Jersey City, countered that the association suit was a sham and a fraud and was “untruthful, impertinent and scandalous.”¹⁰⁶ Mr. Fesin said the laboratory facilities were to be installed in the Medical Center itself, not in a part of the center used by Seton Hall so that all people could benefit from this initiative.¹⁰⁷ This led to a 7-0 vote on February 7, 1961 by the State Supreme Court that dismissed the suit on back rental for use of the Medical Center. However, the \$500,000 bond issue authorized by Jersey City to finance construction of laboratory facilities at the center went back to a familiar debate regarding the expenditure of public funds for religious purposes.¹⁰⁸ Beyond the courts, educational considerations were also part of the challenge at this time.

Still in defensive mode, the school was on precarious, but hopeful footing as the operations went on, but money remained a constant source of concern. The State Board of Education on May 7, 1958 kept the accreditation alive from their end through

¹⁰⁴ Ibid.

¹⁰⁵ *Another Milestone in Medical and Dental Education in New Jersey, Extracts from the Minutes of New Jersey State Board of Education*, May 7, 1958, 1.

¹⁰⁶ Ibid.

¹⁰⁷ Law Offices of Gassert, Murphy & Gassert, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 15, 1958, 1.

¹⁰⁸ Ibid. (Dean James E. McCormack, M.D. went on to say it is “unwise” to go with options that are “subject to the vicissitudes of civic politics.”)

September 1, 1960.¹⁰⁹ Despite this endorsement, there were some troublesome overtones associated with the accreditation questions that arose from critics of the institution.

Internal documents sent via Archbishop Boland through external lawyers describe the situation in more depth.

You may recall the legislative career of this Bill. It was vetoed almost conditionally in full by the Governor on the advice of his then Counsel (the present Chief Justice). There arose a considerable amount of tension between Monsignor, the Governor and his Counsel and Monsignor's attending attorneys for the school and Jersey City, a three-way agreement in which Archbishop Boland was summarily asked to participate and then persuaded the Governor and his Counsel to have the Bill signed after a conference with Governor Meyner.¹¹⁰

Therefore, he went on to state that

the agreement . . . attempts to meet the objections on the above statute based on constitutional questions, raised at the time of its passing. In my opinion its terms do so, in that the appointment of the Medical Director and the members of the Medical Staff are specifically placed in the Municipality (the Mayor). The constitutional objection was and is that the Municipality (or county) as a public body may not transfer public property or the management of a public institution to a private individual, group or corporation. A fortiori and for additional reasons not to a religious corporation, Seton Hall University.”¹¹¹

From here it appeared as though civil influence would govern the future for this medical school.

Tensions continued rising by 1961 between school and Church leadership, as shown in a letter Dean James E. McCormick, M.D. sent to Bishop Dougherty: “my conviction remains that we need endowment funds, scholarship funds, and three physical

¹⁰⁹ James E. McCormack, M.D., Dean of School of Medicine and Dentistry, letter to Rt. Rev. Msgr. John J. Dougherty, Secretary, Board of Trustees Seton Hall College of Medicine and Dentistry, March 8, 1962, 1 and 4. James E. McCormack, M.D., Dean of School of Medicine and Dentistry, letter to Hon. Thomas Gangemi, Mayor of Jersey City, March 8, 1962, 1.

¹¹⁰ James O'Brien, James F.X., Counselor at Law, Newark, NJ, letter to Governor Richard J. Hughes, September 5, 1962, 1.

¹¹¹ “How to Help Seton Hall?” *Jersey Journal*, March 30, 1964, 18.

structures; a university hospital, a student dormitory, and a basic science building which we can call our own.”¹¹² Professors who could earn most of their income by practicing their specialties in the immediate area where their teaching responsibilities are discharged were unhappy with the perpetuation of low salaries; these pecuniary concerns were another aspect of money problems.¹¹³

By March 1962, Dean McCormack resigned from the Advisory Council on account of a conflict between civil officials and educational forces.¹¹⁴ He noted that Jersey City had breached its service agreement and accreditation was threatened. In other words, an agreement whereby the school would be consulted about any professional appointment was breached and issues arose over conflicts with the medical director and civil officials.¹¹⁵ As was expressed, “the Mayor reserves the right to nominate someone other than the school nominee but it should be someone of ‘equal or better qualifications,’” but this interference was not welcomed and recommendations were made to take the clinical portion of the school away from Jersey City and maybe out of state.¹¹⁶ The leadership of the school was now called into question, but the status quo would remain due to contractual obligations despite ongoing problems from within and

¹¹² Ibid. (Editorial commentary continued on this issue within the article: “Whatever the outcome, Jersey City can breathe a sigh of relief as a result of Trenton’s announcement that Seton Hall has been conferring with the state for more than a year. That admission relieves City Hall and the Medical Center of any accusations of incompatibility if the medical school goes elsewhere.”)

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ *White Paper on the Transfer of Seton Hall College of Medicine and Dentistry to the State of New Jersey*. South Orange, NJ: Seton Hall University, March 10, 1965.

¹¹⁶ Student Body of Seton Hall School of Medicine, letter to the Most Reverend Thomas A. Boland, Archbishop of Newark, June 5, 1964.

beyond campus. These suggested moves would eventually prove prophetic as the state was taking even closer notice of the status of the school and its future.

The newly-elected Catholic governor Richard J. Hughes was the first high-level official statewide to envision how a transition could be made. Therefore, an initial call came about as early as September 1962 for institutional representatives including Bishop Dougherty and government officials to talk about turning over the college to the State of New Jersey. Seton Hall did not want the school to collapse, so it did point to its accomplishments. Governor Hughes noted that the medical school had received grant money running into the millions and Seton itself had benefited the economy of New Jersey through salaries paid, building contracts and other aid to the people of the state.¹¹⁷ This was a constant as Governor Hughes noted before he went on to weigh the financial merits for the long term and questioned whether the school could continue to subsist and keep offering benefits to the state, or even improve upon past performance. This contribution to the economy of New Jersey has substantially increased each year.¹¹⁸ Beyond this correspondence, governmental intervention moved ahead to find the most promising alternative.

Within his transition plan, Governor Hughes and legislators wrote about the prescription for a state takeover in a logical manner while illustrating the uniqueness of the only medical school in the world being supported in whole by the Catholic Church.¹¹⁹ He went on to note that despite this status, the ongoing problems with financial reserves

¹¹⁷ Richard J. Hughes. *Special Message to the Legislature – Medical and Dental Education in New Jersey*. November 16, 1964, 1-8.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

remained strong as legal issues were fast causing the government to step in to help the school survive. Furthermore, Governor Hughes noted:

This precipitates a nice political question to which the legislators from many parts of the state will be most sensitive, as will their constituents. Nor will this sensitivity be concerned only with religious feeling. Money is involved, too. There is talk about new, broad-based taxation; even a bill introduced. The state continually cries poverty. How will bailing out a school that cost \$20,000,000 sit with those taxpayers who have neither local pride in nor religious affiliation with the university?¹²⁰

Other thoughts centered on educational entities that could take over as initially Rutgers, the State University located in New Brunswick was not interested because they wished to start their own school from scratch.¹²¹ Hughes then posed the question about other New Jersey schools to potentially fill the void. He asked:

Could some non-public group take it over? Princeton, the foremost eastern university without a medical school, is wealthy enough to support one The Jesuits run a medical school at Georgetown which costs more than \$4 million a year and do it with very little drain because they have the alertness and know-how to bring in federal and foundation funds. They are on the scene already with excellent and growing St. Peter's College.¹²²

With these possibilities on the table, therefore, the archbishop and Seton Hall had an option that would revisit the 1954 vote and ultimately led towards the future of public health education.

With the threat of closure imminent, the Alumni Association of the Seton Hall College of Medicine had gone to their membership and signators, and they wrote to Archbishop Boland with their concerns after a six-month investigation.¹²³ This petition

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Ibid. (Ironically, the Society of Jesus [Jesuits] administered St. Peter's College, which was located in Jersey City blocks away from the Seton Hall Medical School. To this day, Princeton does not have a medical school of its own.)

read in part that there was a grave concern that the political community in Hudson County had interfered in the running of the school. There was a lack of “good faith” and some suspected corruption and wrong-doing which the administration should be active in investigating and rectifying.¹²⁴ Alumni also cited logistics as a concern, with the potential movement of clinical facilities from the Jersey City Medical Center by September 1964 leading to a deep loss of practical experience for the students, especially since the loss of professors who worked with students from the earliest years would be replaced by those who did not know these individuals and their earlier training in detail.¹²⁵

Opponents of transferal argued it would be an incalculable loss. The final event leading to the changeover was the persistent lack of cooperation between the College administration and the members of the Hudson County Medical Society, who represented a very powerful force in this county.¹²⁶ Their cooperation could have been of immeasurable benefit to the school, had their support been enlisted diplomatically.¹²⁷ Additionally, opponents argued, faculty with long term experience should be offered tenure to build institutional prestige. In retrospect, these events were manifestations of the policies of a beleaguered administration that did not have the best interests of Seton Hall in constantly sharp focus and would either lower the prestige of this educational center,

¹²³ *Report of the Seton Hall Fact-Finding Committee*, 3-4. .

¹²⁴ *Ibid.*, 4-7.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, 3-5

¹²⁷ *Ibid.*

or close the school altogether.¹²⁸ A means of correcting the situation was outlined in the following manner:

Therefore, we respectfully offer the following series of propositions. First, it is our fervent hope that the College of Medicine remain under the auspices of Seton Hall University . . . we feel that the multiple advantages, i.e., space for clinical expansion, a unified complex, and most important, a very large clinic patient population, make Medical Center complex the most logical place for the College to continue to exist, until such time that the University can build its own University Hospital. . . . To keep the College's basic operating costs in the black each year, we propose that a professional fund raiser be hired and a permanent office of such be established, as is the practice in most other institutions.¹²⁹

Unfortunately, this approach to fund raising was not feasible as a solution and did not offer enough relief to stem the tide of mounting financial problems. This alumni group went on to express that over one million dollars could be raised annually; although they never said how this could be accomplished, they provided a hopeful basis upon which to try and save their school.¹³⁰ Despite the pleas of the loyal student body, the decision would come down to the bishops of New Jersey who ran the Board of Trustees and had to negotiate with the State of New Jersey.

Aftermath and Conclusions

In its last year, 1964, the Seton Hall University College of Medicine and Dentistry was still active and a bulletin published by the school highlighted an overview of the institution at a crossroads. As the literature pointed out, there still remained a statement of need, but the edge of change was at hand.¹³¹ When it came to the future of budding

¹²⁸ Ibid, 5.

¹²⁹ Ibid., 31-32.

¹³⁰ Ibid., 8.

¹³¹ Ibid., 1-3, 12-13.

medical students from New Jersey, keeping local residents at the school, or even encouraging those from the Garden State to find admission at any of the other 87 medical schools in the United States during the early 1960s was a challenge as the number of slots at any of these training grounds were at a premium.¹³² Despite varied problems with sustaining the Seton Hall medical enterprise, the need to educate physicians to help with the thriving New Jersey pharmaceutical, chemical, and other industries was increasing, whether this education be continued in Jersey City or in another locale. Whether it was private, public, religious-oriented, or secular was not seen to be of prime importance. In more pointed terms, Governor Hughes reiterated this fact in a detailed fact-finding report that read in part:

Finally, the whole pattern of our society presents an increasing need for more medical service. It is not enough for a physician to be licensed to practice. The pace of new developments in procedure and practice and in new drugs is accelerating so rapidly that retraining and refresher programs for licensed practitioners are essential to effective medical care.¹³³

This was a situation that led to more concentrated action on the part of state officials with further debate and a resolution that moved methodically forward. As a result, the question of Seton Hall retaining its medical education facilities was in serious doubt.

Despite initial issues and reticence over transferring Seton Hall Medical to a state-run entity, when it came a “Rutgers Plan;” the management for this transitional switch over to state-control of a medical school it became clear that the best possible resolution of the problem would be for the present sponsor to somehow find a means of continuing to maintain the operation of the college indefinitely:

¹³² Ibid., 13. (This number represents an increase in number: six schools opened nationwide during the time that Seton Hall School of Medicine was active.)

¹³³ “Hughes Calls Buying Med School A Must,” *The Bergen Record*, October 20, 1965.

This solution would be best for the students, for the faculty, and for the State of New Jersey . . . 1. To permit of state assistance, Seton Hall Medical School must sever all connections with any organized church. In order that Rutgers Medical School may offer to the school in Jersey City a measure of university affiliation and administrative support . . . 2. Beyond those students already admitted to Seton Hall Medical School in September of 1964, no further students should be admitted.¹³⁴

In competition with Seton Hall, the Rutgers Medical School was slated to open in 1966 with its first class. They planned to admit 16 students as a starting point, with 64 more expected to enter the program during the following year.¹³⁵ When it came to making this happen, a basic realization came to light. The consensus was that the loss of the medical and dental schools would be devastating and reflect badly on New Jersey and hurt the continuation of education and services that were part of the benefit that this institution provided to the health field.¹³⁶ In the critical area of hospital interns the loss of Seton Hall graduates would be serious. Of the 108 American-educated interns available to New

¹³⁴ Hughes, Special Message to the Legislature – Medical and Dental Education in New Jersey, 1. (Hughes went on to report that New Jersey needed 400 additional physicians and 320 dentists annually to maintain existing ratios of physicians and dentists to our population until the year 1980. “In 1964, 40 New Jersey hospitals required 514 internships, but only 108 of these internships were filled by physicians educated in the United States, 24 of these at Seton Hall College of Medicine. A similar pattern exists as to residences. Admission policies of public medical colleges in other states are leaving fewer places for out-of-state students which means that New Jersey students must seek admission to private schools with their significantly higher tuition rates. New Jersey is the leading pharmaceutical state, and this industry employs large numbers of medical scientists, but of the 5166 students in graduate medical sciences programs in the nation, only 6 were enrolled in full-time study in New Jersey’s only medical school. Rutgers Medical School will admit 16 students in September 1966 to its two-year program, following which they will transfer to a four-year medical school to complete their training. Seton Hall University and the sponsoring agents of its College of Medicine and Dentistry have invested 10 years of development effort and expended more than \$20 million to bring the College to its present status. But the College is burdened with a remaining debt in excess of \$7 million.”)

