

Interview with
Governor Brendan T. Byrne
by Michael Aron

August 14, 2007

Michael Aron: It's the morning of August 14th, 2007. I'm Michael Aron. This is the Rutgers project on the Governor. We're focusing on the Brendan Byrne Archive and we're going to talk to Governor Byrne again today, continue our series of discussions with him and flesh out some other aspects of his first term.

Governor, last time we spoke we talked an awful lot about the income tax and school funding. How else did you change New Jersey during your first term?

Brendan Byrne.: First of all I'm going to correct one thing from last time and that is last time as I read it I said I didn't like Bill Gormley, and that's totally erroneous. I do like Bill Gormley. I consider him one of my best friends. I did not like his position on the Pinelands, so we had that out a number of times, but to spite it all we remain and are good friends.

Michael Aron: All right. The records stands corrected.

Brendan Byrne.: Good.

Michael Aron: Let's talk about the big things that you think you accomplished in the first term.

Brendan Byrne.: In the first. Let's start with what I don't get enough credit for, and that is building the sports complex. No question it was Bill Cahill's idea. It really was Joe McCrane's idea and they had Sonny Werblin well into it, but if I had lost the 1973 election I don't think the sports complex would have been built. Charlie Sandman was my opponent, had no interest in building the sports complex and financing it. So I really think I was the sine qua non of getting the sports complex built and we negotiated. Lew Kaden and Jimmy Zazzali were key in putting it together, and as I say, it was not my idea but I brought it to fruition. Just like the income tax was not my idea, but I get a lot of credit for it.

Michael Aron: And how do you feel the sports complex has played out?

Brendan Byrne.: Well, I think the sports complex is a different vision than I had. I had a sports complex vision where we had the stadium, the race track, the arena and not much else. Now it's a mad house up there, and it doesn't give me the picture postcard vision of New Jersey that I had envisioned.

Michael Aron: When you say a mad house you're referring to Xanadu?

Brendan Byrne.: Xanadu, building, tearing this down, building that up.

Michael Aron: They're tearing the old stadium down and building a new stadium.

Brendan Byrne.: Yeah. Yeah.

Michael Aron: Tearing the arena down.

Brendan Byrne.: The arena will probably come down. It's a shame. It's a good arena. The only think wrong anybody ever said was there were not enough luxury boxes, and you couldn't generate the cash. I think that all may catch up some day. Tickets are getting more expensive and you have to pay to park. You have to pay to get the right to park now.

Michael Aron: To what extent do you think the sports complex helped to lift New Jersey's image?

Brendan Byrne.: Yeah, I think Sonny Werblin had the concept of a megalopolis, which I can't pronounce, but it sounds good. And a megalopolis concept is valid, and the sports complex proved that. It also proved that New Jersey has some glamour, and I think the sports complex and Atlantic City have given New Jersey a kind of glamour which also lets us appreciate things like the Pinelands, and Princeton University, and the other things which are not as glamorous but are just as New Jersey. However, I'm starting to getting worried about whether New Jersey is too much of an attraction for people. This is 2007 now. I talk to mayors now. Mayors used to look for development in their towns and now they're starting not to look for development. They used to worry about how many kids were in school or not in school now they just worry about how many cars are on the road. So we may have done too good a job.

Michael Aron: The state's too congested, is that what you're saying?

Brendan Byrne.: It's a terrible state to try to get around these days, not 2007.

Michael Aron: Do you think that the new Newark Arena, and the existing sports complex and the arena there, which is still active, can coexist peacefully?

Brendan Byrne.: Well, we're going to see. I mean, that's an economic type of outcome and I'm not sure. There are people I've talked to who might or might not run the sports complex who think that the present arena can exist on its own, and attract the kind of events that are not basketball, football and so forth. I think that's a very real possibility, and the people that talk that way know what they're talking about. Whether all of these things put together, and every municipality now is building its own cultural center with a couple of thousand seats, so you've got a lot of competition for the entertainment dollar. Now, I don't know. I'm worried about it.

Michael Aron: Is there something else that comes to mind in the way of changing New Jersey?

