

Jared Odessky

Professor Eric Foner

Columbia University and Slavery

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“Possessed of but One Idea Himself”: John Jay II’s Challenges to Columbia on Slavery and Race

Today, Columbia University honors John Jay (1745-1829), King’s College class of 1764, Founding Father, and first Chief Justice of the U.S. Supreme Court, as a central figure in its history. Jay’s name adorns a dormitory, a dining hall, a scholars program, and a prominent alumni awards dinner. While Columbia pays tribute to John Jay in multiple places, however, it is curious that the institution does not recognize its multiple John Jays. Few modern Columbians know of John Jay II (1817-1894), John Jay’s grandson and Columbia College class of 1836. The only picture of John Jay II on campus hangs in Alpha Delta Phi’s brownstone on 114th Street, a building owned by the national society rather than the University. Yet John Jay II’s impact on the institution and its graduates was at least equal to that of his grandfather. It also generated more controversy. As a Columbia student who called for the immediate abolition of slavery, a churchman who pushed the Columbia-dominated Episcopal Church to condemn slavery and become racially inclusive, and a lawyer who fought the expulsion of a student accused of being “colored” by the College of Physicians and Surgeons (later Columbia’s medical school), Jay challenged the prevailing conservative attitudes of Columbia and Columbians on the defining issues of mid-nineteenth century America: slavery and race.

John Jay II as Student

The early development of Jay’s abolitionist and anti-racist views are best understood as a product of family socialization. John Jay II was third in a paternal line of anti-slavery activists.

His grandfather John Jay was a slaveholder, but also a fervid supporter of gradual emancipation.¹ Along with Gouverneur Morris, John Jay fought to include language on gradual emancipation in the New York state constitution in 1777, but fellow convention delegates rejected the proposal.² In 1785, Jay joined the New York Manumission Society and served as its first president.³ The Society aimed to end the slave trade in New York and was instrumental in the passage of state legislation in 1799 providing for the gradual emancipation of slaves.⁴ William Jay, John Jay's son, John Jay II's father, and a graduate of Yale, carried on the family's anti-slavery views. William went further than the elder John Jay by supporting the cause of immediate abolition, even though he was reluctant to join an anti-slavery society until the summer of 1834.⁵ William also came to denounce colonization, the early nineteenth century movement to relocate free black people in the United States to Africa.⁶ Moreover, William Jay arranged for John Jay II to pursue his early education and college preparation under Dr. William A. Muhlenberg, an Episcopal minister and outspoken opponent of slavery.⁷ By the time Jay finished his studies at Muhlenberg's institute in 1832, his consistent exposure to anti-slavery voices in his home and academic environment had unquestionably shaped his own thinking.

No evidence suggests that John Jay II learned his views on slavery and race on the campus of Columbia College. Jay matriculated to Columbia in the fall of 1832 and completed his

¹ David N. Gellman, *Emancipating New York: The Politics of Slavery and Freedom, 1777-1827* (Baton Rouge, LA: Louisiana State University Press, 2006), 31.

² *Ibid.*, 34.

³ *Ibid.*, 58.

⁴ *Ibid.*

⁵ Stephen P. Budney, *William Jay: Abolitionist and Anticolonialist* (Westport, CT: Praeger, 2005), 33.

⁶ *Ibid.*, 1.

⁷ Robert Trendel, "John Jay II: Antislavery Conscience of the Episcopal Church," *Historical Magazine of the Protestant Episcopal Church*, 45, no. 3 (September 1976): 238.

studies in 1836.⁸ The school's academic curriculum in the 1830s had a strong classical bent that left little room for extensive discussions of slavery. To receive a degree, students were required to complete fourteen points in Latin and Greek, eight in mathematics and science, and eight in the humanities.⁹ While courses in the humanities may have touched on slavery, they were not offered to students until their third or fourth years of study.¹⁰ Jay's abolitionist views were already well established before he entered his junior year.¹¹

In the off chance that Jay encountered substantive discussions of slavery in later class material, his existing beliefs about the topic did not waver. As a senior, Jay took an American constitutional jurisprudence course taught by William Alexander Duer, Columbia College's president from 1829 to 1842. Judging from an outline of lectures, the course briefly addressed topics such as the slave trade and the distinction between "free persons" and "all other persons" in the U.S. Constitution.¹² As a vocal colonizationist, however, Duer certainly would not have used his time at the lectern to make the case for immediate abolition during a class discussion of slavery. Even if Duer took the opportunity to promote a favorable view of colonization, Jay remained undeterred in his commitment to abolitionism.

It is also unlikely that Jay's Columbia classmates significantly influenced his views. As Craig Wilder has noted, King's (the predecessor to Columbia) was a "merchant's college," an

⁸ Columbia University, *Officers and Graduates of Columbia University, Originally the College of the Province of New York Known as King's College, General Catalogue 1754-1900* (New York, NY: Columbia University Press, 1900), 532.

⁹ Robert McCaughey, *Stand Columbia: A History of Columbia University in the City of New York, 1754-2004* (New York, NY: Columbia University Press, 2003), 85.

¹⁰ *Ibid.*

¹¹ As evidence, I will discuss Jay's involvement in the New-York Young Men's Anti-Slavery Society starting in 1834 later in this section.

¹² Columbia College, April 6, 1836, Class testimonials advertisement, *Commercial Advertiser*, 2; William Alexander Duer, *Outlines of the Constitutional Jurisprudence of the United States* (New York, NY: Collins and Hannay, 1833), 39, 147, 153, 168.

institution primarily attended by the sons of New York's merchant class.¹³ By the 1830s, when Jay attended Columbia College, students still primarily hailed from the city's cotton trading commercial families, as well as legal and professional families that supported the operations of mercantile activity.¹⁴ As direct or indirect beneficiaries of the slave economy, Columbia students in the early- to mid-nineteenth century were unlikely to voice strong anti-slavery positions.