¹³⁵ *Ibid.*, 5. (Governor Hughes also noted that he would have a veto power over the actions of the Board of Trustees. “The annual budget and the capital development program for all medical and dental education facilities will be subject to review by a temporary commission – the New Jersey Council on Medical and Dental Education – which will function until January 1, 1970 as an advisory body to the Governor and the Legislature.”)

¹³⁶ *Ibid.*, 2.

Jersey hospitals in July 1964, 24 were graduates of Seton Hall School of Medicine.¹³⁷

The next action involved more public pronouncements and the final steps towards adoption.

Editorials and feature stories began to arise in earnest about Governor Hughes and the medical school option. Governor Hughes argued that it was an absolute necessity for the State of New Jersey to take over this school in a speech delivered on October 19, 1964 that led to the appointment of George F. Smith, Chairman of a special committee to investigate further needs.¹³⁸ In regard to this situation, Governor Hughes himself noted,

No more crucial problem has engaged our attention or demanded a resolute and immediate response from those of us entrusted with the stewardship of public office. What is at stake is nothing less than the health and well-being of our fellow citizens and it is our task to act in the service of the people by taking a historic step in the life of our State. Upon us has fallen the challenge of determining whether or not the State should be committed to a new, yet proper, responsibility: a full public program of medical and dental education. It is a responsibility – we must say in candor – that has been too long neglected. However, we now have the opportunity to correct this neglect. By force of circumstance, public attention has been directed on the entire problem of our needs, facilities and plans for medical and dental education in New Jersey. The circumstance, as you know well, was the decision by the sponsor of the Seton Hall College of Medicine and Dentistry that, to use the words of the President of Seton Hall University, Bishop John J. Dougherty, “it can no longer carry the financial burden and therefore turns to the State requesting that it take over at the earliest possible date. The State then is confronted with an unusual and immediate challenge – the possible loss of New Jersey’s only accredited and operational college of medicine and one of the two colleges of dentistry – it was absolutely essential that the entire matter be considered in the most objective and non-partisan manner.”¹³⁹

¹³⁷ Ibid, 2-9.

¹³⁸ *White Paper on the Transfer*, 1.

¹³⁹ Angelo Baglivo. “Med School Hits Snag,” *Newark Evening News*, November 17, 1964, 1 and 20. “State to Take Over Seton Hall Dec. 7,” *Jersey Journal*, November 17, 1964.

This approach would insure that there was some chance that the school could survive this negative period of uncertain future development.

Governor Hughes went on to point out that along with the aforementioned reasons, advanced health research aside from traditional teaching alone would set the bar higher for a state-run medical school.¹⁴⁰ Thus, the need for long-range planning towards the comprehensive development of facilities and programs in regard to all health professions and research capability for growth was envisioned. From here all control and operations associated with the institution would “henceforth be known as the New Jersey College of Medicine and Dentistry, and shall be governed by an independent and separate Board of Trustees appointed by the Governor with the advice and consent of the Senate, for terms expiring on July 1, 1970.”¹⁴¹ With this plan in place, financial compensation to Seton Hall was the only remaining point to consider.¹⁴² As Governor Hughes noted, the indebtedness incurred by Seton Hall continues to be the sole responsibility of the Archdiocese of Newark.¹⁴³ On payment of the \$4 million, Seton Hall University and the see would relinquish all interest in the Medical and Dental School, which led to a recommendation that Seton Hall receive \$4 million to help cover the overall deficit of \$8 million reported by the Archdiocese of Newark.¹⁴⁴ Therefore, when this process went

¹⁴⁰ Ibid. Hughes, *Special Message to the Legislature – Medical and Dental Education in New Jersey*, 2-6.

¹⁴¹ *White Paper on the Transfer*, 3-5.

¹⁴² Ibid., 3-7.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

ahead, there would no longer be a Catholic-sponsored medical school in New Jersey from this point forward.¹⁴⁵

The last step came when legislative issues arose in regard to the takeover of the Seton Hall Medical School by the State of New Jersey. The first difficulty was the bill being 16 votes short of passage during November 1964.¹⁴⁶ A second reading on December 7 of the bill featured an additional \$300,000 appropriation to cover anticipated operating deficits at the school for the first six months of 1965.¹⁴⁷ A companion bill pledged \$5 million as the state promised financial share of the full \$16 million cost of the two-year medical college at Rutgers.¹⁴⁸ Prompt passage was urged by Governor Hughes.¹⁴⁹ That same day, the New Jersey State Legislature all but completed acquisition of Seton Hall Medical and Dental School and its removal from Jersey City. The Assembly passed the proposal by a vote of 60-0. A total of \$4 million would go to Seton Hall (paid directly to Archbishop Boland) and an infusion to Rutgers of \$6 million would be forthcoming as noted. In articulating his appeal for swift legislative action, on December 21, 1964, Governor Hughes signed into law a legislative act which provided purchase by New Jersey of the Seton Hall School of Medicine and Dentistry, and this institution now became the New Jersey College of Medicine and Dentistry, which was under state control and had no affiliation or any relationship with Seton Hall University

¹⁴⁵ "A Closing Speech," *Jersey Journal*, March 15, 1965, 22.

¹⁴⁶ *White Paper on the Transfer*, 1-10. Rev. John J. Dougherty, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, July 14, 1965.

¹⁴⁷ *White Paper on the Transfer*, 1-10.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

whatsoever.¹⁵⁰ Therefore, by July 1, 1970, a centralized school would become a reality through passage of this bill and would later be known more commonly as the University of Medicine and Dentistry of New Jersey until 2013.¹⁵¹

Seton Hall University incurred large deficits and philanthropic assistance did not materialize. Bishop John Dougherty noted:

We have been forced to face the fact that the responsible authorities of the Medical Center and of the City of Jersey City have consistently failed to give this essential cooperation to the College – cooperation which had been pledged and, to a large degree, formally contracted for. Funds and circumstances forced the Medical School to be taken over by the State of New Jersey.¹⁵²

With the political actions taken, Seton Hall was relieved of its medical school despite graduating an average of 70 medical doctors and 35 dentists annually.

An editorial in the *Jersey Journal* from March 1965 summarized the relationship between “town and gown” and the not so fond feelings in parting:

Seton Hall’s bitterness toward Jersey City and Hudson County’s professional societies as the university leased the medical and dental school fields is an unhappy ending to what started as brave pioneering by city and school together. . . . The university found itself unable to carry the financial burden. Seton Hall was never able to get its medical school to the happy estate of Jesuit Georgetown . . . it has developed sources of private and public funds. Jersey City could neither turn its hospital (the Medical Center) over to control of a private school nor could it subsidize such a school more than it did.¹⁵³

¹⁵⁰ *White Paper on the Transfer*, 1-10.

¹⁵¹ Baglivo, “Med School Hits Snag, 1 and 20. “State to Take Over Seton Hall,” “Information on the University of Medicine and Dentistry.” *UMDNJ Homepage*. <http://rbhs.rutgers.edu/landing.html>. (accessed January 10, 2015). (The New Jersey College of Medicine and Dentistry was renamed the University of Medicine and Dentistry of New Jersey in 1981, and later merged its schools with Rutgers, the State University of New Jersey to form the present day Rutgers School of Biomedical and Health Sciences that officially became operational on July 1, 2013. The School of Osteopathic Medicine and Graduate School of Biomedical Sciences became part of Rowan University located in Glassboro.)

¹⁵² *White Paper on the Transfer*, 3-5.

¹⁵³ “A Closing Speech,” 22.

This contributed to a trend of secular-controlled institutions being more prevalent and replacing religious-oriented entities. Also, this situation showed further assimilation as Governor Hughes, a Catholic, undertook this action to benefit the welfare of the state at a time when the Church itself was undergoing its own re-evaluation through discussions in sessions conducted at the Second Vatican Council that had global and local impact alike.

Chapter 7

CATHOLIC LEADERSHIP IN CHURCH AND STATE CIRCLES – RICHARD J. HUGHES AND VATICAN II REFORM

Introduction

The height of Catholic activity and devotionism during the twentieth century came during the Cold War era, as it was important to show allegiance to the flag and the faith; however, at the same time it was a time of challenging conventional norms within the Church which became more evident as the 1950s moved forward. As Catholic historian Jay P. Dolan notes in his overview of this transitional time and its place in American society:

By the end of the 1950s, Catholicism in the United States had clearly come of age. More accepted . . . Catholics entered the 1950s confident about their place in American Society. Being Catholic was indeed compatible with being American . . . record numbers of converts, record numbers of priests and nuns, and numerous new churches; a new Pope in 1958 charmed the world and also contributed to a sense of Catholic boosterism . . . A rising concern for social and racial justice pointed out the flaws and limitations of a parochial Catholicism. An emerging laity, determined to become active apostles in church and society, were challenging the hegemony of the clergy.¹

He goes on to note the powerful lure of “suburbia” and its appeal where “moral integrity” was under attack. He further observes that the old ways of urban Catholicism and the immigrant experience were being replaced by fuller assimilation of those who moved outside of tighter quarters and closer proximity to their parish from city streets with problems “out of sight and out of mind” making life more convenient, but less spiritually intense on the whole.² Even with ceremonial aspects of Catholicism still active and

¹ Jay P. Dolan, *The American Catholic Experience – A History from Colonial Times to the Present*. (Garden City, NY: Image Books, 1985), 417.

² Ibid., 381-382.

adhered to regardless of place, the lure of secular comforts came with the Americanization of individuals who survived the Great Depression and returned from World War II, as noted in earlier chapters. This pattern of seeking better living circumstances was a harbinger of the 1960s, which became a decade of drastic social change in various ways as drastic changes were afoot within the lives of most American Catholics.¹

Although many average Catholics might not have gone to church on a regular basis, they often showed their allegiance through monetary contributions which, after all, demonstrated a measure of pride and altruism that they chose to support their religion while aiding an enterprise that relied on capital to survive in the institutional sense. For example, Archbishop Thomas Boland began a development campaign in 1961, whereby he asked for \$25 million, but received \$5 million over the pledge goal.² Most of this money went into a treasury for expansion of parochial prep schools, homes for the aged, and the seminary. However, as inflation increased and priorities shifted many of the planned improvements never reached completion; and this showed that support was generally consistent, but often only partially successful as goals envisioned by the bishops could not always be attained despite their best pleas and intentions.³ Another type of giving option for many Catholics, especially in this era, was volunteerism and

¹ Ibid.

² *Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1961-1962*. (South Orange, NJ: Seton Hall University, 1961). *New Jersey's First Medical – Dental College, The Seton Hall School of Medicine and Dentistry*. South Orange, NJ: Seton Hall University, 1950s. *A Blueprint for Health Progress in New Jersey – Seton Hall College of Medicine and Dentistry*. (South Orange, NJ: Seton Hall University, 1957), 1-17.

³ *The Bishops of Newark, 1853-1978, The First 125 Years of the Archdiocese of Newark As Seen Through the Lives and Administrations of the Seven Men Who Have Been Its Leaders*. (South Orange, NJ: Seton Hall University Press, 1978), 143-144.

donation on behalf of political causes, along with selected parish life initiatives. Through the case study of Richard J. Hughes, we will examine how the transformation of American social and political life in New Jersey influenced and were impacted by an Irish-American Catholic.

Public Leadership and Church Question - General Terms

The issue of church-state interaction has always been a complex one, but when a Catholic candidate was on the ballot, he usually had to make extra sure to bypass his personal beliefs in order to serve a wider citizenry.⁴ Individuals who have followed their own religious path have earned elected office since the beginning of the republic, but according to oath they are supposed to keep their beliefs separate from their duties in service to their respective constituency.⁵ However, this principle is easier envisioned than acted upon. In other words, the concept “that public spirit will always be opposed by private interest” is one that faced politicians on a regular basis.⁶ This also was something that affected many Catholics who questioned their faith and found more openness when it came to various social issues that arose. This was especially true among politicians who reached the highest levels of government, aside from those who had already made it as ward leaders, mayors, and members of the state legislature, among other local offices. An issue that any public servant deals with when it comes to religion centers upon the question of balance. Following a civic or spiritual path on decision-making was, therefore, a perpetual conundrum on both sides, and showed that many believe that faith

⁴ Clarke E. Cochran, “Normative Dimensions of Religion and Politics,” in Charles W. Dunn, ed. *Religion in American Politics*. (Washington, D.C.: Congressional Quarterly, Inc., 1989), 51-54.

⁵ Ibid.

⁶ Ibid., 52.

is still a factor if not clearly evident at least strongly implied especially when it came to reconciliation of the “religious vote.”⁷ Pressure from the hierarchy played a role in lobbying for or against a position on issues including gaming, commerce, and education, as noted in previous chapters.⁸ Campaigning techniques, block voting potential, and agendas from numerous different quarters helped to keep the religious issue alive throughout the twentieth century.