Brendan Byrne.: Oh, we did a lot of things. For instance, when I was in government I was in Dick Hughes cabinet as a public utility commissioner and president, and at that time we were subsidizing mass transit. It became a failure. We had what was known as a Commuter Operating Agency composed of the President of The Public Utility Commission, the Commissioner of Transportation and a couple of other people, and that wasn't working. We were just pouring money into it. And one of the things we did in our administration with the leadership of Lou Gambaccini, frankly, was create a New Jersey Transit which operated the commuter railroads and the bus lines, and I think that's made a big difference. Now, I am also convinced that the only way to solve, as we speak here, the only way to solve the mass transit problem and the crowded problem is to run trains every 20 minutes. It's going to be a loss for several years while people get used to its reliability, but I think the only way to go in New Jersey, we can build all the tunnels we want, but the only way to solve this problem is to run a train every 20 minutes. I can't get my wife to go to New York on the train because she can't get back, because we go during the rush hour and when we come back eleven o'clock at night if you miss the eleven o'clock train there's a twelve o'clock train, and if you miss the twelve o'clock train it's probably the next morning. So we go to London every year and we see that we can get down to the subway and we can get a train within seven or eight minutes of the time that we get on that platform. New Jersey has to adopt that mentality or lose it. But we started it with the New Jersey Transit.

Michael Aron: Gambaccini was your Transportation Commissioner?

Brendan Byrne.: No only that, but I got Lou Gambaccini from the Port Authority. He was running PATH, and I had an interesting experience or two with PATH when I was running the Public Utility Commission, because I thought I had some jurisdiction over PATH and Austin Tobin thought I did not. We had that out a couple times. But anyway, the point is that Lou was a pro and he's been recognized as pro, and he was largely responsible for a) getting it passed and b) getting it working.

Michael Aron: Since you mentioned the creation of the New Jersey Transit do you want to expand more on PSE&G and negotiations?

Brendan Byrne.: Are you talking about transit now?

Michael Aron: Yes.

Brendan Byrne.: It was a difficult thing to get New Jersey Transit passed in the legislature. Senator Herbert was a leader in this. The laborers didn't like it because we were modifying their contracts and we were taking them sort of into the public sector. And it was a challenge to get the votes to get that passed.

Michael Aron: Do you recall PSE&G's involvement?

Brendan Byrne.: Frankly, I don't remember.

Man 1: They owned the bus lines.

Brendan Byrne.: Oh, yeah. They owned the bus lines and we had to buy them, and that was just a negotiation. That was not a big deal. It was a tough deal, but it was not a big deal. It had to happen.

Michael Aron: I don't know how much longer I should tap you for the subjects of your accomplishments that first term or whether I should just turn to some other subjects, but I'll let you keep going if you want to...

Brendan Byrne.: One of the first things we did in the first term is fulfill the promise to put government under glass. And the points I made in the campaign, don't forget I campaigned in

'73 following the Watergate situation, so that we made certain promises, government under glass, financial disclosures, giving people greater access to the vote, and so we did that very early on in the first term. We got those things passed.

Michael Aron: When you say giving the public greater access to the vote did you start postcard registration?

Brendan Byrne.: Sure, and before that you wouldn't believe how cumbersome it was to get people out to vote. We had to literally take the books from the County Clerk's Office and manually take them to a neighborhood and then knock at doors. I think we discussed this the last time, though.

Michael Aron: The financial disclosure changes that you made, do you think that maybe financial disclosure has gone too far?

Brendan Byrne.: Absolutely. Absolutely, people will not take jobs because they don't want to go through this financial disclosure. If they forget something it's a big deal. And somebody with a bunch of holdings or with somebody managing their money probably doesn't know what they have. I don't know what I have. I don't have much, but I don't know what I have these days and I would hate to have to make a financial disclosure.

Michael Aron: So was it wrong of you back then to go in that direction?

Brendan Byrne.: No, because that's what the public wanted. They wanted some confidence that people were not in government to make money, and I think it was right for the time, but now first of all everybody that gets elected has enough money so they don't have to steal. Now you can't run for office without a half a billion dollars. So I think a lot of it has gone by...

Michael Aron: Did you say half a million or half a billion?

Brendan Byrne.: A half a billion, yeah, has gone by and people are discouraged when they have to make these extensive disclosures.