The primary space for political and philosophical discussion at Columbia was the Philolexian Society, one of two literary societies on campus that hosted regular debates on issues including slavery.¹⁵ The records of the Philolexian Society indicate that Jay never attended one of their meetings, while the records of the rival Peithologian Society are sparse.¹⁶ It is possible that Jay chose to distance himself from a group like Philolexian that had a less than impeccable record on the issue of abolishing slavery. In 1816, the society debated whether the *policy* of emancipation should be pursued and ultimately voted against it.¹⁷ Even by the 1830s, it remains unlikely that any students besides John Jay II, given their backgrounds, would have argued in favor of immediate abolition. When Jay did choose to participate in campus discussions, his efforts were dismissed by classmates such as George Templeton Strong, who on one occasion wrote that “the super-super-fine Mr. John Jay” delivered “an English Salutatory remarkable only for the quantity of blarney it contained.”¹⁸

¹³ Craig Steven Wilder, *Ebony & Ivy: Race, Slavery, and the Troubled History of America's Universities* (New York, NY: Bloomsburg Press, 2013), 67.

¹⁴ McCaughey, *Stand Columbia*, ##.

¹⁵ Chloe Hawkey, “Hardly Student Activists: Columbia College Students in the Early Republic,” (Columbia University and Slavery seminar paper, Columbia University, 2015).

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ George Templeton Strong, *The Diary of George Templeton Strong: Young Man in New York, 1835-1849*, ed. by Allan Nevins and Milton Halsey Thomas (New York, NY: The Macmillan Company, 1952), 35.

Jay's dissatisfaction with the existing arenas for discussion on campus is evidenced by his decision late in his senior year to co-found Columbia's chapter of Alpha Delta Phi (ADP), the first Greek letter organization on campus. Jay and John Henry Hobart II, a classmate in his year, held the inaugural meeting for the new literary society and fraternity on June 16, 1836.¹⁹ Their exact aim in starting the chapter is unclear, but the history of ADP suggests a possible explanation. Samuel Eells founded the first chapter of ADP only four years earlier at Hamilton College as an alternative venue for conversation and debate given the limited range of discussion in Hamilton College's academic courses and the existing literary societies, the Phoenix and the Philopeuthian.²⁰ He aimed to fulfill "the need of warmer nutriment for their souls than that furnished by the drilled dry lessons of the class-room," while also creating a "society of a higher nature and more comprehensive and higher principle" than the ones already in operation.²¹ Jay may have felt stifled by Columbia's classical curriculum and the similarly limited range of discussion in Columbia's literary societies. It is possible that he mimicked the efforts of Eells and established an ADP chapter as a space to push the usual limits of discussion and debate at Columbia on topics including slavery and race. In any case, Jay's co-founding of ADP signaled that he was unsatisfied with the school's existing opportunities for engaged dialogue.

Perhaps as a result, John Jay II spent his college years active in abolitionist causes off campus. In May 1834, near the end of Jay's sophomore year, he helped found the New-York Young Men's Anti-Slavery Society.²² Among the society's twenty-four officers and managers in

¹⁹ Executive Council of the Alpha Delta Phi, *Catalogue of the Alpha Delta Phi, 1832-1866* (New York: Alpha Delta Phi, 1882), 54.

²⁰ *Ibid.*, 3.

²¹ *Ibid.*, 3-4.

²² New-York Young Men's Anti-Slavery Society, *Address of the New-York Young Men's Anti-Slavery Society to their Fellow-Citizens* (New York: W.T. Coolidge & Co., 1834).

its first year, only Jay had any direct Columbia College affiliation.²³ The group served as an “auxiliary” to the American Anti-Slavery Society, a national abolitionist organization officially formed in 1833 under a constitution authored by William Jay.²⁴ Despite its affiliation with a larger organization, the New-York Young Men’s Anti-Slavery Society had its own constitution and set of officers and issued its own addresses. The self-proclaimed aim of the organization was to “promote the entire abolition of slavery in the United States, by collecting and diffusing information concerning its true character.”²⁵ Its members viewed slavery as a “NATIONAL EVIL” that ultimately required a “NATIONAL REMEDY.”²⁶ They called for “IMMEDIATE EMANCIPATION,” believing that “gradual emancipation is but *emancipation in the abstract*, a postponed duty, a cruel injustice ... [proven] by the fact of its failure in this country, after being in vogue for half a century.”²⁷ The group’s rejection of gradual emancipation was a repudiation of the doctrine espoused by the New York Manumission Society at the end of the eighteenth century. For John Jay II, rejecting gradualism was an abandonment of the approach supported by his grandfather John Jay and other Columbians once active in the Manumission Society, such as former King’s College student Alexander Hamilton and King’s graduates Robert L. Livingston (1764) and Robert Troup (1774).²⁸ The Manumission Society’s members had believed that gradual emancipation was going to lead to the end of slavery within several decades.²⁹ With the benefit of hindsight, John Jay II’s generation of anti-slavery activists recognized that this had been a false hope and that immediate action was necessary.

²³ Columbia University, *Officers and Graduates*.

²⁴ New-York Young Men’s Anti-Slavery Society, *Address of the New-York Young Men’s Anti-Slavery Society to their Fellow-Citizens* (New York: W.T. Coolidge & Co., 1834), 39.

²⁵ *Ibid.*

²⁶ *Ibid.*, 7.

²⁷ *Ibid.*; *Ibid.*, 28.

²⁸ Columbia University, *Officers and Graduates*.

²⁹ Gellman, *Emancipating New York*, 58.