The political rhetoric of this time is important to note as item, time, and circumstances are part of any law making decision. As author Clarke E. Cochran noted,

Religion brings politics to awareness of the highest, lowest, and most mysterious, sometimes lofty, features of life. Politics, better acquainted with the lowest, brings religious passion and self-assurance to awareness of the middle ground between the highest and the lowest; that is, it teaches religion the necessity and the art of compromise. . . . Religious passion finds it difficult to compromise, to acknowledge how striving after perfection founders on human politics, especially of participatory public life, lies in confrontation with the ideas and the interests of others, with the mosaic of human frailty and plurality. . . . Left to itself, politics seeks the easy, painless way. High principles make for difficult political choices, for it is painful to confront higher things, to acknowledge the possibility of something better and to accept the discipline necessary to reach it.⁹

Complexities remained as those who belonged to the Church continued to move forward with uncertainty, but in a hopeful manner. With the increased status of Catholics after World War II, the need for politicians to carefully craft a public persona and consider their constituents with divergent views was a perpetual challenge. More educational

⁷ Ibid., 54-60.

⁸ John F. Wilson and Donald L. Drakeman, eds. *Church and State in American History – Key Documents, Decisions, and Commentary from the Past Three Centuries*. 3rd ed. (Cambridge, MA: Westview Press, 2003), 165.

⁹ Cochran in Dunn, 53.

opportunities along with further secular experiences helped Catholic politicians find their place in higher office and navigate more effectively as a result.¹⁰

The Catholic pipeline into public life was never a constitutional problem, as freedom of religion was endorsed. However, when it came to governance in action, making sure faith is not a factor if the welfare of an individual and those they represented was in question and remained a concern. In other words, the issue of church-state and elected official-bishop dynamics can be summed up in the following manner:

They are not agents of the Church, nor are they representatives (or even necessarily representative) of their coreligionists. But they *should* conduct themselves as good Catholics, in or out of office. The best interests of the entire country determine what the position of the individual Catholic legislator or administrator should be. There can be, and indeed are, instances where an individual Catholic lawmaker or administrator must in conscience vote or administer contrary to the expressed wishes of the Catholic hierarchy and large segments of the laity. This is due to the fact (too little known to non-Catholics) that one Catholic will not necessarily agree with any other Catholic on purely temporal matters, even though the other Catholic happens to be his bishop. . . . Of course, in areas of dogma where the Church, as differentiated from individual churchmen, has spoken, the Catholic is bound in conscience to act in accordance with the moral law, as expounded by the Church. But this obligation to follow conscience is no less binding upon non-Catholics, although they may elect, as long as they are outside the Church, to disagree on specific moral issues.¹¹

Therefore, the loudest and most prevalent voices tended to find the most attention and votes on Election Day.

Finding the widest audience possible, the electronic pulpit is one that also helped spread the word of politicians, as it did that of the clergy. The 1950s-60s was a time when

¹⁰ Mary T. Hanna, *Catholics and American Politics*. (Cambridge, MA: Harvard University Press, 1979), 115.

¹¹ Daniel F. Cleary, "Catholics and Politics," in *Catholicism in America - A Series of Articles From Commonweal*. (New York: Harcourt, Brace and Company, 1954.), 102.

exposure was extended beyond radio and newspapers, and television became a prime factor to consider. This made the coverage of deeds of politicians more immediate and detailed. In the post-war period, bishops often did not publicly endorse or condemn political candidates by name, but rather by policy. As a majority of prelates were Irish Catholics, they were assumed to be in line with the Democratic Party ideals, based on a shared ethnicity and tradition.¹² Paradoxically, the hierarchy tended to favor Republicans privately, as many bishops did not want to share the limelight, or have to vie with a competing leader of the same faith, or were personally more conservative.¹³ On a more grass roots level, members of the clergy and nuns tended to side with Democrats when voting, but political organizational loyalty was typically superseded by what issues had been endorsed, or not, favored by their respective superiors.¹⁴ Aside from generalities, one common factor that connected almost all churchmen and women was the shared rallying against Communism, which was especially high during the uncertain 1950s.¹⁵ Pastoral letters written by the bishops of New Jersey went beyond anti-communism and praised the benefits of an egalitarian government.

¹² William V. Shannon. *The American Irish*. (New York: The Macmillan Company, 1964), 46-53. Joel Schwartz. *The Development of New Jersey Society*. New Jersey History Series 10. (Trenton, NJ: New Jersey Historical Commission Department of State, 1997), 56-57. (Mass media and politics are two forces that are prevalent influences among most Americans and Garden State residents in particular. As Shannon alluded to, and Schwartz noted in broader terms. "Millions of Americans were drawn into a radio community whose center happened to be New Jersey Electronic waves crossed the boundaries of neighborhood, class, and ethnic group. Like the commercials they broadcast, they helped tie the country into one society." Schwartz went on to note that government like the media *reinforces* community.)

¹³ Mary Hanna, "Bishops as Political Leaders," in Charles W. Dunn, ed. *Religion in American Politics*. (Washington, D.C.: Congressional Quarterly, Inc., 1989.), 76-81.

¹⁴ Dolan, 222-223 and 355-356.

¹⁵ James M. O'Neill. *Catholics in Controversy*. (New York: McMullen Books, Inc., 1954.), 162-166.

In the world of Pre-Vatican II America and its nod to the traditions of the formal Church, the *Catholic Advocate* of the Archdiocese of Newark reproduced an address by Cardinal Alfredo Ottavani, Pro-Secretary of the Holy Office, which was especially timely in light of the legislative initiatives that would face New Jersey throughout the early-late 1950s. His address entitled “Duties of the Catholic State towards Religion,” published in March 1953, offered an outline illustrating and reinforcing the concept that democratic freedom was approved of by all American prelates, but with the unyielding caveat of anything that goes against “God’s Law” must be challenged. Cardinal Ottavani wrote:

The state, properly speaking, cannot fulfil an act of religion (the state is a simple symbol of a union of institutions); . . . “An immediate illation from the order of ethical and theological truth to the order of constitutional law is, in principle, dialectically inadmissible.” That is, the obligation of the state to worship God can never enter into the constitutional sphere. 3. Finally, even for a state composed of Catholics there is no obligation to protect that religion, that becomes operative only in certain circumstances, precisely when the freedom of the Church cannot otherwise be assured. . . . Men in society are no less under subjection to God than they are as individuals, and civil society, no less than individuals, is a debtor to God. . . . Speaking on, the august Pontiff shows the disastrous consequences, even to liberty and the rights of man, that come from such an error: “Once the authority of God and the rule of His law is thus denied, by inescapable consequence the civil power tends to attribute to itself an absolute authority that belongs to the Supreme Maker alone, and to put itself in the place of the Almighty, raising the state or the collective while to the rank of the ultimate purpose in life, to the highest place of judgment upon the moral and judicial order.”¹⁶

The need for separation was obvious through two different areas of influence, and other main considerations including that of having the Church retain its power of operational freedom without influence from the secular world like the Soviet Union, or the strong religious influence in the political realm as found in Ireland. However, the United States

¹⁶ “Cardinal Ottavani’s Address Defines Duties of Catholic State to Religion,” *The Catholic Advocate*, May 16, 1953, 4-5. (The term *illation* translated into English means: “to draw a conclusion.”)

as a pluralistic nation is one in which the division of church and state is unique.¹⁷ Within this sphere, New Jersey was among the most diverse places in the United States, and as such served as a microcosm of the nation.

Although Catholics rose in socio-economic status and had some success with winning political office through the 1950s, when it came to top posts, a stigma still remained among those who did still worry about the ultimate word from the Catholic hierarchy and questions of allegiance. Some outside the Church thought that when Catholics were elected to office, their desire to follow papal authority would supersede their desire to uphold the United States Constitution.¹⁸ It was also an issue as other religious denominations had their own teachings and doctrines beyond the Bible, Torah, or Quran, for example, which could cause conflict, so it was a matter of personal belief with a multitude of secular factors to keep in mind. When it comes to objections to Catholic legislators they were, and are, entrusted by the public to unprejudicially uphold the law regardless of their personal values and regardless of pressures placed upon them from their priest and bishop.¹⁹ The importance of following the path of civic responsibility would also help Catholic interests, especially first with the consideration of John F. Kennedy, an Irish Catholic for President and paved the way for Richard J. Hughes, who mirrored this success afterwards on a state level within New Jersey.²⁰

¹⁷ John Coleman Bennett, "Patterns of Church-State Relations-Grounds for Separation," in Wilson and Drakeman, 177-179.

¹⁸ Darryl Hart, *A Secular Faith – Why Christianity Favors the Separation of Church and State*. (Chicago: Ivan R. Dee, 2006), 154.

¹⁹ Ibid, 150-161.

²⁰ Ibid. Cleary, 97. (This passage further reads: "Catholics are in politics as they are in all phases of American life. But Catholics are not engaged in politics as Catholics. Politically speaking, to be a Catholic in the United States usually means merely to be an American who happens to be a Catholic. This

Richard J. Hughes – First Catholic Governor of New Jersey, and Religious Reconciliation

As noted, most, but not all Catholics gravitated toward the Democratic Party, which was a natural alliance as this organization most identified itself with immigrant groups and the “rank and file” of the population. This demographic is where candidates of the faith traditionally drew their voting strength.²¹ Richard J. Hughes was the first Catholic governor of New Jersey and one among few born of Irish heritage to lead the Garden State prior to his ascendancy to this post during the early 1960s. His success came in the wake of the campaign of John F. Kennedy, who was the first Catholic President and was a second-generation American from Irish heritage. Questions still remained among some non-Catholics as to if allegiance and actions made by these politicians would be determined by the pope or if they could faithfully follow the United States Constitution.²²

is as it should be. As voters, however, American Catholics have had a considerable impact on the nation's political life. Catholics should vote as their conscience dictates, with the needs of the times and the common good kept in mind. They do not always do so. Neither do the rest of Americans. Conscientious voting presumes a study of issues and an intelligent appraisal of the candidates in a campaign. That takes more effort than many voters are willing to make, since it is not easy to understand our foreign and domestic problems.”)

²¹ Cleary, 98.

²² John T. McGreevy, *Catholicism and American Freedom – A History*. (New York: W.W. Norton & Company, 2003.), 213. Hanna in Dunn, 148. Malcolm E. Jewell and Samuel C. Patterson. *The Legislative Process in the United States*. (New York: Random House, 1966.), 112-115. (Alfred E. Smith, former New York governor, ran for the presidency as the Democratic standard bearer in 1928, but suffered in a landslide election. His loss of the election was attributed in large measure to his faith, although he did receive great support in various New Jersey cities, and Hudson County in particular, despite losing the electoral vote. Despite Smith's loss of the election, his run helped to pave the way for Kennedy's successful 1960 run. In 1957, 40% of legislators in the state were Catholic or Jewish. “In the Democratic Landslide of 1958 Catholics were finally elected to the United States Congress in numbers approximating their percentage in the American population. A total of 90 Catholics were elected to the House of Representatives and twelve to the Senate, making them the largest single religious body in the Congress. In 1960, the *Congressional Quarterly* for the first time in 1960 published tables showing the religious makeup of the Congress.”)

The success associated with Kennedy also led to a trend whereby not only Irish priests rose in prestige, but many Catholics involved in all areas of politics found greater esteem in turn. This path initially started during the nineteenth century and continued. In moving forward,

The Irish brought to American politics two advantages other immigrants did not have: a knowledge of the English language and an acquaintance with the dominant Anglo-American culture. In addition to a common language and a shared culture, they had gifts of organization and eloquence, a sense of cohesion, and the beginnings of a political tradition in the nationalist agitation in Ireland.²³

Without a tradition of having power for several generations, the Irish were starting anew and finding their way in a more democratic society. American Catholics on the whole were more in tune with the mainstream by the mid-twentieth century, as socio-economic circumstances had improved for many at this juncture.²⁴ When the early 1960s approached, the bishops of New Jersey needed to take the candidacy of a president and governor seriously.²⁵ As noted, the Republican factor among the hierarchy was a recurring issue and as a result President Kennedy did not have the best relationship with Catholic bishops, as there were certain implied jealousies on both sides and both vied, at least indirectly, for the minds and hearts of Catholic America, making the political dynamic somewhat uneasy.²⁶ Otherwise, Kennedy was very popular with most Catholic

²³ Shannon, 60. (Although many émigrés from Ireland at this time could speak English, a large number were more fluent in Irish as a first language.)

²⁴ Dolan, 349-352 and 421-423.

²⁵ Cleary, 101. (Further details by the author are made in reference to the religious factor in political life. "To be a Catholic in America, as elsewhere, carries with it the responsibility to live in such a way as to bring nothing but credit on the Church. There are undoubtedly some Catholic politicians who parade their membership in the Church and make political capital out of it but whose political conduct leaves much to be desired. But there are, happily, many examples of Catholics in elective public office who are a credit to their Church.")

²⁶ Shannon, 394-398.

voters when he ran for the presidency in 1960. Out of 6,067,412 individuals living in the state, a rise of 1.2 million since 1950 also concurrently led to a 22,000 plurality and the electoral vote from New Jersey went to Kennedy in this election.²⁷ Although unpopular with other religious groups and geographically within the South and Midwest, for example, his popularity among Catholics remained with a 70% approval rating on average throughout 1961.²⁸ Factors that helped lead to the success of Richard J. Hughes in his run for the governorship that same year were aided not only by the popularity of Kennedy, but his visits on behalf of the Democrats and closer relations between both men and their advisors.²⁹ Therefore, the melding of church and state from a Catholic perspective converged during the early 1960s, with the presence of Richard J. Hughes as the first to hold the top elective position in New Jersey. Hughes found leadership parity with the hierarchy, but swore to represent all the people, not just his co-religionists.

Richard J. Hughes (1909-1992), was born in Florence, New Jersey. He was raised a Catholic and considered the priesthood in his youth prior to abandoning this plan in order to enter the secular world.³⁰ He graduated from Cathedral High School in Trenton and then attended St. Charles Seminary in Maryland for a short time before moving on to St. Joseph's College in Philadelphia.³¹ After graduation, Hughes attended the Rutgers

²⁷ "Kennedy Retains Jersey In Canvass," *New York Times*, December 7, 1960.