Michael Aron: What about public financing?

Brendan Byrne.: It hasn't really worked. Public financing has not really worked.

Michael Aron: Just let me clarify, public financing of election campaigns.

Brendan Byrne.: Yeah, it hasn't really worked because public financing doesn't give you enough money and a lot of key people reject public financing and raise their own money without limits.

Michael Aron: It worked for a while didn't it?

Brendan Byrne.: Oh, it did. As a matter of fact it probably got me reelected, because when I ran for reelection I wasn't given a chance, and if you're not given a chance you don't raise money. So public financing was able to give me the kind of money to make a credible campaign out of it. That's not going to happen today. It's just not going to happen.

Michael Aron: I think it happened up until Corzine or...

Brendan Byrne.: It may or may not have.

Michael Aron: Now the legislature is experimenting with it in a couple of districts, three this time. You think that's a good idea?

Brendan Byrne.: Why not? But even legislators, when you think what it takes to run for State Senate. Think of how much money Codey raises when he runs for reelection, and Codey doesn't have to raise the money. People will vote for Codey because he's Codey and they know him. But everybody thinks that that's a monitor or a measure of how successful you're going to be, and it's just not true. I've said often that most of the money you put into a campaign is wasted, and it is. I said that to Corzine. He said, "Yeah, but he couldn't take a chance."

Michael Aron: Do you approve of the recent ban on dual office holding for elected officials?

Brendan Byrne.: Not particularly. I think that it's abused and the people are doing it just to pick up a pension. That's an abuse. But to have the assemblyman from the district in West Orange also be the mayor of West Orange has been very good for West Orange, and so from that standpoint I would be opposed to taking him out of one of the offices, but on the other hand it

gives you a distorted view of either office. I mean, if you're mayor you're wondering about does it conflict with your duties as a senator or vice versa. I don't think it's as big a problem as the press does.

Michael Aron: How about senatorial courtesy, another controversial practice that some people think should be done away with. What's your view?

Brendan Byrne.: If senatorial courtesy were practiced the way it was when it started it wouldn't be bad. The way senatorial courtesy started in New Jersey was that a resident senator, and by the way, in those days there was only one senator you had to deal with, now there are sometimes five or six. In the old days if the one senator from that town objected he had to stand up on the floor of the senate. He didn't just not sign off, stood up on the floor said, "I find this man to be personally objectionable," and that was good. I mean, in my day Senator Mackay did that to block the reappointment as Grover Richman as Attorney General. They were both from Burlington County, but Senator McCay stood up on the floor and said, "I find Grover Richman to be personally objectionable." Grover Richman was not confirmed and Senator McCay was not reelected. So there's this kind of responsibility to it. Now you can say, "I'm for you," and just not sign the piece of paper and you're dead, and that's a sneaky kind of senatorial courtesy.

Michael Aron: Would you do away with it?

Brendan Byrne.: I would go back to the old days because you're not going to do away with it unless the court does away with it, and the court may eventually, although I don't think so. I've canvassed the court, through other than the court, and there's not enough folks now to do away it on that court. But if they went back, and this may be doable, if they went back to the old system of making you stand up on the floor I think that would solve a lot of the problem.

Michael Aron: Another thing that good government types are concerned about in New Jersey is the pay to play system. There's been some reform at the state level. There have been a few local reforms. How in need of reform is the system of people giving political contributions in hopes of winning state business?

Brendan Byrne.: Well, I think buying your way into good grace is wrong, but I think it's gotten to the point where if you're politically active you're disqualified by the pay to play concept, so I think we've got to keep looking at that. We get hysterical about things in New Jersey. In my day everybody was hysterical about my using the helicopter. Now today everybody is saying, "Yeah, the governor might not have had this accident if he used the helicopter. He ought to use the helicopter more. It's safer. It's more efficient. It saves money," entirely, entirely different

from when they used it as a political. As I say, we get emotional about too many things in New Jersey.

Michael Aron: Interesting. You think we've gone overboard in certain areas in terms of trying to police politics?