Jay's involvement in the New-York Young Men's Anti-Slavery Society also pitted him against contemporary Columbians who believed in the merits of colonization, which by the 1830s was replacing gradual emancipation as the mainstream anti-slavery line of thought among those with ties to the school. Overall, twenty students, twelve trustees, four professors, and two presidents from Columbia College, the College of Physicians and Surgeons, and the Union Theological Seminary held membership in the American Colonization Society, the New York Colonization Society, the New York City Colonization Society, and the New York Young Men's Colonization Society.³⁰ The New-York Young Men's Anti-Slavery Society rejected the central premise of colonization -- that free blacks were unfit for life in American society. Preempting criticism from colonizationists that free blacks posed a danger to whites, the Society's members asked, "Will it be objected that emancipation is dangerous? that the slave, so inoffensive under injuries, is fierce and blood-thirsty when emancipated? Shall we be told that to give him liberty will endanger his master?"³¹ Young abolitionists like Jay argued that rather than fearing emancipation, the public should worry about slave insurrections. Free blacks were harmless, but restless slaves posed a substantial threat to social order. The New-York Young Men's Anti-Slavery Society also challenged the notion that free black people could not be American citizens:

We will close by asking the intelligent reader, if there be any thing contrary to sound morals, to decency, to religion, to correct notions of government, to the doctrine of "unalienable rights," to expediency, to the duty of citizens of the United States towards the slave-holders; in a plan for the improvement of the colored people, which shall abrogate the system of compulsory, perpetual, hereditary, unrequited labor, and substitute in its place the just rewards which stimulate honorable toil all over the civilize world? which shall raise the slave

³⁰ Sarah Schutz, "'Africa's Glory and America's Hope': Columbia's Involvement in the African Colonization Movement," (Columbia University and Slavery seminar paper, Columbia University, 2015), 25.

³¹ New-York Young Men's Anti-Slavery Society, *Address of the New-York Young Men's Anti-Slavery Society*, 31.

from the state of brutal degradation into which oppression has sunk him, to the protection, elevation, and proper responsibility of a citizen?³²

Rather than believing that free blacks needed to constitute their own society in Africa, Jay and his fellow young abolitionists argued that they could live as productive citizens in the United States.

Jay confronted colonizationists directly in the summer of 1834. Only two months after the formation of the New-York Young Men's Anti-Slavery Society, the so-called "Farren Riots" erupted against the city's abolitionists by storm. Starting on the evening of July 7, 1834 and continuing for four nights, colonizationists attacked the churches, businesses, and homes of abolitionists and African-Americans in New York City. William Jay wrote to his son warning him against getting caught up in the mobs, lamenting that too many "merely curious" observers could find themselves hurt in the midst of such volatility.³³ Despite his father's warnings, John Jay II was on the scene. He "rallied with his associates to defend the dwelling of Dr. Abraham L. Cox, and the warehouse of Arthur Tappan, against threatened attack by the lawless mob which had already sacked the premises of other prominent anti-slavery citizens."³⁴ Jay proved that his abolitionism was not just the intellectual project of a college student, but a cause for which he was willing to take to the streets to defend his fellow activists.

Jay continued to remain active in the New-York Young Men's Anti-Slavery Society following his graduation from Columbia. In 1839, the society's members selected Jay as their

³² Ibid., 35.

³³ William Jay to John Jay, June 25, 1835, Jay Family Papers, Rare Book and Manuscript Library, Columbia University.

³⁴ William Allen Butler, Charles A. Peabody, Thomas C. Acton, "Union League Club: Memorial to the Hon. John Jay, June 1894" (printed by the Club, 1894), 2, in the Papers of John Jay, quoted in Craig D. Townsend, *Faith in Their Own Color: Black Episcopalians in Antebellum New York City* (New York, NY: Columbia University Press, 2005), 62.

next president.³⁵ Equipped with experience as a student activist challenging the beliefs of students, faculty, trustees, and other members of the Columbia community on slavery and race, Jay now prepared himself to take on his fellow Columbians in new arenas.

John Jay II as Churchman

In addition to inheriting a strong anti-slavery spirit from his family, John Jay II was also instructed in the beliefs and practices of the Episcopal Church. Prior to the American Revolution, John Jay, John Jay II's grandfather, devoted himself to the King James Bible and the Church of England.³⁶ When the Revolution severed America's ties with the Anglicans, Jay became a delegate to the national Episcopal convention in Philadelphia in 1786 and began a family tradition of involvement in church politics.³⁷ In 1801, he moved to Bedford, New York and became an active parishioner of St. Matthew's Church.³⁸ As a testament to the family's religious dedication, William Jay, John Jay's son, began school at Yale in 1803 rather than Columbia since Yale's president, Reverend Timothy Dwight, favored orthodoxy and opposed Deism.³⁹ When William returned to New York, he too became active in St. Matthew's and raised his son John Jay II to be an involved churchman, as well. Working both together and independently, John and his father William used their influence in the Episcopal Church to further the cause of abolitionism and challenged the church to address inconsistencies between its support of slavery and racism and "the gospel of Jesus Christ."⁴⁰ The pair faced steep internal opposition.

³⁵ Update on meeting of the Young Men's Anti-Slavery Society, *Emancipator*, September 9, 1839.

³⁶ Allan Weinreb, "The Jays and Religion" (talk, 200th Anniversary of the Construction of St. Matthew's Episcopal Church, Bedford, NY, October 2010).