²⁸ George J. Marlin, *The American Catholic Voter, 200 Years of Political Impact*. (South Bend, IN: St. Augustine's Press, 2004), Marlin, xviii.

²⁹ Alvin S. Felzberg, Alvin S. "The Making of a Governor: The Early Political Career of Richard J. Hughes," *New Jersey History*, Spring/Summer, 1983, 200.

³⁰ Paul A. Stellhorn and Michael J. Birkner, eds. *The Governors of New Jersey 1664-1974, Biographical Essays*. Trenton, NJ: New Jersey Historical Commission, 1982), 223.

³¹ Ibid. (Hughes was asked to leave St. Charles, which accounted for his transferring to St. Joseph's College, the Jesuit College of Philadelphia. The typical curriculum of any Society of Jesus institution centers on the *Ratio Studiorum*, from the Latin for "Plan of Studies" created in 1599 which

School of Law (Newark) in 1931.³² He later became a federal prosecutor prior to his tenure as both a county court and superior court judge from 1948-52 and 1952-61 respectively.³³

The starting point towards higher political office for Hughes came about when he was chosen as a compromise candidate based on his personal background and judicial reputation. During the Kennedy campaign, Thorn Lord, a Democrat and Protestant, ran against incumbent Clifford Case, a popular choice and sure winner for the United States Senate. Lord knew that he would likely lose and his main role was to help Kennedy win without any questions over having fellow Catholic candidates on the slate.³⁴ Hughes was then chosen the following year to challenge Governor Meyner who was having trouble within his own party which opened up an opportunity for more religious diversity in this office.³⁵

However, during the 1961 election, Hughes faced a popular candidate in James P. Mitchell, former U.S. Secretary of Labor and also a Catholic, which neutralized the campaign from a religious perspective.³⁶ The prelates of New Jersey, as predicted, were not vocal on this election with Archbishop Boland, and Bishops Ahr, Damiano, and McNulty not openly endorsing any candidate except through policy; they did not make

centers upon classical subjects including philosophy, theology, Latin and Greek, among other liberal arts offerings.)

³² Ibid., 223-224.

³³ "Governors of New Jersey," from the New Jersey State Library On-Line. (Available from http://www.njstatelib.org/NJ_Information/Digital_Collections/Governors_of_New_Jersey/GHUGH.pdf. Internet accessed 25 July 2014), 1. Felzberg, 165.

³⁴ John B. Wefing, *The Life and Times of Richard J. Hughes, The Politics of Civility*. (New Brunswick, NJ: Rivergate Books, 2009), 47-48.

³⁵ Ibid., 46-56.

³⁶ Wefing, 224.

known their displeasure with any particular candidates, per se.³⁷ New Jersey had a large Catholic population and the test of popularity came down to campaigning where Hughes was able to best Mitchell, especially his support of civil rights legislation as one of the major components articulated during his campaign.³⁸ In what was considered a major upset, Hughes defeated Mitchell, 1,084,194 votes to 1,049,274 and won 11 of the 21 counties statewide.³⁹

Shows of religious practice were mixed with civil ceremony as part of the inaugural day for Hughes on January 16, 1962. Newspaper accounts reported that Hughes received Holy Communion during morning Mass at Blessed Sacrament, his home parish where he attended Mass every day. Hughes then assisted at a Votive Mass in honor of the Holy Spirit at St. Mary's Cathedral, Trenton, attended by over 1,000 well wishers.⁴⁰ Hughes took the oath of office with hand placed on a family Bible upon his favored passage, Acts 10:34-35, which reads: "Now I understand that God is not a respecter of persons, but in every nation he who fears him and does what is right is acceptable to him."⁴¹ He went on to state in his inaugural address:

Having taken an oath before Almighty God, I stand here in full awareness of my particular and heavy responsibility as Chief Executive of the State of New Jersey. . . . For as I stand before you today I sense as I did during the campaign, a new spirit, a new pride of the people. It is this pride, tempted by the humility of an abiding trust in the Almighty, which

³⁷ *The Catholic Advocate*, July-November, 1961.

³⁸ Wefing, 58. (The Catholic population in New Jersey for 1960 numbered 2,408,817. This included 1,508 priests.)

³⁹ *Ibid.*, 63. Stellhorn and Birkner, eds., 224. *New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition*. (Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963), 224.

⁴⁰ Wefing, 64.

⁴¹ "Hughes Starts Day at Mass," *Newark Star-Ledger*, January 16, 1962, 1.

convinces me of our ability as a people, together, to look with hope upon the sobering face of the modern world.⁴²

He also looked to the future in his rhetoric and spoke mainly to the wider audience about the political issues facing New Jersey; in rounding out the day and its symbolism, and he mentioned racial equality, social justice in the economy, and service, as well.⁴³

Biographer John Wefing notes that the governor never compromised on his religious beliefs when making decisions and expressing them publicly.⁴⁴ As a barometer, there is little existing correspondence with any member of the hierarchy outside of invitation cards and polite notes regarding ceremonial events, which shows a cordial distance.⁴⁵ Thus, religious pressure was not often put into correspondence that lasted, in this case. Other influences did reach Hughes, however. One commentator said: “Hughes’s religious training contributed to the political values he articulated as Governor and to the political style he exhibited in office. His theological pursuits taught him to accept imperfections in human nature, work for change within established social structures and institutions, and place the needs of the community ahead of those of the individual.”⁴⁶

⁴² Wefing, 68. *Inaugural Address Richard J. Hughes, Governor of New Jersey to the Legislature*. (January 16, 1962), 1.

⁴³ Inaugural Address, 8.

⁴⁴ Wefing, 1, 10, 64, 283.

⁴⁵ Ibid.

⁴⁶ Wefing, 10. Felzberg, 198. (Hughes himself did joke in private and made allusion to his religious roots in line with political role: “A close adviser of Hughes’s also used the religion analogy to describe Hughes’s concept of party. Jokingly, he observed, that his boss regarded the governor as the secular equivalent of a cardinal, the county chairman the counter-parts of bishops and the district leaders the equivalents of parish priests. Not surprisingly, the aide continued, Hughes’ concept of party casted the President of the United States, when he was a Democrat, in the role of an American pope. ‘After all, he was nominated by a college of cardinals in the old days and often evoked the doctrine of infallibility!’ he concluded.”)

Hughes came from a very religious family, which was evident in his decision to study for the priesthood and in his brother eventually receiving Holy Orders. Hughes also publicly noted that his political hero was Thomas More, which is revealing in that the latter was a lawyer and social philosopher from the sixteenth century who was also the last Catholic Lord Chancellor under Henry VIII before the conversion of England to Anglicanism and its subjugation to the state.⁴⁷ After he terminated his formal religious studies, Hughes acted out these teachings first as a party leader, later as governor, and ultimately as Chief Justice.”⁴⁸ Otherwise, when it came to government issues in “human terms” a speech by Hughes outlined his philosophy, in that

the common good must include the many needs of man: his education, recreation, his health and safety. For society requires sound, well-balanced citizens for its health and safety. . . . Further, a sense of social justice flows naturally from any concept of the common good to a just concern for the less fortunate who, through circumstances often beyond their control, find themselves in need of a helping hand. Let us never forget that government is the people’s instrument for joint accomplishment.⁴⁹

The needs of all people of New Jersey were again part of the focus that Hughes outlined and promised to work with as he moved forward during the course of his administration.

Many political decisions made by Hughes did involve religious themes in various ways. For example, the most telling case came in 1962 as the United States Supreme Court decision of *Engel v. Vitale* dealt with the First Amendment of the United States Constitution and the establishment of religion through governmental means. More

⁴⁷ Felzberg, 4.

⁴⁸ Ibid., 163.

⁴⁹ Richard J. Hughes, *First Annual Message Richard J. Hughes, Governor of New Jersey to the Legislature*, (January 8, 1963), 29.

specifically, this case centered upon prayer in the public schools.⁵⁰ The majority response came down in favor of the status quo, but Hughes went against popularity to uphold the law. As Wefing explains, “Many people in New Jersey and the many other states that permitted school prayers were enraged by the court’s decision. . . . Hughes responded in two ways. First, he affirmed the role of the United States Supreme Court in interpreting the United States Constitution and the need of the people to respect those decisions.”⁵¹ Hughes also pointed out that the New Jersey Supreme Court had upheld the national ruling, so it was a matter of respecting this choice despite any personal objections to the contrary.⁵²

Even though Hughes attended a Catholic college, he also had first-hand exposure to public schools and divergent ideas.⁵³ In addition, he sought compromise as those who wished to have public prayer could start their own school, but afterwards the Supreme Court reversed itself and it became more of a choice on a state-by-state basis.⁵⁴ The New Jersey Council of Churches did not favor the decision, but it was not until June 18, 1963 when Hughes noted that he disagreed philosophically with the verdict and that he would not like to see all mention of God vanish from schools, but reiterated his support for the

⁵⁰ Wefing, 75-76. United States Courts Facts and Case Summary: Engel v. Vitale Referenced 12/10/2014 www.uscourts.gov/educational-resources/get-involved/constitution-activities/first-amendment/freedom-religion/facts-case-summary.aspx (The ruling in the Supreme Court was 8-1 in favor of doing away with the prayer in public school. “Justice [William O.] Douglas noted that financial and aid to religious schools violates the Establishment Clause. Public promotion of religion has no place in the public schools.”)

⁵¹ Ibid.

⁵² Ibid.

⁵³ Stellhorn and Birkner, 223.

⁵⁴ Wefing, 75-76 and 299-300.

verdict and interpretation of the law.⁵⁵ Hughes still supported the wishes of his constituency and personally supported prayer, but he sided with the federal government and their stance on the issue. He went on to serve two terms as governor and later became the Chief Justice of the State Supreme Court. Hughes had opened the door for other Irish Catholic governors in Brendan Byrne and William Cahill prior to the end of the century. His ideals remained, but the balance between church and state still remain an unresolved debate.

The Second Vatican Council and Its Connection To Church-State Relations

The conservative hierarchy of the 1950s found that the election of Pope John XXIII resulted in adjustments throughout the Church when he called for an ecclesiastical congress to address the state of affairs and implement needed changes. The Second Vatican Council lasted from 1962-65, and its focus had ramifications on how the secular world responded, as well. The Council resulted in a

reformed liturgy and ritual, but it also moved the church into far greater participation in world and political affairs. The council stressed that the church as an institution and Catholics in general had a positive obligation to involve themselves in the problems of the world; it issued a series of documents that denounced various political, social, and economic ills—poverty, illiteracy, political repression—as morally wrong under Christian doctrine; and it urged Catholics to work to alleviate them.⁵⁶

This set the tone of renewal within the Church that led to the revisions that modernized the way Catholics worshipped and how perceptions of the faith developed across the board.

⁵⁵ Wefing, 75-76.

⁵⁶ Hanna in Dunn, 76.

The Council would ultimately lead to input regarding Church doctrine from the hierarchy and eventual implementation of these moves. The institutional aspects of the religion had been “modernized” and tradition-minded bishops who led their respective sees had to adapt as a result of these new policies. This would become a revolutionary period which brought with it a more liberal treatment of the Mass.⁵⁷ The Vatican would confirm that ultimate salvation lies with being a Catholic, but at the same time would endorse ecumenism and engage the laity as never before in Church celebrations and shared respect.⁵⁸ The hierarchy would still be a source of leadership, yet they faced more challenges from the early 1960s onward. Theological underpinnings fortified the authority of each bishop in how they led and ministered to their respective congregations:

The Catholic theory of authority is not at all a simple theory, but it is easily understandable if one bears in mind that it is founded on certain religious beliefs. It rests on the supposition that God the Creator is the sole source of authority, whatever its character; any authority in human hands is necessarily a grant from God to man. As part of the divine plan of the universe, authority is willed by God, and for a purpose. God has granted His authority so that men can do His bidding on earth.⁵⁹

Therefore, prelates had a renewed focus and base from which to advocate for further adherence to the core of Church values among all members of the faith.

Within the United States, those changes brought on by the Second Vatican Council came at a time at which American society was also undergoing a more vocal revolution in advocating fair treatment of all individuals regardless of race, ethnicity, and

⁵⁷ Dolan, 423-426.

⁵⁸ Ibid.

⁵⁹ Currin V. Shields. *Democracy and Catholicism in America*. (New York: McGraw-Hill Book Company, Inc., 1958), 135-136.

religious belief.⁶⁰ The finalized Council regulations within this country had appeal to all groups, as it was about perception and how the leadership would become more open and less rigid in their actions towards the wider world.⁶¹ Part of this change in regard to those who disagreed with traditional ways was outlined in the following manner:

The Council was a public and systematic admission by the Church that it had been in error for centuries on precisely those points where it had been so long criticized. The liturgy (the beginning point in so many conversions) was remote and unintelligible; it had been rendered not only into the vernacular but also vulgarized. Nuns were “medieval” in their dress and life styles; they would, with a vengeance, show how modern they could be. Priestly celibacy was unnatural; large numbers of priests would marry. Religious vows had been condemned as unbiblical since the days of Luther; tens of thousands of religious would repudiate them. The reaction had to be set in motion. Popular devotions (the daily spiritual meat of so many Catholics) had long been branded as superstitious; they were now attacked even from Catholic pulpits. Parochial schools were narrow and divisive; Catholic writers would exalt secular education, bishops would begin dismantling their school systems, and religious orders . . . showing Catholics how to come to terms with the sexual revolution.⁶²

Each of these changes was hoped for by many, but only some would be adopted in the short run. When it came to the hierarchy, they gained or retained some advantages among younger parishioners in particular through having the Mass said in English (instead of Latin) which more natives could understand, weekly attendance at Mass (instead of daily), and parochial schools (or separate Catechism classes for public students as an alternative) would remain in-tact. This was part of the equation whereby bishops had to realize a new age had begun for all Catholics, for good or ill.