Brendan Byrne.: Sure. It's like, for instance, every time we get a big type of crime problem we increase the penalties. I mean, that's the answer. We increase the penalty, and so we've got thousands of people in jail because they smoked marijuana, and people are not ready to listen to a rational discussion of what the problem is and how you solve it. You don't solve any problem by taking the governor out of the helicopter.

Michael Aron: One of your initiatives was to open New Jersey bond reviews to New Jersey rather than New York City law firms. How has that worked?

Brendan Byrne.: Well, there's no reason that New Jersey lawyers should be inferior to New York lawyers in any area. I think we can handle the cases as well as New York. We can close a bond deal as well as them. An example I use is I have a law firm, and I think one time we bid on a bond issue. We had some pretty good people working for us. Arthur Vanderbilt's our number one bond guy, good lawyer, grandson of the Chief Justice. So they tell us we're not up to it. So they give it to a New York law firm where my son did it. He was then working for a New York law firm. My son is a very bright guy, but not a whole lot better than New Jersey-- he's better, but not a whole lot better than some of the best New Jersey lawyers. So there was no reason to exclude New Jersey lawyers and we changed it. But, by the way, we are bonding too much now. I think that, and this is supposed to be a discussion of what we did not what we want somebody else to do now, but I think that when we issue bonds in this state we ought to have a way of paying for them. And to say, "Well, we're going to issue this bond and it's good for New Jersey. It's an investment," but even investments you pay for. Now we're saying it's an investment that's going to expand the economy, but we're never expanded enough so that we've got the money to pay the bonds back, and we don't realize that yet. We keep doing it. We keep getting into debt. We keep not paying it.

Michael Aron: It could be said that one of the consequences of government under glass is all of this extra scrutiny that politicians are subjected to, tabloid style scrutiny, their private lives, in the case of the current governor his e-mails back and forth with Carla Katz, his ex-girlfriend and a union leader. Is that something that also has gone too far in another direction, this idea that everything should be transparent?

Brendan Byrne.: Well, I think government related should be transparent. That's why Rutgers has every paper. Rutgers has my papers, my personal papers. The official papers the state has, but I did not edit the personal papers when I sent them down here. On the other hand they don't have to know who you're rooting for in the Yankees game tonight and the things that are totally irrelevant. Now, how much of that judgment the governor makes himself is open to question. I think he's entitled to a private life and there you go.

Michael Aron: How much has it changed from your day, the degree of scrutiny?

Brendan Byrne.: It's much more in terms of how much you get into somebody's private life. And of course with McGreevey's private life becoming a fascination for everybody you're seeing an appetite for it which has to be curbed.

Michael Aron: Why?

Brendan Byrne.: Because you're entitled to a private-- a really private life you're entitled to.

Michael Aron: Another reform, the lieutenant governor to take over when the governor is forced out or disabled or whatever. What's your view of that?

Brendan Byrne.: I was against it from the beginning. I was disappointed that that passed because we had in New Jersey a focused responsibility for the governor and picking a lieutenant governor now you're going to have to have all of the influences which don't help like geographics, and race, and religion, and all this other stuff. It's not going to help get New Jersey to be a better state.

Michael Aron: There's an argument that it'll open up more opportunity for women and minorities at the highest levels of government.

Brendan Byrne.: Well, those opportunities should come in running a woman for governor, not giving her a bone by putting her on the ticket as a lieutenant governor, and we ought to have more women candidates for governor.

Michael Aron: What's the political impact of having a lieutenant governor? How does it change the dynamics?

Brendan Byrne.: It's just more compromising. You've got this guy from North Jersey, that guy from South Jersey.

Michael Aron: How about once they're elected?

Brendan Byrne.: Well, lieutenant governors have given governors problems in some states in the past. Who's the lieutenant governor of New York now? You don't know, and since Mary Anne Krupsak nobody has remember. So they only come to mind when they do something to harass the governor.

Michael Aron: Let's talk about some other things. When you came into office was there an energy crisis in America?

Brendan Byrne.: Yeah, we had a gas crisis. We had an odd and even. As a matter of fact I remember when I was governor elect I was driving my own car and I was driving around, and I realized I was running out of gas. And I stopped at one of the State Police substations and asked them if they'd give me a gallon of gas until I got to a real gas station, and they did. But yes, we did the odd even.

Michael Aron: New Jersey did that? You did that?