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

The New York Episcopal establishment's reluctance to engage with the Jays on issues of slavery and race in the church was guided by religious principle and pragmatism more than by any particular pro- or anti-slavery ideology built into the Episcopal tradition. On the point of religious principle, church leaders claimed that the aim of Episcopalians was "to direct the current of Christian feeling in the channels marked out for it by collective wisdom and guard against its being diverted by wayward impulse and wasted on worldly and ephemeral projects."⁴¹ In the view of the Diocesan leadership, turning the church into a battlefield on which to fight anti-slavery and anti-racist battles distracted from the true focus of the church on heavenly matters. From a pragmatic perspective, church leaders witnessed tensions arising between the Northern and Southern members of the Methodist and Baptist churches as their national organizations debated issues of slavery and race, and the Episcopal Church wanted to avoid any similar threat of disunity.⁴² Leaders in New York responded by attempting to quash the Jay family's efforts to introduce discussions of slavery and race into church deliberations.

For John Jay II, challenging the Episcopal Church in New York meant that he was taking his fellow Columbians to task for their complicity in the church's support of slavery and displays of racism. New York's Episcopalians in the mid-nineteenth century possessed strong ties to Columbia, evident in both the large population of Columbia College graduates among the leadership of the Episcopal Diocese of New York and the high percentage of Episcopalians within the leadership of Columbia College. Among the church's leadership at mid-century, the most famous Columbian was Benjamin Treadwell Onderdonk, the Bishop of the Diocese from 1830 to 1861, a Columbia College graduate, and a Columbia College trustee. Onderdonk received a Bachelor of Arts (B.A.) degree from Columbia in 1809, a Master of Arts (A.M.)

⁴¹ *Churchman* 4 (July 19, 1834): 695.

⁴² Townsend, *Faith in Their Own Color*, 59.

degree in 1816, and the honorary degree of Doctorate in Sacred Theology (S.T.D.) in 1826; he served as the president of the Philolexian Society while on campus.⁴³ Onderdonk had also studied under the previous Bishop, John Henry Hobart, whose son John Henry Hobart II founded ADP at Columbia with John Jay II and who later became an Episcopal minister. In the convention years 1833 and 1846, used as representative years for the 1830s and 1840s, direct Columbia affiliates accounted for at least one third of the leadership positions among both clergy and laity in the Episcopal Diocese of New York.⁴⁴ On the Columbia College side of leadership, the Trustees of Columbia College in the mid-nineteenth century were primarily made up of prominent Episcopalians.⁴⁵ Between 1811 and 1854, the percentage of Episcopalian trustees grew from twenty-nine to seventy-nine percent of the board's composition.⁴⁶

John Jay II's first effort to challenge the views of slavery and race in the Episcopal Diocese of New York was an extension of his work calling for immediate abolition. On February 12, 1839, Jay delivered a speech to the New York Anti-Slavery Society convention, later published as a pamphlet, *Thoughts on the Duty of the Episcopal Church in Relation to Slavery*. In the speech, Jay addressed the Episcopal Church's ties to the Church of England, claiming that while the two churches now maintained separate governance, they shared a spiritual link.⁴⁷ Jay argued, however, that the link was weakened when the Episcopal Church failed to follow in the

⁴³ Columbia University, *Officers and Graduates*, 418

⁴⁴ Episcopal Church, Diocese of New York, *Journal of the Proceedings of the 48th Convention of the Protestant Episcopal Church in the Diocese of New-York* (New York, NY: T. & J. Swords, 1833); Episcopal Church, Diocese of New York, *Journal of the Proceedings of the 62nd Convention of the Protestant Episcopal Church in the State of New York, 1846* (New York, NY: Henry M. Onderdonk, 1846),

⁴⁵ McCaughey, *Stand Columbia*, 117.

⁴⁶ *Ibid.*

⁴⁷ John Jay, *Thoughts on the Duty of the Episcopal Church in Relation to Slavery: Being a Speech Delivered in the N.Y.A.S. Convention, February 12, 1839* (New York, NY: Piercy & Reed, 1839), 4.

footsteps of “the Churchmen of England” in helping rid their country of slavery and thus “in keeping of God’s commandments.”⁴⁸ He said that the Episcopal Church was not “a mute and careless spectator.”⁴⁹ Instead, he accused “her very priests and deacons” of “ministering at the altar of slavery, offering their talents and influence at its unholy shrine, and openly repeating the awful blasphemy that the precepts of our Savior sanction the system of American servitude.”⁵⁰ In Jay’s eyes, the Columbia men who dominated the Church did not passively participate in the slave economy; they perpetuated and justified its existence. To correct this longstanding wrong, Jay advocated for the Episcopal Church to publicly support the cause of abolition.

Jay drew further connections between slavery and the more tangible racial divides that he sought to challenge within the Episcopal Church. He explicitly linked the church’s support of slavery to the exclusion of slaves from the church and Episcopal-linked or associated colleges such as Columbia:

A stranger would scarcely have imagined, when those clergymen dwelt upon the favors God had heaped upon this people, when they spoke of our schools, our colleges, and churches, the extension of knowledge, the diffusion of Christianity, and all the numberless blessings we enjoy—that there existed in this nation nearly THREE MILLIONS of people, oppressed in body and degraded in mind—who have never entered the walls of a school, nor learnt the coming of Christ, and know not the sound of the church-going bell, and whom in some states it is death to teach that Bible which is our hope and stay.⁵¹

Jay knew that limited access to schools, colleges, and churches not only applied to slaves, but also to free black people facing prejudice within their own religious establishment that prevented them from attaining the same educational and spiritual opportunities.

⁴⁸ Jay, *Thoughts on the Duty*, 6.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*, 6-7.

⁵¹ *Ibid.*, 8.

John Jay II dealt with two particular instances of racial discrimination in the Episcopal Diocese of New York that illustrated how he used his position as a churchman to confront the damaging attitudes of mid-nineteenth century Columbians with respect to race. The first instance was the case of Alexander Crummell, a black man who applied for admission to the church's divinity school, but encountered rejection from church leaders. The second case was the continued denial of St. Philip's church, a black Episcopal congregation, from the Protestant Episcopal convention.