⁶⁰ Dolan, 424.

⁶¹ James Hitchcock. *On the Present Position of Catholics in America*. (New York: National Committee of Catholic Laymen, Inc., 1978), 8.

⁶² Ibid.

Overall, at the final stages of the Council, the results that arose from countless meetings, debates, and documents came out in the following manner, and the conclusions are summarized in the following passage:

The Council is credited with three general results, all viewed as greatly affecting Church participation in social and political concerns. First, it was seen as having helped break down psychological and physical barriers between the Church and the “world.” One of the main effects of the Council, said a priest, was “the contact made between Church and world. The Council showed that the division wasn’t airtight.”⁶³

The lasting message, it seems, from the Council was that not only had the practice of Catholicism changed, but so, too, would the approach made by prelates who had to adapt and proclaim the new protocols. Many were now going about their new charge with unexpected zeal and a “conversion experience” towards the adoption of changes.⁶⁴ Those who were conservative

were now the progressives, the reformers, and this was unusual. In the 1940s and 1950s, reform came from below, from priests and laity. After Vatican II, reform began to come from the top as well. This put the bishops out in front and exposed them to criticism as well as praise. This new style of episcopal leadership was only one of many changes ushered in by the Council. More fundamental was the change in devotional life.⁶⁵

The questioning of Catholics by the secular world continued, and the hierarchy was encountering a whole new wave of issues, as the Church had changed.

The lasting legacy that came from the Council was a time whereby a new world of thought and practice awaited the hierarchy and Catholic laity alike. Societal influences challenged the ability of Church officials to maintain a unified voice:

⁶³ Hanna in Dunn, 79.

⁶⁴ Dolan, 428-430.

⁶⁵ Ibid., 429.

In a church whose spokesmen had hitherto been bishops and priests the new lay voices raised controversies with religious as well as political consequences. They inaugurated a period of fragmentation which accelerated dramatically in the 1960s when church reforms initiated the Second Vatican Council coincided with social upheavals-secularization, civil rights, Vietnam, and the “sexual revolution” in the United States. In 1950 the U.S. Catholic church spoke with one voice and regarded itself as a homogenous body. By 1970 even the appearance of unanimity had vanished.⁶⁶

These circumstances taken as a whole led to a more modern Church, and the leadership efforts exerted by the hierarchy faced a more constrained future as the laity became more selective in what parts of their religion they chose to follow or ignore. Although both spheres still survive, the modern Catholic is one who listens, but follows the commands of the bishop less blindly than ever before.

⁶⁶ Patrick Allitt. *Catholic Intellectuals and Conservative Politics in America, 1950-1985*. (Ithaca, NY: Cornell University Press, 1993), 5.

Chapter 8

SUMMARY AND CONCLUSIONS

This study has covered the Catholic bishops of New Jersey and their involvement in the lives of their followers: most specifically, how the hierarchy dealt with a greater society and the dynamics of church and state issues on different levels. When the Catholic Church in New Jersey was in its infancy during the American Revolution, there were fewer than one thousand who belonged to the faith; by the time of the Second Vatican Council, the Church was larger than all other religious groups in the Garden State combined.

As many historians found and my research has corroborated, a great deal of the Catholic populace had over the years adhered to Church teaching with almost blind obedience, before things were questioned and changed to a degree. Loyalty to the Church was something that was present before World War II and afterwards, but the tide had changed. Therefore, when it came to the forces of faith and morals, Catholics were expected to follow the hierarchy without question and challenge. This became an antiquated notion; thus, this concept became more difficult to enforce after the 1940s. The worldliness and experience made timeliness morality a secondary consideration for many Catholics as they moved into a new phase of testing limits of adherence.

As outlined throughout this study, this period of change resulted in a number of different factors which faced Catholics in New Jersey within the post-Council world, which brought greater assimilation given the election of President Kennedy and the acceptance of the religion as never before. Included among the changes were these:

Young Catholic married couples in the 1950s, enjoying postwar prosperity, had very large numbers of children; then quite suddenly in the

early 1960s, coinciding with the introduction of the birth-control pill. Catholic family size dropped sharply. It was at this same time that the number of vocations, of young Catholics choosing to become priests and nuns, dropped suddenly too. Now Catholics seemed much more like other Americans.¹

Assimilation became more commonplace as members of the faith, especially the Irish, the largest subset of Catholics in the United States, were more restless and were keen for change, as shown again in the example posed by President Kennedy, Governor Hughes, and others who attained power in their chosen professional path.² With the election of these two Irish-Catholic laymen was shown conspicuous success that encouraged the desire for emulation. Conversely, from a vocational standpoint, the clergy who chose a vow of poverty, obedience, and chastity became even more distant and thus, the pool of future bishops had lessened. Despite fewer ordinations, respect for the priesthood remained, but when it came to making a commitment the lure of mainstream comforts tended to be a more attractive lifestyle for the majority. For American Catholics this was even more evident with the allure of the Kennedy family story and successful rise of Governor Hughes as visible models. Furthermore, American society had become even more diverse in various ways: “The fact that the 1960s was such an activist decade in general a time when many new groups entered the political arena and when wide-spread participation became a rallying cry made acceptance of intensified Catholic political activity easier.”³ This was the call that was felt by Church leadership and the laity, as well.

¹ George J. Marlin. *The American Catholic Voter, 200 Years of Political Impact*,. (South Bend, IN: St. Augustine’s Press, 2004), xviii.

² Ibid., 261.

³ Mary Hanna, “Bishops as Political Leaders,” in Charles W. Dunn, ed. *Religion in American Politics*. (Washington, D.C.: Congressional Quarterly, Inc., 1989.), 75.

(An) increased willingness to challenge their bishops on issues such as the closing of parishes and parochial schools. . . . More and more Catholics believe they alone have responsibility for making decisions on faith and morals and, according to most studies, more and more people are doing just that. The decline in recognition of episcopal authority has many roots. . . . Catholics were increasingly exposed to American culture's suspicion of social institutions, especially ones that are hierarchically organized. Also, Vatican II urged Catholics to take responsibility for their own faith, thus shifting the locus of authority from the hierarchy to one's personal conscience. Other influences have included changes in rules many people thought were unchangeable.⁴

When it came to additional instances of individual appeal, the following of a prelate became less attractive as the revolution of the time period and the new wave came to the fore as illustrated in the following overview:

With the convening of the Second Vatican Council in 1962, the Roman Catholic Church began to change. One of the most significant internal changes was an increased recognition of the role of the laity within the church; the church was more often described as "the people of God." This more inclusive terminology gave new credibility to the role of all people, clerical and lay, within the church. As a consequence of this new theological understanding of the church, the role of nonclerics within the church has been greatly enhanced in the last two decades. No longer is the church structure seen only in terms of priests, bishops, and the pope.⁵

The change was not only among the people, but also through members of the hierarchy, as they saw the changes and charges that arose from the Council as something that helped to liberalize Church leadership in a more profound and outward manner. As older bishops had to change from traditional canons, younger ordinaries were the ones who would have a lasting responsibility to change perceptions towards the Church.

⁴ James D. Davidson. *Catholicism in Motion – The Church in American Society*. (Liguori, MO: Liguori/Triumph, 2005), 88.

⁵ Thomas J. O'Hara, "The Multifaceted Catholic Lobby," in Charles W. Dunn, ed. *Religion in American Politics*. (Washington, D.C.: Congressional Quarterly, Inc., 1989.), 137-138.

Around 1970, for example, the Irish-American population numbered only around 6% who came from Ireland proper, or were even the first generation at this time.⁶ This was a significantly lower percentage than a generation prior, and no bishops of direct Irish birth among the hierarchy after the Vatican Council had concluded could be found among any top Church leaders in New Jersey.⁷ Although direct ties to Ireland were distant, most could still note Irish extraction with Archbishops Boland, Gerety, McCarrick, and Meyers of Newark who served with Bishops Guilfoyle, McHugh, DiMarzio, Galante, Sullivan (Camden), Hughes, Breen, Bootkowski (Metuchen), Navagh, Casey, Rodimer, and Seratelli (Paterson), and Ahr, Reiss, Smith, and O'Connor of Trenton, who led their respective dioceses over the last six decades.⁸ Even with the strong Hibernian presence, after the 1960s in particular, the era of dominant Irish Church leaders was ending nationwide, as a higher number of Italians, Slavs, and now Hispanic and African-American bishops has now made the Universal Church less parochial and more diverse, still bound to the faith, but more understanding and less rigid.⁹ The change in message regarding social justice was something that became more prevalent than before, anti racism, helping the poor, urban planning especially in the cities of New Jersey, and other issues were at the forefront.¹⁰

⁶ Barbara Cunningham, ed. *The New Jersey Ethnic Experience*. (Union City, NJ: Wm. H. Wise & Co., 1977), 273.

⁷ Ibid. (This lack of Irish-born prelates who lead any New Jersey diocese remains in-tact to the present day.)

⁸ "Bishops." *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November 20, 2007).

⁹ Hanna in Dunn, 81.

¹⁰ Marlin, 264.

Within specific issues covered here, the Medical School was taken over by Rutgers, The State University as per the original plan of 1964 and a period where it was known as the University of Medicine and Dentistry of New Jersey (UMDNJ), but regardless has always remained under state control in the post Seton Hall period. Gaming is still regulated and charities are still allowed legal leeway, but personal gambling is not only permissible under regulations at racetracks, casinos in Atlantic City, and other select locales, but is legal as an on-line option as well. “Blue Laws” themselves are selective, and this is one issue that could not be justifiably enforced as the moral argument lost out to growing commercial demands. Bergen County remains the lone hold-out on no Sunday shopping outside of essential services. Otherwise, for the Church complications from abuse scandals that have come to light, gender inequity (lack of women priests), pro-life stance, and other controversial issues have faced the modern day bishop who is holding on to a place of respect by virtue of his office and charge, but the world has changed and technology and secularism have become more attractive to a larger number of Catholics. Additionally, the influence that bishops have on the faithful was also tested, as such factors as low circulation among Catholic newspapers, parochial school closures, declining birth rate, and related negative trends were major issues that have worked together to threaten the Church in the world of today.

Americanization of the Catholic population in New Jersey and throughout the nation was commonplace, as most European groups had become assimilated with first, second, and third generations by the new millennium.¹¹ It became less important to hold

¹¹ Hanna in Dunn, 80-81. “Traditional Large Family of American Catholics is No Longer the Norm,” *Family Planning Perspective*, July-August 1978, 240-241. (In looking at population and shifting demographics, for example, a study in the late 1970s by Princeton demographers Charles Westoff and Elise Jones looked at the factors of family planning, birth control and Catholic assimilation into the mainstream.

on to traditional ways as capitalism and the finding the most satisfactory means of survival became the primary goal.¹² Although blind allegiance was the norm, some positives came with the modern era of Church development that has lasted into this new and present age:

The new generation of bishops differs from its predecessors in age, ethnicity education, experience, and outlook. The new breed of bishop was formed by the Vatican Council and by the tumultuous decade of the 1960s. These bishops benefited both from the upward mobility and acceptance Catholics had achieved in American society and from the council's insistence that the church and churchmen should be involved in the world.¹³

This is an ideal that has persisted and marked a change from the days of stricter adherence and strength of message by bishops of yore. When it came to the late 1960s and 1970s and beyond, many individual priests, nuns, laymen and women who were on the front line, in the field and on the streets helped to make the Church attractive and helped with advocacy, especially with civil rights and other key social issues.¹⁴

They found that between 1951-55 the "completed fertility" among Catholics was an average of 3.54 children which was 12% greater than that of non-Catholics. By 1971-75, the average went down to 2.32 births among Catholics.)

¹² Ibid. Davidson, 136. (In a poll that studies both pre- and post-Vatican II devotion, a number of Catholics were asked a series of questions that included: "Is being a Catholic an important part of who you are?" To which 90% said yes prior to the 1960s and 78% afterwards. In addition, a query whether the Catholic Church is the most important thing in your life resulted in a 66% positive response rate during the 1950s and 38% after Vatican II.)

¹³ Ibid., 81.

¹⁴ Ibid., 79. Joel Schwartz. *The Development of New Jersey Society*. New Jersey History Series 10. (Trenton, NJ: New Jersey Historical Commission Department of State, 1997), 60. (Along with social advocacy, those with a religious focus had to deal with other larger issues in the course of their duties. "By the 1960s, the urban-industrial order that had taken three generations to build was beginning to pull apart. It was frayed by success at home and challenges abroad. Prosperity brought the enormous growth of 'postindustrial' society, an economy less dependent on factories in crowded cities and more dependent on suburban corporations that processed financial data or developed high-tech products. At the same time, traditional family values were undermined by lifestyles in roomy suburban homes. This erosion accelerated in the 1970s and 1980s, as global forces brought inflation, overseas completion, and renewed waves of immigration.)

Regardless of circumstance and level of popularity, the leadership role of bishops has continued forward. It is their duty to perpetually advocate for their Church within a religiously diverse society, and although a change in approach has taken place, the core themes remain.

In sum, the Catholic Church in New Jersey has evolved from a popular religion with a rigid hierarchy mostly of Irish heritage with a centuries-long tradition of firm rules with a mainly compliant congregation. As Americanization and modernity affected those who lived through the Great Depression, World War II, and beyond the Cold War into the Post-Vatican Council world of more liberal thought, changes have made the Church more liberal and the control of bishops has lessened, but is still present. Different interpretations can be made regarding this new status, but overall it is a case of an old foundation which has been changed forever. The Catholic Church has been marked by a more pronounced move by the state to keep religion in a separate sphere, but government officials and secular Americans respect the Church and its hierarchy, as well. The global world, as with New Jersey, is now a different entity and one that will see future change in the Church as it struggles to cope in a rapidly changing world.