Brendan Byrne.: We did. We were one of the first states to do it and it worked. It solved the gas crisis.

Michael Aron: People with odd numbered license, the first number or the last number could go one day and even number the next.

Brendan Byrne.: Right. And it worked. You had to be imaginative and do something. I did have Dick DeKorte who had been, I think, the Republican majority leader for Cahill, and was very helpful in my administration.

Michael Aron: What was he? What was his-- he was?

Brendan Byrne.: He become sort of the energy czar for a while when we had that kind of problem.

Michael Aron: Where was he from?

Brendan Byrne.: Bergen County, and he had a lot of credibility on both sides of the isle, so that helped.

Michael Aron: Offshore drilling, was that an issue?

Brendan Byrne.: And by the way, that emphasizes an even broader point and that is there was a lot more tolerance of party. I mean, you appointed somebody that was a Republican, you could get them confirmed. There was not the insistence that political chits be transferred and observed. Anyway, it was better from the climate standpoint.

Michael Aron: It was easier to bring a Republican into your cabinet you're saying?

Brendan Byrne.: I had Republicans in my cabinet. Jimmy Sheeran was one who turned Democrat. He saw the light, but...

Michael Aron: He was your insurance commissioner.

Brendan Byrne.: He was my insurance commissioner and there were a number of Republicans. Phil Alampi was a famous Republican.

Michael Aron: Agriculture secretary.

Brendan Byrne.: Fun guy.

Michael Aron: Was offshore drilling an issue when you were in your first term?

Brendan Byrne.: Offshore drilling was an issue, but it wasn't. Public Service had proposed an offshore drilling site off of Atlantic City, and I think they realized, first of all I was against it, and they realized that they should be against it too. And so when I said that we're not going to do it under any circumstance I think they were happy. They made a mistake. I corrected it for them, and they appreciated it.

Michael Aron: How did you block it?

Brendan Byrne.: Just saying I wouldn't approve it. I mean, the one thing that should come out of all of this is that the Governor of New Jersey is a very powerful guy, and you can't do anything in New Jersey if the governor doesn't want you to do it. And that's not me. That's historic. That's the way the state is structured. And so if the governor wants something he can usually get it. If he doesn't want something he can usually block it.

Michael Aron: Is that a good thing to invest that much power in one person?

Brendan Byrne.: Sure.

Michael Aron: Why?

Brendan Byrne.: Well, first of all if he abuses it the public catches on right away, and although you're powerful you've got to be powerful in doing the right things. If you're powerful in doing the wrong things you lose the public pretty quickly. And so you go into office you want to get things done you can get them done. If you want to get bad things done they're going to give you a hard time because you're the focus, and as the focus you have the responsibility and you get the reaction. So when I say the governor is the most powerful he can get the right things done, and the right things done, is good for New Jersey.

Michael Aron: Tell me about the Tocks Island controversy.

Brendan Byrne.: Tocks Island was basically a dam project which was to be done by the concurrence of four states, New Jersey, New York, Pennsylvania and Delaware, and it was sponsored really in New Jersey by Congressman Thompson who thought that Tocks Island would be the long range solution to our water problems.

Michael Aron: The dam would have been up in Northwestern New Jersey across from Pennsylvania.

Brendan Byrne.: Right. And it would back into a huge reservoir. It had a lot going for it. The idea of having a water supply for New Jersey for long range was basically a very attractive idea. The negative of it was first of all that it would take a nice piece of New Jersey that we love and put it under water. We've got enough of New Jersey under water as it is. But it also had logistic

problems in that the water was quite polluted. We all talked about there were chicken farmers dumping.

Michael Aron: The Delaware River?

Brendan Byrne.: Yeah, mostly in New York dumping stuff and we didn't have a ready solution to that. And the environmental community was violently against building the dam and the reservoir under those circumstances. So we looked at it and we looked at it pretty carefully. I was of two minds on it, frankly, and still think that if we could have done it right it might have been the thing to do. But we had a meeting of the governors of those four states, and frankly they said to me, "This is mostly your problem. You solve it and we'll vote with you." We had that meeting in Newark early on, and I decided we shouldn't do it and we didn't.