The Crummell case provided an early test for Jay's anti-racist and abolitionist activism in his post-Columbia years and in the Episcopal Church. Under Bishop John Henry Hobart in 1817, the Protestant Episcopal Convention called for the establishment of a seminary to be located in New York City that was meant to serve the entire church, hence the school's eventual christening as the General Theological Seminary.⁵² In 1839, Alexander Crummell, a black man, applied for entry to the General Theological Seminary and was denied admission despite being fully qualified. The Statutes of the Seminary had previously stated that, "every person producing to the Faculty satisfactory evidence of his having been admitted a candidate for Holy Orders, with full qualifications, according to the canons of the Protestant Episcopal Church in the United States, SHALL BE RECEIVED AS A STUDENT OF THE SEMINARY."⁵³ Without notice of any substantive change to the Statutes, the failure of the Seminary to abide by its rules of admission upset Crummell and provoked Jay's curiosity. Shortly after, Jay approached Crummell about the situation. As Crummell recalled during a sermon later in his life:

⁵² "GTS Detailed History," The General Theological Seminary at the Episcopal Church, http://gts.edu/index.php?option=com_content&view=article&id=1030%3Agts-detailed-history&catid=35&Itemid=52.

⁵³ John Jay, *Caste and Slavery in the American Church* (New York, NY: Wiley and Putnam, 1843), 7.

The Hon. John Jay was the very first of my benefactors. I was sitting in a garret room, in Church street, New York, utterly bewildered on Bishop Onderdonk's rejection of me. All of a sudden I was told that a young gentleman wanted to see me. It was Mr. Jay. He climbed the narrow stairway, and entered my little cabin. I myself had not then reached my maturity, and he could not have been more than a year or two older than myself, a recent graduate from college. I was charmed with the grace and elegance of his manners, and that mingled beauty and manliness of person that he carried with him through his life, but then, in its early youthful glow. He had heard of the rude and unjust treatment I had received, and came to tender his sympathy and succor.⁵⁴

From Jay's early investigation into the matter, he deduced that his fellow Columbian Bishop Onderdonk and an admissions committee composed of a majority of Columbia affiliates likely conspired to ensure Crummell's rejection.⁵⁵ After researching the Bishop's previous addresses and the minutes of Board of Trustees proceedings, Jay published an essay, *Caste and Slavery in the American Church*, as a two-part series in the April 1 and April 8, 1843 editions of the *New World*, identifying himself as "a churchman."⁵⁶ Jay's choice to publish his essay in a New York-based paper that billed itself as "a weekly family journal of popular literature, science, art and news," rather than in an abolitionist paper, indicates that he intended for his critique to be seen by people from the same background as his Columbia peers.⁵⁷ The essay addressed the discrimination to which Crummell was subjected by Columbia-affiliated Episcopal leadership in his application process to the Seminary. Jay revealed that while Crummell's application was sitting before the committee, Bishop Onderdonk proposed an amendment to the Statutes that altered the wording to read (italics added to show alterations): "every person producing to the Faculty satisfactory evidence of his *being* a candidate for Holy Orders, with full qualifications,

⁵⁴ Alexander Crummell, *Jubilate: 1844-1894, The Shades and the Lights of a Fifty Years' Ministry* (Washington, DC: St. Luke's Church, 1894), 23.

⁵⁵ Jay, *Caste and Slavery*, 4-7; Columbia University, *Officers and Graduates*.

⁵⁶ Jay, *Caste and Slavery*, 1, 5.

⁵⁷ *The New World: A Weekly Family Journal of Popular Literature, Science, Art and News*, vol. vi, ed. Park Benjamin (New York, NY: J. Winchester, 1843), i.

according to the canons of the Protestant Episcopal Church in the United States, *MAY BE RECEIVED AS A STUDENT OF THE SEMINARY.*”⁵⁸ Jay demonstrated how Bishop Onderdonk’s consideration of a black man’s application for a seat at the Seminary led him to call for ignoring the objective measurement of meeting admissions qualifications, leaving in its place language making acceptance less certain and more dependent on subjective and likely racist terms of evaluation. Jay’s fellow Episcopalian Columbians were not particularly pleased with his activism. Upon the release of the second installation of Jay’s *New World* piece, George Templeton Strong, Columbia College class of 1838 and now a Columbia College trustee and Vestryman of the Episcopalian Trinity Church Wall Street, wrote in his diary:

John Jay has been writing some very flippant and foolish articles in the *New World* about church matters and abolitionism. As he is not possessed of but one idea himself, he thinks it queer that the church is not equally limited in its range and can’t understand that it should have other objects in view besides that of educating gentlemen of color. Well, if a man has a penchant for niggers, he has a perfect right to indulge in it.⁵⁹

For Jay, however, the education point was key. Jay’s foremost concern with the discrimination leveled against Crummell in the General Theological Seminary admissions process was the establishment of a racial hierarchy through the machinery of the church hierarchy. Jay claimed that the leadership of the General Theological Seminary “deliberately established a system of Caste in the Church—not among its lower members only—not among the laity alone, but among the very clergy who approach us as ambassadors of God, and minister at his altars.”⁶⁰ In order to become a member of the clergy, a person required seminary experience. By denying seminary access to people of a certain race, Jay explained, the Episcopal Church was denying church leadership potential to an entire particular racial group. While Jay was ultimately unsuccessful at

⁵⁸ Jay, *Caste and Slavery*, 7.

⁵⁹ Strong, *The Diary of George Templeton Strong: Young Man in New York*, 200.