WORKS CITED

A Blueprint for Health Progress in New Jersey – Seton Hall College of Medicine and Dentistry. South Orange, NJ: Seton Hall University, 1957.

“A Call to Clarification of Laws on Gambling to End the Farcical Situations Which Clog Enforcement,” *Paterson Evening News*, January 18, 1945.

A Catholic Layman Letter to Rt. Rev. Mgr. James C. Hughes, Chancellor, Catholic Diocese of Newark, February 5, 1945.

“A Catholic President?” *The Catholic Advocate*, November 28, 1953.

“A Closing Speech,” *Jersey Journal*, March 15, 1965.

“Advocate and Archdiocese,” *The Catholic Advocate*, December 30, 1951.

“Advocate Gets Results,” *The Catholic Advocate*, February 4, 1956.

Allitt, Patrick. *Catholic Intellectuals and Conservative Politics in America, 1950-1985.* Ithaca, NY: Cornell University Press, 1993.

Anderson, Floyd. “Ask Statewide Legislation on Sunday Shops,” *The Catholic Advocate*, March 17, 1956.

Anderson, Floyd. “Legislators Introduce Bills Against ‘Sunday Shops’ Supreme Court Reverses Decision On Sunday Sales,” *The Catholic Advocate*, January 21, 1956.

Anderson, Floyd. “More Towns Ask Sunday Shop Ban,” *The Catholic Advocate*, April 14, 1956.

Anderson, Floyd. “Paramus Adopts Sunday Shop Law,” *The Catholic Advocate*, April 6, 1957.

Anderson, Floyd. “Sunday Law ‘Hottest Thing’ in Legislature,” *The Catholic Advocate*, January 28, 1956.

Anderson, Floyd. “Sunday Shopping’ Stirring State,” *The Catholic Advocate*, October 23, 1956.

Anderson, Floyd. “The Scandalous Growth in New Jersey Sunday Shopping,” *The Catholic Advocate*, 1956.

Another Milestone in Medical and Dental Education in New Jersey, Extracts from the Minutes of New Jersey State Board of Education, May 7, 1958.

Asbury, Edith Evans. "The Bingo Addict: A Social Problem," *New York Times*, October 13, 1954.

"Assembly Passes Sunday Closing Law," *The Catholic Advocate*, June 28, 1958.

Association Starts Seventh Court Action Against Medical School of Catholic University, NCWC News Service (Domestic). January 30, 1961.

"At the 1948 Session of the Legislature," Report Document, (Trenton, NJ, 1948).

Baglivo, Angelo. "Hopes Fade for Establishing Martland Medical School," *Newark Evening News*, October 21, 1960.

Baglivo, Angelo. "Med School Hits Snag," *Newark Evening News*, November 17, 1964.

Baker, John Henry. *Church and State in New Jersey Public Education*. PhD diss., Princeton University, 1961.

"Bingo Alias Gets By Police," 1953.

"Bingo and Reason," *The Catholic Advocate*, April 23, 1953.

"Bingo Arguments Revived in Jersey," *New York Times*, April 17, 1954.

"Bingo Legislation Is Issue In Jersey," *New York Times*, October 17, 1949.

"Bingo," *Our Lady of Czestochowa Church Report*. Jersey City, NJ, February 2, 1942.

"Bingo, Pro and Con, Preached in Jersey," *New York Times*, November 2, 1953.

"Bingo Rises Again As Issue In Jersey," *New York Times*, November 5, 1949.

"Bingo Wins In Runaway," *Trenton Times*, November 4, 1953.

"Bishop McLaughlin Would Revamp Laws on Gambling," *Paterson Evening News*, January 18, 1945.

"Bishop Says Gambling Laws Need Rewriting," 1945.

"Bishops." *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November 20, 2007).

"Bishops Warn of Secularist Threat to U.S.," *The Catholic Advocate*, November 22, 1952.

- Blanshard, Paul. *American Freedom and Catholic Power*. Boston: The Beacon Press, 1949.
- Blanshard, Paul. *The Irish and Catholic Power – An American Interpretation*. Boston: Beacon Press, 1953.
- “Blue Laws.” *Free Legal Dictionary On-Line*. <http://legal-dictionary.thefreedictionary.com/Blue+Laws>. (accessed August 5, 2013).
- Boland, Archbishop Thomas A. letter to Priests concerning Referendum on the State Medical-Dental School, October 27, 1954.
- Bouscaren, T. Lincoln, S.J. and Adam C. Ellis, S.J. *Canon Law, A Text and Commentary*. Milwaukee: The Bruce Publishing Company, 1951.
- Brady, Joseph H. *Confusion Twice Confounded, The First Amendment and the Supreme Court – An Historical Study*. South Orange, NJ: Seton Hall University Press, 1954.
- Brady, Rev. Joseph, S.T.D., Ph.D. *The Most Reverend Thomas Joseph Walsh, S.T.D. J.C.D.* South Orange, NJ: Seton Hall College, 1950.
- Brady, Rev. Msgr. Joseph H. “Investigation Long Overdue,” *The Catholic Advocate*.
- “Brogan Outlaws Bingo Games in Charge to Jury,” *Hudson Dispatch*, January 1945.
- Burns, Gene. *The Frontiers of Catholicism: The Politics of Ideology in a Liberal World*. Berkeley, CA: University of California Press, 1994.
- “Cardinal Ottavani’s Address Defines Duties of Catholic State to Religion,” *The Catholic Advocate*, May 16, 1953.
- “Cardinal Stritch Outlines Law on Sunday Shopping,” *The Catholic Advocate*, 1957.
- Carlin, David. *The Decline and Fall of the Catholic Church in America*. Manchester, NH: Sophia Institute Press, 2003.
- Carnes, Mark, C., ed. *The Columbia History of Post-World War II America*. New York: Columbia University Press, 2007.
- Catholic Directory*. New York: PJ Kenedy, 1954.
- “Catholic Hierarchy.” *Catholic Hierarchy On-Line*. <http://www.catholic-hierarchy.org>. (accessed November 20, 2007).
- “Catholic School Gets Split Decision In Church-State Cases,” NCWC News Service

(Domestic). February 13, 1961.

“Catholics in U.S. Now Are 32 ½ Million,” *The Catholic Advocate*, May 28, 1955.

Catholicism in America - A Series of Articles From Commonweal. New York: Harcourt, Brace and Company, 1954.

Charles, R.H. *Gambling & Betting, A Short Study Dealing With Their Origin And Their Relation To Morality And Religion*. Edinburgh: T. & T. Clark, 1928.

“Church Council Raps Bingo; Meyner for Bi-Party Bill,” *Paterson Evening News*, May 13, 1953.

“Church Group Opposes Ballot,” *Sunday News*, May 17, 1953.

“Churches in Jersey Differ on Bingo Vote,” *New York Times*, October 31, 1953.

Clary, Rt. Rev. John C.M. Vicar-General of Archdiocese of Newark. letter, undated.

“Clergyman Hits Gambling Opinion,” *Newark Evening News*, January 1945.

“Colford Sees Bingo Ban Revenge For Defeat of Edge’s Constitution,” *Hudson Dispatch*, February 13, 1945.

“Congress and the Bishops,” *The Catholic Advocate*, January 5, 1952.

Cooney, John. *The American Pope. The Life and Times of Francis Cardinal Spellman*. New York: Times Books, 1984.

“Court Tells Car Dealers to Stay Closed Sunday,” *The Catholic Advocate*, February 9, 1957.

“Court Urges Sunday Sales Study,” *The Catholic Advocate*, October 26, 1957.

“Courts Act Against Sunday Laws in S. Orange, Union,” *The Catholic Advocate*, July 28, 1956.

Cunningham, Barbara, ed. *The New Jersey Ethnic Experience*. Union City, NJ: Wm. H. Wise & Co., 1977.

Curley, Augustine J., ed. *New Jersey Catholicism: An Annotated Bibliography*. South Orange, NJ: New Jersey Catholic Historical Records Commission, 1999.

Czarnogorak, Rev. James P., Rector of the Our Lady of Czestochowa, Jersey City, letter to Most Rev. Thomas J. Walsh, Archbishop of Newark, January 19, 1942.

D'Agostino, Peter R. *Rome in America – Transitional Catholic Ideology from the Risorgimento to Fascism*. Chapel Hill, NC: University of North Carolina Press, 2004.

Davidson, James D. *Catholicism in Motion, The Church in American Society*. Ligouri, MO: Ligouri/Triumph, 2003.

Davis, Derek H., ed. *The Oxford Handbook of Church and State in the United States*. New York: Oxford University Press, 2010.

“Delaware Senate Defeats Bingo,” *The Catholic Advocate*, July, 25 1953.

“Democratic Victory,” *The (Trenton) Evening Times*, 1961.

“Dismiss Suit Against Seton Medical School,” *The Catholic Advocate*, June 11, 1955.

“Doctors Urge a ‘No-Vote’ on Referendum Authorizing State Medical-Dental School,” *The Catholic Advocate*, October, 30 1954.

Dolan, Jay P. *The American Catholic Experience – A History from Colonial Times to the Present*. Garden City, NY: Image Books, 1985.

Dougherty, Rev. John J. “Freedom From and Freedom For” *Christian in Action*, November, 23 1952.

Dougherty, Rev. John J., letter to Most Reverend Thomas A. Boland, Archbishop of Newark, July 14, 1965.

Dougherty, Rev John J. *The Christian in Action, Freedom From and Freedom For*. Washington, D.C.: National Council of Catholic Men, 1952.

Dougherty, John J. *The Complete Catholic*. Paterson, NJ: St. Anthony’s Guild, 1955.

Driscoll, Governor Alfred I., press release, June 9 1952.

“Drive on Bingo Assailed,” *New York Times*, April 13, 1953.

Dunn, Charles W., ed. *Religion in American Politics*. Washington, D.C.: Congressional Quarterly, Inc., 1989.

“Duties of Catholic State,” *The Catholic Advocate*, May 14, 1953.

Eberhardt, Newman C., C.M. *A Survey of American Church History*. St. Louis: B. Herder Book Company, 1964.

“Ecclesiastical Seminary.” *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/>

cathen/02581b.htm. (accessed November, 20, 2007).

“Economics and Morals,” *The Catholic Advocate*, August 7, 1954.

“Editorials on Medical School Referendum,” *The Catholic Advocate*, October 30, 1954.

“Election Day,” *The Catholic Advocate*, November 5, 1955.

Ellis, John Tracy, ed. *Documents of American Catholic History*. Milwaukee: The Bruce Publishing Company, 1956.

Ellwood, Robert S. *1950 – Crossroads of American Religious Life*. Louisville, KY: Westminster John Knox Press, 2000.

“Encyclicals.” *Catholic Encyclopedia On-Line*. <http://www.newadvent.org/cathen/02581b.htm>. (accessed November 20, 2007).

Farley, James, “Bingo,” 22 January 22, 1954.

Felzberg, Alvin S. “The Making of a Governor: The Early Political Career of Richard J. Hughes,” *New Jersey History*, Spring/Summer, 1983.

“500 Merchants Asking State Law On Sunday Shops,” *The Catholic Advocate*, May 11, 1957.

Flynn, Joseph P. *The Catholic Church in New Jersey*. Morristown, NJ, 1904.

Fogarty, Gerald P. *The Vatican and the American Hierarchy From 1870 to 1965*. Wilmington, DE: Michael Glazier, 1985

Formicola, Jo Renée and Hubert Morken. *Everson Revisited – Religion, Education, and Law at the Crossroads*. Lanham, MD: Rowman & Littlefield Publishers, Inc., 1997.

Formicola, Jo Renée. “Everson Revisited: “This Is Not...Just a Little Case Over Bus Fares,” *Polity*, Fall 1995.

Founders’ Projects for New Jersey’s First College of Medicine and Dentistry. South Orange, NJ: Seton Hall University, 1957.

“‘Four-Square Behind’ Dem Slate, Says Kenny,” *Jersey Journal*, November 8, 1949.

Fronczak, Msgr. M.I. Fronczak, Liaison Officer Medical School, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 2, 1958.

Gallagher, John A. “Discerning the Future of the American Catholic Health Care

- Ministry,” *National Catholic Bioethics Quarterly*, Summer 2013.
- Gassert, Frederick J. Gassert, Lawyer letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 19, 1961.
- Gassert, Frederick J., Counsel of Gassert and Murphy Counselors at Law Report, May 7, 1965.
- Giglio, Rev. Msgr. Charles J. *Building God’s Kingdom – A History of the Diocese of Camden*. South Orange, NJ: Seton Hall University Press, 1987.
- Goldberg, George. *Church, State And The Constitution*. Washington, D.C.: Regnery Gateway, 1987.
- “Good Work on Bingo!” *Hudson Dispatch*, May 27, 1953.
- “Gov. Meyner Talks on Bingo, Sunday Shops With Holy Name Men,” *The Catholic Advocate*, March 17, 1956.
- “Governor Backs Bingo Advocates,” *New York Times*, January 25, 1955.
- “Governor Signs Sunday Sales Ban,” *The Catholic Advocate*, August 8, 1958.
- “Governors of New Jersey.” *New Jersey State Library On-Line*. http://www.njstatelib.Org.NJ_Information/Digital_Collections/Governors_of_New_Jersey/GHUGH.pdf (accessed July 25, 2014).
- “Grand Jury Sounds Bingo Death Knell,” *The Jersey Journal*, February 7, 1947.
- Hanna, Mary T. *Catholics and American Politics*. Cambridge, MA: Harvard University Press, 1979.
- Hart, Darryl. *A Secular Faith – Why Christianity Favors the Separation of Church and State*. Chicago: Ivan R. Dee, 2006
- Harvey, Paul and Philip Goff, ed. *The Columbia Documentary History of Religion in America Since 1945*. New York: Columbia University Press, 2005.
- Hennessey, James, S.J. “United States Relations With Rome, 1789-1992,” *The American Catholic Heritage – Reflections on the Growth and Influence of the Catholic Church in the United States*. Rome: Pontifical North American College, 1992.
- “Historical Overview of Jesuit (and Other Catholic and Religiously Affiliated) Health Sciences Schools.” *Jesuit History*. <http://welie.net/Jesuit/history%20health%20sciences%20schools.htm>. (accessed February 10, 2014).