Michael Aron: You say you were of two minds. Do you remember what swayed you?

Brendan Byrne.: The fact that we couldn't solve the environmental problem. The other thing was that there was a concept of building minor reservoirs along the Delaware which could also be used for pump storage, and that that was going to go a long way to solving some of the water shortage problems. I'm not sure we built as many of those offsite reservoirs as we should have. Nor have we done with the water supply what we should be doing.

Michael Aron: We don't hear about water supply as an issue in this state.

Brendan Byrne.: We only hear of water supply when we don't have water, and we only hear of floods when it rains. And when the flood dries up we go onto something else. We don't have long range planning in New Jersey. I think that that's one issue currently that we ought to be looking at is long range planning in power, in water and droughts. We're not doing it the way we should be.

Michael Aron: During your first term, while we're talking about an environmental issue, during your first term you also adopted a 90 day deadline for permit reviews. Why?

Brendan Byrne.: Yeah, well because of the frustrating thing. The one criticism I think every governor has heard when running for election is that you can't get things done in New Jersey. You apply for a permit and even today if you have a 90 day deadline on the 89th day they will reject your permit application for some technicality and make you start over, and the 90 days runs again. I'm not running this state now. I tried to have an environmental commissioner who

could respond and get decisions out, and I think had some success at that. In the old days the governor could call up an environmental commissioner and say, "Hey, I heard that this thing is pending. Would you see why it's stuck?" Now if you did that you'd be accused of some kind of shenanigans. But it is a problem, always has been a problem in New Jersey getting permits.

Michael Aron: You think it worked during your term?

Brendan Byrne.: It worked to a large extent during my term, yes.

Michael Aron: You also sharply increased the schedule of sewage facility construction. Do you recall that?

Brendan Byrne.: Sure. Well, we needed them. We found a way to finance them, and we built them as a matter of fact. I once made a campaign speech at a sewage facility and I started off by saying, "This is the first time I've been able to campaign on my opponent's platform."

Michael Aron: Did you do something with the penal code in your first term or your second term?

Brendan Byrne.: Yes, we revised the penal code. Senator Greenberg and Assemblyman Eldridge Hawkins, I think, co-sponsored the bill or sponsored the bill in the Senate and the Assembly, and I think we modernized the penal code. We changed a lot in that penal code, made punishment more relevant to the crime. We eliminated certain crimes, made social gambling not a crime, reduced the penalties for things like marijuana use, put a de minimis provision in the statute which meant that things that were de minimis the judge could dismiss. And by in large it's hung on for all these years and still is regarded as a workable penal code. Penal code ought to be revised every 30 years or so and that has been. But we did a pretty good job on it. It was a better penal code going into it. The one I submitted was better than the one that came out, but that's the democratic process.

Michael Aron: Was crime a big issue in your day?

Brendan Byrne.: Sure. It always is.

Michael Aron: Violent crime?

Brendan Byrne.: It always is. We didn't have the kinds of problems that we're seeing now, but yeah, it's always a problem and you always have to have a good law enforcement arm. I think the fact that the state police, well even President Nixon helped us with putting more cops on the road. I always gave him credit for that.

Michael Aron: Providing funding for it?

Brendan Byrne.: Yeah, and the state police. I was always very proud of the fact that Clint Pagano headed the state police for most of my time and was a real pro. I'd love to tell a story about how I appointed him, which was I appointed a committee of three people. I won't mention their names, but they came back with recommendations for state police. And I looked at the list and I said, "Well, why isn't Clint Pagano at least on this list?" The one guy said, "Well, he's Italian," and so I appointed Clint Pagano and he was a great superintendent of the state police, had the respect of the state police and the public. Without him I'm not sure I would have done Atlantic City because I needed strong state police integrity and efficiency to make sure the casinos stayed straight, and he was a credit to the state.

Michael Aron: Have we talked about Atlantic City? Did we cover that?

Brendan Byrne.: Yeah. You want to take a break?

Man 1: Yeah.

Michael Aron: All right.

Brendan Byrne.: We could talk about that while it's fresh.

<break in audio>

<crew talk>

Michael Aron: Governor, as a Catholic politician what kind of relations did you have with Catholic leaders in this state?