⁶⁰ Jay, *Caste and Slavery*, 8.

helping Crummell gain admission to the General Theological Seminary, Crummell was able to begin his theological studies at Yale.⁶¹

Even for black Episcopal churches fortunate enough to have a black reverend in the mid-nineteenth century, racial discrimination in the Episcopal community still prevailed. In addition to the Crummell fight, Jay's other notable effort at battling discrimination orchestrated by Columbians in the Episcopal Church was his nearly decade-long fight to secure representation for St. Philip's, a black Episcopal congregation, at the Protestant Episcopal convention. The convention was a meeting where local representatives voted upon many official church decisions, and white church leaders continuously blocked black representatives from having a seat at the table. Jay's first convention was in 1839.⁶² He attended in the midst of the Crummell debacle and noticed the absence of black delegates.⁶³ Jay knew that the black St. Philip's Church, established in 1818, was financially stable and was unsure why they did not have representatives at the convention.⁶⁴ When Jay found out that the lack of black delegates was the result of a sustained effort at keeping the delegation's status in limbo to prevent black Episcopalians from having a role in decision-making, he secured election in 1844 not only as a delegate from St. Matthew's Church, but also from St. Philip's Church.⁶⁵ As a white man, he would be allowed to speak on their behalf at the convention.

⁶¹ Wilson Jeremiah Moses, *Alexander Crummell: A Study of Civilization and Discontent* (New York, NY: Oxford University Press, 1989), 30.

⁶² Robert Trendel, "John Jay II: Antislavery Conscience of the Episcopal Church," *Historical Magazine of the Protestant Episcopal Church* 45, no. 3 (September 1976): 244.

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

At the 1844 convention, Jay put forth a resolution with regard to the convention's Committee on the Incorporation of Churches.⁶⁶ He asked the delegates to consider a vote on the language: "Resolved, that the Committee on the Incorporation of Churches be instructed to inquire and report to this Convention, the reasons why the Church of St. Philip in this city has for more than twenty years continued in a state of schism."⁶⁷ Bishop Onderdonk, already Jay's foe in the church from the Crummell case and now the chair of the present convention, dealt Jay his first blow from a fellow Columbian in the St. Philip's fight by declaring that the resolution was out of order. Nonetheless, Jay had made his first attack.

In 1846, the Committee on the Incorporation of Churches recommended the admission of twelve churches to the convention, including St. Philip's.⁶⁸ Jay's pressure over the previous two years seemed to have had an effect on the committee. Winning the approval of the full convention, however, was a different matter entirely. Two of Jay's Columbian peers worked to deny him any movement forward on a positive vote. The first was William Harison, Columbia College class of 1811, a Columbia College trustee, and the treasurer of the vestry of Trinity Church. Following the committee's recommendation to include St. Philip's at the convention, Harison offered a motion, stating, "Resolved, that the subject of the admission of St. Philip's Church, New York, and if other congregations of colored people into representation in the Convention of this Diocese, be referred to a special committee to consider, and to report upon, at the present Convention."⁶⁹ Jay saw this as yet another postponement tactic, and instead sought to

⁶⁶ Townsend, *Faith in Their Own Color*, 113.

⁶⁷ Episcopal Church, Diocese of New York, *Journal of the Proceedings of the 60th Convention of the Protestant Episcopal Church in the State of New York, 1844* (New York, NY, 1844), 47-8.

⁶⁸ Townsend, *Faith in Their Own Color*, 126.

⁶⁹ Episcopal Church, Diocese of New York, *Journal of the Proceedings of the 62nd Convention of the Protestant Episcopal Church in the State of New York, 1846* (New York, NY: Henry M. Onderdonk, 1846), 25.

draw out debate over the issue on the convention floor. To prevent any discussion that could cause disunity, the Rev. Hugh Smith, Columbia College class of 1813 and recipient of the honorary degree of S.T.D. from Columbia in 1838, intervened.⁷⁰ Smith suggested that the issue of admitting St. Philip's should be 'decided without debate—in order that we might avoid that most dangerous and exciting topic, abolition.'"⁷¹ Harison and Smith compromised on having a vote on the original question—forming a committee—but without debate.⁷² The motion passed, and the senior priest appointed a committee of five that did not include Jay.⁷³ For the next several years, however, attempts by Jay to discuss the inclusion of St. Philip's at the conventions were continuously dismissed by procedural maneuvers.

By the time of the 1853 convention, Jay and William Morris, the new officiating minister at St. Philip's Church, were working independently to achieve inclusion for the delegation. Jay introduced an amendment seeking to include a nondiscrimination clause based on race and ancestry into New York's diocesan laws:

No Church applying for admission, which shall been fully incorporated as above provided, shall be refused admission into union with the Convention of this Diocese, on account of the race, lineage, color, or complexion of the congregation so applying, or any part thereof, or of the minister presiding over the same—nor on account of any social or political qualifications of any kind whatsoever, that may attach, or may be supposed to attach to them without the Church—and all churches admitted into union with said convention, shall be admitted—without any condition or qualification establishing or recognizing caste in the Church—upon a footing of catholic equality and Christian brotherhood.⁷⁴

His approach to achieve inclusion for St. Philip's was to connect the denial of the church to a broader recognition of racial equality. Morris, on the other hand, was more interested in simply

⁷⁰ Columbia University, *Officers and Graduates*, 98.

⁷¹ *Morning Courier*, October 2, 1846, 2.

⁷² Townsend, *Faith in Their Own Color*, 128.