“History of Hospitals in Archdiocese Reveals Charity of the People.” *Archdiocese of Newark Homepage History and Archives*. http://www.rcan.org/index.cfm?fuseaction=feature.display&feature_ID=102. (accessed May 1, 2014).

Hitchcock, James. *On the Present Position of Catholics in America*. New York: National Committee of Catholic Laymen, Inc., 1978.

“Holy Name Protests ‘Sunday Shops’; Dayton Chains Halt Sunday Sales,” *The Catholic Advocate*, November 24, 1956.

Honig, Milton. “New Jersey’s Ban On Sunday Sales Is Upset By Court,” *New York Times*, May 9, 1959.

“How to Help Seton Hall?” *Jersey Journal*, March 30, 1964.

“Hudson County’s Bingo Games Appear to Be Doomed by Law,” *New York Times*, February 4, 1945.

“Hudson Machine a Big Factor in Its Victory by 659,944 to 189,116 – Early Action on Needed Legislation Is Urged,” *New York Times*, November 6, 1947.

“Hughes Calls Buying Med School A Must,” *The Bergen Record*, October 20, 1965.

Hughes, Richard J. “*A Moral Recommitment for New Jersey*,” *Special Message to the Legislature*, April 25, 1968.

Hughes, Richard J. *First Annual Message Richard J. Hughes, Governor of New Jersey to the Legislature*. Trenton, NJ, January 8, 1963.

“Hughes, Richard J.” *New Jersey State Library Internet*. http://www.njstatelib.org/NJ_Information/Digital_Collections/Governors_of_New_Jersey/GHUGH.pdf. (accessed May 2, 2015).

Hughes, Richard J. *Special Message to the Legislature – Medical and Dental Education in New Jersey*. November 16, 1964.

“Hughes Starts Day at Mass,” *Newark Star-Ledger*, January 16, 1962.

“Hughes Wins by 40,000 Votes,” *Camden Courier-Post*, November 8, 1961.

Hunt, Robert P. and Kenneth L. Grasso. *John Courtney Murray and the American Civil Conversation*. Grand Rapids, MI: William B. Eerdmans Publishing Company, 1992.

“I Won’t Shop on Sunday,” *The Catholic Advocate*, August 15, 1958.

“In Their Hands,” Seton Hall College of Medicine & Dentistry. South Orange, NJ: Seton

Hall University, 1954-55.

Inaugural Address Richard J. Hughes, Governor of New Jersey to the Legislature.,
Trenton, NJ. January 16, 1962.

Inaugural Day – Seton Hall College of Medicine and Dentistry. Jersey City, NJ: Seton
Hall University, 1954.

“Information on the University of Medicine and Dentistry.” *UMDNJ Homepage*.
<http://rbhs.rutgers.edu/landing.html>. (accessed January 10, 2015).

“Inquest Starts Own Bingo Probe,” *Jersey Journal*, January 16, 1945.

Introduction for Dr. Lewis C. Fritts, President of the Medical Society of New Jersey at
the opening of the Seton Hall School of Medicine and Dentistry by Rev. Michael
I. Fronczak, 1956.

“Irish Sweepstakes.” *Encyclopedia Britannica Online*. [http://www.britannica.com/
EBchecked/topic/294177/Irish-Sweepstakes](http://www.britannica.com/EBchecked/topic/294177/Irish-Sweepstakes). (accessed July 27, 2013).

Issues on the Referendum for a State Medical-Dental School and Health Center. Jersey
City, NJ: Seton Hall University, 1954.

Jeanes, Rev. S.A., General Secretary of the Lord’s Day Alliance of New Jersey and
Legislative secretary of the New Jersey Conference on Christian Legislation, at
the public hearing on Senate Concurrent Resolutions 8, 9, and 10 dealing with
Bingo and Raffles. June 15, 1953.

“Jersey Car Raffle Ruled No Violation,” *New York Times*, April 21, 1953.

“Jersey City Approves Lease; State License Is Received,” *The Catholic Advocate*,
November 20, 1954.

“Jersey Churches at Odds With Bingo,” *New York Times*, October 31, 1953, 18.

“Jersey Long Enamored of Bingo; Raffles and ‘50-50’ Also Popular,” *New York Times*,
April 21, 1954.

Jewell, Malcom E. and Samuel C. Patterson. *The Legislative Process in the United States*.
New York: Random House, 1966.

“Jones Proposes Legalized Bingo,” *Hudson Dispatch*, February 13, 1945.

Judkins, William F., Jr. “Public Voices Its Concern Over Sunday Sales in State,” *The
Catholic Advocate*, March 22, 1958.

- Judkins, William F., Jr. "Seton Hall's Medical and Dental School," *The Catholic Advocate*, August 21, 1954.
- Judkins, William F., Jr. "Sunday Shops Defy Paramus Ordinance," *The Catholic Advocate*, November 23, 1957.
- "Kennedy Retains Jersey In Canvass," *New York Times*, December 7, 1960.
- "Kenny Reaffirms Support of Wene," *Hudson Dispatch*, November 8, 1949.
- Kerwin, Jerome G. *Catholic Viewpoint on Church and State*. Garden City, NY: Hanover House, 1960.
- "Kilmurray Assails McGovern Bingo Blast," *Jersey Journal*, February 14, 1945.
- Kosmin, Barry A. and Seymour P. Lachman. *One Nation Under God – Religion in Contemporary American Society*. New York: Harmony Books, 1993.
- Kupke, Raymond J. *Living Stones – A History of the Catholic Church in the Diocese of Paterson*. Clifton, NJ: Diocese of Paterson, 1987.
- "Labor Plea Fails At Jersey Hearing," *New York Times*, August 6, 1947.
- Labor's Stake in New Jersey's First College of Medicine and Dentistry*. Jersey City, NJ: Seton Hall College of Medicine and Dentistry, 1950s.
- Lamb, George. *Tolerance and the Catholic: A Symposium*. New York: Sheed and Ward, 1955.
- Law Offices of Gassert, Murphy & Gassert, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 15, 1958.
- Leahy, Rev. Walter. *The Catholic Church of the Diocese of Trenton, NJ*. Princeton, NJ: Princeton University Press, 1906.
- Lee, Robert and Martin E. Marty. *Religion and Social Conflict. Based upon Lectures given at the Institute of Ethics and Society at San Francisco Theological Seminary*. New York: Oxford University Press, 1964.
- "Legalized Bingo Fought In Jersey," *New York Times*, July 29, 1947.
- "Legislators Introduce Bills Against Sunday Shops," *The Catholic Advocate*, January 21, 1956.
- Legislature of New Jersey Session Report*. Trenton, NJ: State of New Jersey, 1948.

- Leinwand, Gerald. *Mackeral in the Moonlight: Four Corrupt American Mayors*. Jefferson, NC: McFarland & Company, Inc., 2004.
- Lissner, Will. "Playing of Bingo Held Not Immoral," *New York Times*, January 21, 1955.
- "Local Poet Throws Darts At Bingo Ban As Meyner Stops In Surprise Visit To Square-Dancing Demos," May 1953.
- MacKinnon, George, letter to Governor Robert Meyner, February 1, 1954.
- Marlin, George J. *The American Catholic Voter, 200 Years of Political Impact*. South Bend, IN: St. Augustine's Press, 2004.
- Marty, Martin E. *An Invitation to American Catholic History*. Chicago: The Thomas More Press, 1986.
- "Matthew 21:12-13." *Bible Gateway.com On-Line*. <https://www.biblegateway.com/passage/?search=Matthew+21%3A12%E2%80%9313&version=KJV> Internet;. (accessed June 22, 2013).
- Maynard, Theodore. *The Story of American Catholicism*. New York: The Macmillan Company, 1954.
- Mazo, Earl. "Mayor Kenny Invites Voters To Play Bingo With Police," *Herald Tribune*, May 14, 1953.
- McCormack, James E., M.D., Dean of School of Medicine and Dentistry, letter to Hon. Thomas Gangemi, Mayor of Jersey City, March 8, 1962.
- McCormack, James E., M.D., Dean of School of Medicine and Dentistry, letter to Rt. Rev. Msgr. John J. Dougherty, Secretary, Board of Trustees Seton Hall College of Medicine and Dentistry, March 8, 1962.
- McCoy, Rev. James N., President of the New Jersey Council of Christian Churches, letter to Robert B. Meyner, September 28, 1953.
- McGreevy, John T. *Catholicism and American Freedom – A History*. New York: W.W. Norton & Company, 2003.
- McNulty, Rt. Rev. Msgr. John L., President of Seton Hall University, letter to Most Reverend Thomas A. Boland, Archbishop of Newark, October 24, 1958.
- Mechling, Jay, ed. *Church, State and Public Policy – The New Shape of the Church-State Debate*. Washington, D.C.: American Enterprise Institute for Public Policy Research, 1978.

“Mediator Dei.” *Pope Pius XII, November 20, 1947*. http://www.vatican.va/holy_father/pius_xii/encyclicals/20111947_mediator-dei_en.html. (accessed October 11, 2013).

Meeting Minutes of New Jersey State Legislative Council Minutes, Trenton, NJ: Stacy-Trent Hotel. March 11, 1947.

“Merchants to Fight Sunday Sales,” October 13, 1956.

“Merchants to Form Group Sponsoring Sunday Closing,” August 4, 1956.

“Meyner Chides Bingo Snoopers,” *Bergen Evening Record*, May 1, 1953.

Meyner, Robert B., Governor of New Jersey, letter to Rev. S.A. Jeanes, Chairman of the Campaign Steering Committee, First Baptist Church – Merchantville, NJ, September 30, 1953.

Meyner, Robert B., Governor of New Jersey, letter to Mr. William A. Hughes, Chairman of the Founders Fund SHC College of Medicine and Dentistry, February 28, 1957.

Molloy, Robert G. “BINGO AND RAFFLE,” 1953.

Mooney, Christopher F., S.J. *Public Virtue, Law and the Social Character of Religion*. Notre Dame, IN: University of Notre Dame Press, 1986.

“Morality of Gambling,” *The Catholic Advocate*, June 13, 1953.

“Moves to Legalize New Jersey Bingo,” *Jersey Journal*, February 13, 1945.

Mullacy, Father, Vicar-General, letter concerning BINGO – OUR LADY CZESTOCHOWA CHURCH, JERSEY CITY, February 2, 1942.

Murray, John Courtney, S.J. *We Hold These Truths, Catholic Reflections on the American Proposition*. New York: Sheed and Ward, 1960.

National Catholic Almanac. Paterson, NJ: St. Anthony’s Guild, 1946.

National Catholic Almanac. Paterson, NJ: St. Anthony’s Guild, 1951.

National Catholic Almanac. Paterson, NJ: St. Anthony’s Guild, 1953.

National Catholic Almanac. Paterson, NJ: St. Anthony’s Guild, 1954.

National Catholic Almanac. Paterson, NJ: St. Anthony’s Guild, 1956.

- National Catholic Almanac*. Paterson, NJ: St. Anthony's Guild, 1958.
- National Catholic Almanac*. Paterson, NJ: St. Anthony's Guild, 1960.
- National Catholic Almanac*. Paterson, NJ: St. Anthony's Guild, 1961.
- National Catholic Almanac*. Paterson, NJ: St. Anthony's Guild, 1962.
- National Catholic Almanac*. Paterson, NJ: St. Anthony's Guild, 1963.
- "New Brunswick Studies Sunday Shopping Laws," December 8, 1956.
- New Jersey Almanac, 1964-1965, The Biennial New Jersey Encyclopedia and Book of Facts Tercentenary Edition*. Upper Montclair, NJ: The New Jersey Almanac, Inc., 1963.
- New Jersey State Law Proclamation R.S. 2:135-1*. Trenton, NJ: New Jersey State Legislature, 1939.
- "New Jersey's First," *The Catholic Advocate*, August 14, 1954.
- New Jersey's First Medical – Dental College, The Seton Hall School of Medicine and Dentistry*. South Orange, NJ: Seton Hall University, 1950s.
- "Newark Holy Name Asks Liberalizing Of Law on Raffles," *The Catholic Advocate*, February 4, 1956.
- "N.J. Bingo Vote Asked By Meyner," 1953.
- "N.J. Legislature Approves Bill for Bingo Referendum," *The Catholic Advocate*, April 12, 1952.
- O'Brien, James F.X., Counselor at Law, Newark, NJ, letter to Governor Richard J. Hughes, September 5, 1962.
- O'Callaghan, Jeremiah J., letter to Most Reverend Thomas A. Boland, April 27, 1962.
- O'Neill, James M. *Catholicism and American Freedom*. New York: Harper & Brothers, 1952.
- O'Neill, James M. *Catholics in Controversy*. New York: McMullen Books, Inc., 1954.
- "Opposed to Funds in Parochial Aid," *New York Times*, November 21, 1946.
- O'Toole, James, ed. *Habits of Devotion, Catholic Religious Practice in Twentieth Century America*. Ithaca, NY: Cornell University Press, 2004.

Our Bishops Speak: National Pastorals and Annual Statements of the Hierarchy of the United States, 1919-1951. Milwaukee: The Bruce Publishing Company, 1952.

Our Great State Papers. Philadelphia: The John C. Winston Company, 1948.

"Our New Governor," *The Catholic Advocate*, January 30, 1954.