Brendan Byrne.: Well, on election day is one thing and as an ongoing kind of concern it's another thing. The position I took on abortion was that I was personally opposed to it, but that I respected a woman's right to choose. That's the position a lot of Catholic politicians take and the church is totally against that position and so forth. Now, in 1973 when I ran the abortion issue was not quite what it became afterward, and I took basically that position. And the Sunday before election in '73 there were, I understand, two million leaflets distributed at every Catholic Church in the state telling people not to vote for me. I worried about that. Apparently it did not affect my vote. I won by what, 700,000 or something like that? So as an issue it didn't seem to be one that would affect an election. And now I have to deal with the church. And the Catholic Church in New Jersey has been run by a great group of leaders, and leaders who understood that I was the governor; that I had different opinions and they didn't have to support me, but they had to work with me, and we worked well. And we helped where we could with Catholic positions. I would have an annual conference down in Long Branch of the religious leaders from basically the three major religions in New Jersey.

Michael Aron: Which are? Which were? What were the three?

Brendan Byrne.: We were Catholic, Protestant, Jewish, or as Tommy Smith would say, Quaker. But we would sit around for a whole morning and we would discuss issues which were a concern with people of all religions, I mean. And I think the leadership of all those religions respected my view, and whether they agreed with it or not we worked together. Abortion is not the only issue you have with religious leaders. There are a number of issues, some of them economic issues. With the Jewish community we had kosher enforcement issues. A number of the Protestant groups were more interested in the death penalty issue.

Michael Aron: Where were you on the death penalty?

Brendan Byrne.: I was always against the death penalty.

Michael Aron: And there was not death penalty in the '70s in New Jersey.

Brendan Byrne.: There wasn't a death penalty because when I was a judge I declared it unconstitutional.

Michael Aron: You did?

Brendan Byrne.: I did, State versus White. That was the-- Chief Justice Weintraub was upset that I did that, because he called me one time and he says, "I dare you. You're a trial judge. Based on a three sentence opinion of the United State Supreme Court you declared the New Jersey..."

Michael Aron: Do you recall what year that might have been?

Brendan Byrne.: Well, it's probably '71. State versus White, it's there. "How dare you based on a three sentence opinion?" And I said, "Tell me Chief," I said, "How long does an opinion of the Supreme Court have to be before I'm obliged to follow it?" And he didn't like that. And when he affirmed that decision, he affirmed it based on another case, he just-- and by the way, he was really one of my best friends, the Chief Justice, and closest friends, and I would seek his advice all the time.

Michael Aron: Yeah, you told us in an earlier interview that you admired him above all.

Brendan Byrne.: Yeah, but anyway I did. I declared it unconstitutional. When I was governor I vetoed the death penalty when the legislature passed it at least three times.

Michael Aron: Really?

Brendan Byrne.: And it wasn't until Tom Kean became governor that it was reinstated. And they would have been better off to leave it my way.

Michael Aron: They haven't used it since 1982.

Brendan Byrne.: They haven't used it. It's a very expensive proposition to try to enforce. The Justices of the Supreme Court who retire and tell you they're just as happy that they didn't have to enforce it.

Michael Aron: Do you recall; who was the Archbishop of Newark when you were governor?

Brendan Byrne.: I'll think of it.

Donald Linky: Gerety.

Brendan Byrne.: Who?

Donald Linky: Gerety.

Brendan Byrne.: It may have been Gerety, but I think there was somebody even before Gerety. I'm not sure. It may have been Boland even.

Michael Aron: Did anybody in your...

Brendan Byrne.: I had a great relationship with those bishops though. And I remember also with-- I got to know the Cardinal in New York who was, I think, Spellman at the time. Cooke, Cardinal Cooke, and Cardinal Krol in Philadelphia, we got along famously, Cardinal Krol. And when the Pope came Cardinal Krol made sure I met him, had my picture taken with him. He would call me, and he would insist on calling me Your Excellency, which I realized called for the protocol that I call him Your Eminence. And so we had a great time even though he was much more conservative than I was.

Michael Aron: Did your good relations with the bishops cause them to press you for aide to parochial and private schools?