⁷³ *Ibid.*

⁷⁴ *Evening Post*, September 29, 1853, 2.

winning recognition for the delegation. After the Committee on the Incorporation of Churches listed St. Philip's as one of the churches it recommended for union, a vote was called. Jay, unsatisfied with severing admission of St. Philip's from the broader issue of race in the Episcopal Church, did not second the motion.⁷⁵ By a vote of 75 to 33 among the laity and 140 to 13 among the clergy, St. Philip's was admitted to the convention.⁷⁶ Even though Jay did not achieve his full aims, he had worked over the past nine years to open the political space at the convention that made a vote even possible. Many of Jay's fellow Columbians in attendance were simply glad to be done with the matter. George Templeton Strong, however, offered his usual indictment of Jay in his diary, writing, "Another Revolution. John Jay's annual motion carried at last, and the nigger delegation admitted into the Diocesan Convention. John Jay must be an unhappy, aching void, as when one's stomach, liver, and other innards have been dexterously taken out."⁷⁷ Despite criticism from his contemporaries, Jay left a lasting legacy in the Episcopal Diocese of New York, forcing the Columbia-dominated institution to confront issues of slavery and race.

John Jay II as Lawyer

Following his graduation from Columbia College, John Jay II began a career practicing law in New York City. As a lawyer, Jay became involved in some of the most pressing legal battles of the mid-nineteenth century related to slavery and race. For one, Jay directly confronted fugitive slave laws. New York City was one location in an informal "Underground Railroad" that slaves escaping from the South passed through on their way north. In a series of cases, Jay served as legal counsel for persons who had been caught by authorities on their way through

⁷⁵ Townsend, *Faith in Their Own Color*, 192.

⁷⁶ *Ibid.*

⁷⁷ George Templeton Strong, *The Diary of George Templeton Strong: The Turbulent Fifties, 1850-1859*, ed. by Allan Nevins and Milton Halsey Thomas (New York, NY: The Macmillan Company, 1952), 131.

New York. Eric Foner characterizes Jay as “the city’s leading lawyer in fugitive slave cases” by the mid-nineteenth century.⁷⁸ Jay’s activist litigation on behalf of fugitives put him in opposition to Southern slaveholders, but Jay also used his legal acumen to challenge the racist practices of people and institutions much closer to home. Perhaps the most pertinent example was Jay’s challenge to the College of Physicians and Surgeons (P&S), which became Columbia College’s medical department in 1860 and an incorporated part of Columbia University in 1891.⁷⁹ Between 1850 and 1853, Jay led the legal battle against P&S for expelling James Parker Barnett, a student accused of being “colored” midway through his medical education and forced out of the school at the start of his third year.

On November 19, 1850, Barnett wrote to John Jay II of the law firm Jay & Field describing the facts of his case, which Jay had requested.⁸⁰ In the letter, Barnett detailed his educational history. These facts helped establish Jay’s case for Barnett’s qualification for continued attendance at P&S. Barnett told Jay that he “entered the Academy of Mr. Aaron Rand” at the age of five in the mid-1830s and followed “the usual routine of school studies & preparing myself for college at his institution.”⁸¹ Barnett later applied for admission to New York University, then officially the University of the City of New York, where he was accepted in 1844. Over the next four years, he won numerous academic accolades, received an invitation to speak at Commencement, and was told by Frederick Frelinghuysen, the school’s chancellor, that

⁷⁸ Eric Foner, *Gateway to Freedom: The Hidden History of the Underground Railroad* (New York, NY: W. W. Norton & Company, 2015): 112.

⁷⁹ “History of the College of Physicians and Surgeons,” Columbia University College of Physicians and Surgeons, <http://ps.columbia.edu/about-ps/history-college-physicians-and-surgeons>.

⁸⁰ James Parker Barnett to John Jay II, November 19, 1850, Jay Family Papers, Rare Book and Manuscript Library, Columbia University.

⁸¹ *Ibid.*

he “always stood well in the estimation of the Faculty and ranked 5th” in his class.⁸² Frelinghuysen also encouraged Barnett to follow his dream of pursuing the medical profession, in which “he thought I could succeed very well.”⁸³

After Barnett’s graduation in June 1848, he decided to matriculate at P&S for his medical education. Barnett’s letter to Jay laid out Jay’s later case for Barnett’s improper dismissal. Over the next two years, Barnett fulfilled his academic requirements. He attended his required lectures, “paying the usual fee,” and watched procedures performed on real patients in the school’s “Cliniques.”⁸⁴ In his second year, he “took out the Demonstrations ticket and dissected in the dissections room with the rest of the students.”⁸⁵ From Barnett’s perspective, he also did not exhibit any noted behavioral problems or squabble with other students. As he explained to Jay, “I have never at any time experienced any ill feeling from any of the students, but have always associated with them on friendly terms.”⁸⁶

Jay’s interest in the case likely stemmed from Barnett’s experience of racial discrimination as he began his third year at P&S. On October 1, 1850, one of the first days of the term, Barnett sat waiting for a lecture from Dr. Parker in the school’s Anatomical Theatre.⁸⁷ Suddenly, Dr. Isaacs entered the room and asked for Barnett to come with him. Isaacs unexpectedly brought Barnett before a panel consisting of himself and fellow faculty members Drs. Watts, Gilman, and Parker.⁸⁸ Dr. Parker began the conversation, which “lasted about three

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ While the verifiable result of Barnett’s meeting with the panel was Barnett’s expulsion from P&S, the only written evidence of the meeting’s content is contained in Barnett’s letter to John

quarters of an hour,” by telling Barnett that they needed his help investigating “a question which had lately arisen.”⁸⁹ Dr. Parker noted that two months prior, the school had “been accused by a Southern gentleman of receiving colored students,” identifying Barnett and another “person by the name of Macdonald” as two examples.⁹⁰ “I must confess,” Barnett stated in response, “that my mother is not of the Anglo-Saxon race, but of Creole descent.”⁹¹ Prompted about his father, Barnett said, “My father is neither of the Anglo-Saxon race.”⁹² He remarked that “my mother ... is fairer than I, and my father is about my complexion.”⁹³ “I had heard,” Dr. Parker responded before leaving to teach his lecture, “that they were both of your complexion.”⁹⁴

The faculty members told Barnett that he could not continue his education at P&S. They stated that “they had a rule binding upon them not to admit colored students, that they had repeatedly refused former applications and that they saw no reason why they should make an exception” for Barnett.⁹⁵ Barnett tried to defend himself by discussing his past attendance records and his previous education, but the faculty members claimed, “they knew all this, but they were mere servants of the Trustees.”⁹⁶ Dr. Gilman suggested that he could transfer to Buffalo, Albany, or Boston with his highest recommendation, but maintained that “it was

Jay II, produced two months after the event occurred. Barnett himself admits to Jay that he “cannot remember the exact words which passed between us during the whole of the interview.”