"Paramus Sunday Law Valid," *The Catholic Advocate*, December 5, 1958.

"Paramus Wins Sunday Sale Fight," *The Catholic Advocate*, December 7, 1957.

"Paramus, Yes; E. Paterson, No," *The Catholic Advocate*, November 9, 1957.

"Paterson Men Oppose Bond Issue, Favor Sunday Law," *The Catholic Advocate*, October 29, 1957.

"Petitions Urge State Action on Sunday Closing," *The Catholic Advocate*, May 4, 1957.

Pius XII, Pope. *Interests of Science as Justification for Research and the Use of New Methods.* Address given at the First International Congress on the Histopathology of the Nervous System, September 14, 1952.

Pius XII, Pope. *The Moral Limits of Medical Research and Treatment.* Address given at the First International Congress on the Histopathology of the Nervous System, September 14, 1952.

"Police in Jersey Ban Bingo Games," *New York Times*, April 12, 1953.

"Pope's Talk on Priesthood and Government of the Church," *The Catholic Advocate*, November 13, 1954.

"Problems on Medical School Reform," *The Catholic Advocate*, October 30, 1954.

Raucher, Alan. "Sunday Business and the Decline of Sunday Closing Laws: A Historical Overview," *Journal of Church & State*, Winter 1994.

"Renewed Fight on Secularism Asked by Pope," *The Catholic Advocate*, October 18, 1952.

Report of the Seton Hall Fact-Finding Committee. Appointed by the Governor and Leaders of the Senate and General Assembly to Study and Report Conclusions on the Problem of the Seton Hall College of Medicine and Dentistry. South Orange, NJ: Seton Hall University, 1964.

Report of the Special Committee on the Seton Hall College of Medicine and Dentistry.

South Orange, NJ: Seton Hall University, April 11, 1956.

“Republican Scramble on in Legislature to Legalize Bingo Game,” *Hudson Dispatch* (Bergen Edition), May 19, 1953.

Rev. S.A. Jeanes, General Secretary of the Lord’s Day Alliance of New Jersey and Legislative secretary of the New Jersey Conference on Christian Legislation at the Public Hearing on Senate Concurrent Resolutions 8, 9, and 10 Dealing with Bingo and Raffles. Trenton, NJ. June 15, 1953.

“Rerum Novarum.” *Encyclical of Pope Leo XIII on Capital and Labor, May 15, 1891.* <http://www.papalencyclicals.net/Leo13/I13rerum.htm>. (accessed January 5, 2015).

Roades, Robert E., Jr. “Religious Education and the Historical Method of Constitutional Interpretation – A Review Article,” *Rutgers University Law Review*, Summer 1955.

Röemer, Theodore, O.F.M., Cap. *The Catholic Church in the United States.* St. Louis: B. Herder Book Company, 1954.

Schwartz, Joel. *The Development of New Jersey Society.* New Jersey History Series 10. Trenton, NJ: New Jersey Historical Commission Department of State, 1997.

Schwartz, Robert A. “Historical Review. The New Jersey Medical School,” *Acta Dermatoven, APA*, 2005.

“Seeks Motivation Behind Letter Urging Bingo Ban,” *Jersey Journal*, February 13, 1945.

“Senate Passes Sunday Bill; Constitutionality Questioned,” *The Catholic Advocate*, May 24, 1958.

Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1954-1955. South Orange, NJ: Seton Hall University, 1954.

Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1961-1962. South Orange, NJ: Seton Hall University, 1961.

Seton Hall School of Medicine and Dentistry Bulletin of Information, College of Medicine, 1963-1964. South Orange, NJ: Seton Hall University, 1963.

Seton Hall School of Medicine and Dentistry - Jersey City, New Jersey, Summary & President’s Report, Board of Trustees Meeting, May 6, 1955.

Seton Hall School of Medicine and Dentistry Medical Center Chronology. (South Orange, NJ: Seton Hall University, 1960s.

“Seton Hall College of Medicine and Dentistry Set Up,” *The Catholic Advocate*, August 14, 1954.

“Seton Hall Given \$800,000,” *Newark News*, March 29, 1954.

“Seton Hall on the March,” *Paterson News*, August 14, 1954.

Seton Hall Presents Its Medical and Dental College. South Orange, NJ: Seton Hall University, 1955.

“Seton Hall Solution Questioned,” *Bergen Record*, July 30, 1964.

“Seton Hall to Sign Medical School Agreement Aug. 11,” *The Catholic Advocate*, July 31, 1954.

Shannon, William V. *The American Irish*. New York: The Macmillan Company, 1964.

Shenrock, Rev. Msgr. Joseph C. *Upon This Rock – A New History of the Trenton Diocese*. Trenton, NJ: Diocese of Trenton, 1993.

Shields, Currin V. *Democracy and Catholicism in America*. New York: McGraw-Hill Book Company, Inc., 1958.

“Single Succession by Governor Voted,” *New York Times*, July 11, 1947.

Smith, Rev. William J., S.J., “Capitalism and Secularism,” *The Catholic Advocate*, April 26, 1952.

Smith, Rev. William J., S.J., “Capitalism Hasn’t Been Canonized,” *The Catholic Advocate*, April 19, 1952.

Smith, Rev. William J., S.J., “Says Jersey Unconcerned About Social Problems, but Not Bingo!” *The Catholic Advocate*, July 11, 1953.

Smith, Rev. William J., S.J. “We Need Catholic Church To Evaluate Capitalism,” *The Catholic Advocate*, January 7, 1956.

Special Report to the President of Seton Hall University. South Orange, NJ: Executive Faculty Meeting Report Ad Hoc Committee, December 5, 1961.

“State Dental Committee to Work With Seton Hall on New School,” *The Catholic Advocate*, December 1954.

“State Legislature: Take Note!” *The Catholic Advocate*, January 5, 1957.

State of New Jersey, A New Constitution for the State. Agreed upon by the Delegates of the People of New Jersey In Convention, at Rutgers University, the State University of New Jersey, in New Brunswick, on September 10th, 1947. To be submitted to the people for their adoption or rejection, as a whole, at the General Election. November 4, 1947.

State of New Jersey – Senate, No. 317. Messrs. Summerill and Farley, June 2, 1954.

State of New Jersey Act. Article 4 section 7 Paragraph 2 of the Constitution of New Jersey, 1947.

“State Supreme Court Upholds Ban On Sunday Automobile Sales,” *The Catholic Advocate*, December 22, 1956.

“State to Take Over Seton Hall Dec. 7,” *Jersey Journal*, November 17, 1964.

“State Will Not Fight Sunday Closing Stay,” *The Catholic Advocate*, August 15, 1958.

“State’s First Catholic Governor,” *The Monitor*, November 10, 1961.

Statutes of the Archdiocese of Newark Enacted and Promulgated by His Excellency, Most Rev. Thomas Joseph Walsh, S.T.D., J.C.D. Archbishop of Newark in The First Archdiocesan Synod (Sixteenth of the Diocese of Newark). Newark, NJ: St. Patrick’s Cathedral, June 3, 1941.

Stellhorn, Paul A. and Michael J. Birkner, eds. *The Governors of New Jersey 1664-1974, Biographical Essays*. Trenton, NJ: New Jersey Historical Commission, 1982.

Student Body of Seton Hall School of Medicine, letter to the Most Reverend Thomas A. Boland, Archbishop of Newark, June 5, 1964.

“Sunday, A Day of Rest,” *The Catholic Advocate*, June 29, 1961.

“Sunday Closing Bill Passed By State Assembly, 33-14,” *The Catholic Advocate*, April 26, 1958.

“Sunday Closing Campaign,” *The Catholic Advocate*, 1956.

“Sunday Mentality,” *The Catholic Advocate*, July 14, 1956.

“Text of Decision Upholding State Law on Sunday Car Sales,” *The Catholic Advocate*, December 29, 1956.

“The Advocate and The Archdiocese,” *The Catholic Advocate*, December 1951.

The American Catholic Heritage – Reflections on the Growth and Influence of the

Catholic Church in the United States. Rome: Pontifical North American College, 1992.

The Bingo Memorial of the Constitutional Convention, 1949.

“The Bingo Vote,” *The Catholic Advocate*, June 7, 1952.

The Bishops of Newark, 1853-1978, The First 125 Years of the Archdiocese of Newark As Seen Through the Lives and Administrations of the Seven Men Who Have Been Its Leaders. South Orange, NJ: Seton Hall University Press, 1978.

The Catholic Advocate, July-November, 1961.

The Catholic Advocate, November 10, 1954.

The Catholic Advocate, Editorials, January-December, 1956.

“The ‘Catholic Vote’,” *The Catholic Advocate*, July 21, 1956.

“The Church and Politics,” *The Catholic Advocate*, November 2, 1960.

“The Citizen,” *The Catholic Advocate*, September 13, 1952.

The Holy Bible: Old and New Testaments, King James Bible. Waheke Island: Floating Press, 2008.

“The Nation Thanks Its God,” *The Catholic Advocate*, November 22, 1952.

“The People ... Yes,” *The Catholic Advocate*, May 1, 1954.

“The President Helps,” *Trenton Evening Times*, November 2, 1961.

“Thomas H. McLaughlin, Bishop of Paterson,” *Morning Call*, January 18, 1945.

Thomas, Joe, “Jersey Papers Urge State To Review Sunday Laws,” *The Catholic Advocate*, November 2, 1957.

Thomas, Joe. “More Problems Posed By Sunday Sales Ruling,” *The Catholic Advocate*, April 7, 1960.

Thomas, Joe. “Public Looking For Bargains On Sunday,” *The Catholic Advocate*, November 12, 1955.

“Thomas H. McLaughlin, Bishop of Paterson,” *Morning Call* (Paterson, NJ), January 18, 1945.

Thompson, Newton Wayland and Raymond T. Stock. *Complete Concordance to the Bible* (Douay Version). St. Louis, MO: B. Herder Book Company, 1945.

Thompson, William Norman. *Gambling in America; An Encyclopedia of History, Issues, and Society*. Santa Barbara, CA: ABC-CLIO, 2001.

"To Hold Hearing On Sunday Closing," *The Catholic Advocate*, February 22, 1958.

"3 States Compare Laws Against Bias," *New York Times*, March 28, 1947.

"Toward Better Government," *The Catholic Advocate*, July 20, 1955.

"Traditional Large Family of American Catholics is no Longer the Norm," *Family Planning Perspectives*, July-August 1978.

"Trenton Priest Denies Immorality of Bingo," *The Catholic Advocate*, 2 May 1953, 11.

"Tuesday's Elections," *The Monitor*, November 3, 1961.

Turse, Nicholas. "Vote No: Archbishop Walsh, The Catholic Church and the 1944 New Jersey Constitution," *The Journal of the Rutgers University Libraries*, 2001.

"Two Guys Sunday Sales Lead to Police Crackdown," *The Catholic Advocate*, December 15, 1960.

"2 Religious Groups Clash On Gambling," *New York Times*, July 3, 1947.

"Union Bans Sunday Shops," *The Catholic Advocate*, July 14, 1956.

"United States Courts Facts and Case Summary: Engel v. Vitale, United State Courts. www.uscourts.gov/educational-resources/get-involved/constitution-activities/first-amendment/freedom-religion/facts-case-summary.aspx. (accessed December 10, 2014).

Urban Takeover. Protestants & Other Americans United for Separation of Church & State. December, 1962.

"Urges Bingo Referendum," *Newark Evening News*, May 13, 1953.

Van Asbeck, Baron F.M., ed. *The Universal Declaration of Human Rights*. Leiden: E.J. Brill, 1949.

"Vatican Letter on Economic Morality," *The Catholic Advocate*, November 10, 1956.

"Vote and Vote Yes, for Bingo and Raffles," *The Catholic Advocate*, April 17, 1954.

“Vote ‘No’ on College Bonds; Vote ‘Yes’ for Sunday Closing,” *The Catholic Advocate*, October 29, 1959.

“Vote ‘No’ on Medical School Referendum,” *The Catholic Advocate*, October 30, 1954.

“Vote ‘Yes’ on The Bingo Amendment,” *The Catholic Advocate*, October 31, 1953.

Wefing, John B. *The Life and Times of Richard J. Hughes, The Politics of Civility*. New Brunswick, NJ: Rivergate Books, 2009.

White Paper on the Transfer of Seton Hall College of Medicine and Dentistry to the State of New Jersey. South Orange, NJ: Seton Hall University, March 10, 1965.

“Why Medical Colleges Not Self-Supporting,” *Hudson Dispatch*, April 26, 1956.

“Why The Monitor?” *The Monitor*, February 5, 1954, 1.

Wilson, John F. and Donald L. Drakeman, eds. *Church and State in American History – Key Documents, Decisions, and Commentary from the Past Three Centuries*. 3rd ed. Cambridge, MA: Westview Press, 2003.

Wood, Lewis. “High Court Backs State Right to Run Parochial Buses,” *New York Times*, February 11, 1947.

“Would Void Seton Hall’s College Pact,” *Jersey Journal*, 1960s.

Wright, George Cable. “One Church Uses Jersey Bingo Law,” *New York Times*, April 22, 1954.

Yans-McLaughlin, Virginia. *Immigration Reconsidered: History, Sociology, and Politics*. New York: Oxford University Press, 1990.

Zöller, Michael. *Washington and Rome – Catholicism in American Culture*. Notre Dame, IN: University of Notre Dame Press, 1999.

VITA

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Educational Institutions:

School	Place	Degree	Date
Ewing High School	Ewing, NJ	Diploma	1987
Mercer County Community College	West Windsor, NJ	AAS	1989
St. Bonaventure University	St. Bonaventure, NY	BA	1991
Villanova University	Villanova, PA	MA	1998
Rutgers, The State University of NJ	New Brunswick, NJ	MLS	1999