Brendan Byrne.: Well, where we could. I mean, there were things that we could do. I remember somehow we got them some money to repair the roof of the cathedral in Newark, and if we could help them in any that was constitutional we'd be happy to try and they knew that.

Michael Aron: Tell us the story about your plane trip to the Vatican.

Brendan Byrne.: Oh, that was 1970, 1980? I was part of the United States delegation to the investiture of John Paul the First, the so called 30 day Pope, and I went over with Walter Mondale who headed the delegation. And it was an interesting trip because of all of us. There was an interesting group of delegates from the United States almost all of whom were elected officials and almost all of whom were defeated on their next election. It's pure coincidence. Anyway, we went over there and Bob Torricelli was then working for Mondale, so he got me nicely positioned, got me as part of-- we had maybe a 20 people delegation, but only five or six of us sat in the special section and I was one of those. And I had to be fitted for tails and so forth when we got over there. It was an interesting experience and I still have that commemorated on my wall.

Michael Aron: What was your experience with Jimmy Carter who became President while you were still in your first term?

Brendan Byrne.: I was allegedly the first governor in the United States to support Jimmy Carter for President. I brought him into Princeton to lecture or to speak to the Whig-Clio Society and Princeton's student organization. He spoke the night after Lloyd Bentsen spoke and made a better impression than Lloyd Bentsen, and I always thought that that was significant in putting him into the mix. I had a little party for him at Morven. I'd raised some money for him early on. He credited me with being an early supporter, worked closely, helped them in the campaign. He lost New Jersey, by the way, electoral votes, but we became friendly. We were very close to his staff. Marilyn Berry Thompson was running my Washington office, a real pro, by the way, not a political appointment. She had worked for my predecessor and so that was not somebody-- anyway, she was good. She was good, noted for slipping memos under my door when we would go out on conferences. I'd wake up in the morning and look for her memo. Anyway, Carter and I were very close. I did things for him when he became President.

Michael Aron: Like what?

Brendan Byrne.: Like developed an urban policy for him. I had Marilyn Thompson working in the White House for a couple of months working on urban policy. We helped draft some bills. And then after a lot of work, by the way, Carter called me one day and said, "We can't afford this policy," and so we had to walk away from it after I had actually testified on a couple of bills. And everybody, I think, thinks that the trouble with Carter is that he didn't have the passion for any program. Anyway, I got along fine with him. I was talking the other day about the fact in 1976 when he was running for the nomination the convention was in New York at the Americana Hotel, and he calls me two nights before his acceptance speech when he has to designate his Vice President, and he invited me and, I think, four other governors, the only one I really remember was Jimmy Hunt from North Carolina, to come up and have breakfast with him. This was the morning of-- this was like a Wednesday morning, a Thursday morning or something, maybe it was Tuesday morning. I think it was Wednesday. Anyway, we sit down and have breakfast and he says, "I have narrowed the selection of a vice presidential candidate to two men, Walter Mondale and Ed Muskie, and I want your opinion as to where I should go." And my first comment was, "I can't believe this is the day before you've got to announce this and you haven't made that decision." He said, "No, I want your opinion." And my opinion was that Mondale would do better in New Jersey than Muskie. I'm not sure why, but I thought he was a little more liberal for New Jersey. Anyway, that's the kind of rapport I had with Jimmy Carter. When he had that Crisis of Confidence, what was that?

Michael Aron: The Malaise Speech.

Brendan Byrne.: Yeah, he called four or five of us down to Camp David, and I was one of the governors he called. And I remember when I got down there he showed me to my cottage and he said, "This is the same cottage I gave to Sadat when he was here." And I said, "Which bed did Mrs. Sadat sleep?" She wasn't there it turned out, but anyway that's the kind of rapport I had with him and I participated in those discussions.

Michael Aron: All right. We're going to break for the day. Thank you, Governor.

Brendan Byrne.: We're all finished?

Donald Linky: Yes.

Brendan Byrne.: All right. I think we got me pretty well covered at this point, haven't we? I think...

Donald Linky: We do. We haven't gotten to the...

Brendan Byrne.: Huh?

Donald Linky: We haven't gotten the reelection.

Brendan Byrne.: Okay.

Donald Linky: We didn't do Three Mile Island.

Brendan Byrne.: I love talking about me.