⁸⁹ Barnett to Jay, November 19, 1850, Jay Family Papers.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid.

impossible” to matriculate him for a third year at his current institution.⁹⁷ “Now, Mr. Barnett,” Dr. Gilman stated, “do not come here again, where you are not wanted.”⁹⁸ Barnett departed.

Following the receipt of Barnett’s letter in late November 1850, Jay began his fight against P&S. On December 2, Jay & Field sent a letter to the school’s faculty recounting the facts of the case as told to them by Barnett, their client.⁹⁹ After a meeting of the P&S trustees on December 13, President Stevens responded to Jay & Field refusing to admit the facts that Jay presented.¹⁰⁰ The P&S trustees voted to support Stevens’ letter on January 29, 1851.¹⁰¹

With P&S refusing to admit wrongdoing, John Jay II delivered a petition for a writ of mandamus in the Supreme Court of the State of New York for the City and County of New York, listed as *The People ex. Rel. James P. Barnett vs. The Trustees of the College of Physicians and Surgeons*.¹⁰² Since a court only has the authority to issue an order to public bodies using a writ of mandamus, which is its primary purpose, Jay’s petition attempted to show that the Court had jurisdiction in the case of Barnett’s expulsion by drawing a link between the Board of Regents, an agent of the State of New York, and the commission of the College of Physicians and Surgeons. Under Jay’s line of argumentation, since P&S was a creature of the state, the Court had the authority to compel the school as a public body to protect the legal rights of its students.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Jay & Field, “To the Faculty of Medicine in the College of Physicians and Surgeons in the City of New York,” December 2, 1850 in Board of Trustees (P&S) minutes, January 29, 1851, Archival and Special Collections, Augustus C. Long Health Sciences Library, Columbia University.

¹⁰⁰ Board of Trustees (P&S) minutes, January 29, 1851.

¹⁰¹ Ibid.

¹⁰² *The People ex. rel. James P. Barnett vs. The Trustees of the College of Physicians and Surgeons*, Petition of Relator for Mandamus, May 7, 1851, WR-B 342, Division of Old Records and Archival Material, New York State Supreme Court.

In terms of rights, however, Jay made no claim to Barnett's rights as a person of color. Interestingly, Jay skirted race entirely throughout his argumentation. Instead, he claimed that as a result of Barnett's expulsion, he "hath thereby suffered great pecuniary loss and has been deprived of a valuable franchise...; his medical studies have been thereby interrupted, ... his prospect of usefulness and success in the profession of his Choice has been destroyed, and his position in the Community injuriously affected."¹⁰³ Jay framed the situation as if Barnett had been denied his rights as a white student. Race, however, was clearly at play. Barnett's attempts to make a genealogical case for his whiteness to P&S prior to the legal battle displayed a sure understanding of the basis for his expulsion.¹⁰⁴ Moreover, it is highly unlikely that the Barnett family's use of Jay's services were a coincidence. Jay was well known in New York for his battles against racial discrimination in the church and his legal work on behalf of fugitive slaves. In seeking to restore Barnett to his place at P&S, Jay may simply have been employing a pragmatic strategy required to win a legal case for a client rather than the principled strategy he pursued in his usual activism.

Chief Justice John W. Edmonds decided on March 1, 1851 to grant Jay's request for a writ of alternative mandamus, compelling P&S to re-admit Barnett as a student.¹⁰⁵ Jay had previously argued fugitive slave cases before Judge Edmonds and knew him to be generally supportive of his anti-slavery efforts.¹⁰⁶ The choice by Edmonds to grant the writ while also neglecting to mention the issue of race may have been an acknowledgement and acceptance of Jay's strategy.

¹⁰³ *Barnett vs. Trustees*, May 7, 1851, 1-2.

¹⁰⁴ Bob Vietrogoski, "The Case of Mr. J. P. Barnett (Col. Student): An Unusual Instance of Racial Discrimination in 19th-Century Medical Education," (draft paper, January 3, 2011), 23.

¹⁰⁵ *Barnett vs. Trustees*, May 7, 1851.

¹⁰⁶ Foner, *Gateway to Freedom*, 112-15.

Despite the order from the Court, Barnett was still unable to enroll at P&S, although the reason is not clear. Another court case in 1853 before Judge J. Roosevelt did not provide the same good fortune. While Jay once again avoided addressing the issue of race in his legal argumentation, Roosevelt's decision mentioned race explicitly. "This is an application of James P. Barnett," the decision began, "a colored person, for a writ of mandamus."¹⁰⁷ Roosevelt overruled the writ granted by Edmonds, and Jay unfortunately lost the case.

John Jay II Revisited

Throughout the mid-nineteenth century, John Jay II stirred controversy among many Columbians by acting upon abolitionist and anti-racist views that upset the comfort of the status quo for New York City's elite. Jay was working tirelessly within and against the Columbia-affiliated institutions he admired in a sincere effort to improve them. As often happens to people agitating at the margins of history, Jay's efforts to advance the thinking of his peers on slavery and race was only appreciated and admired after the fact. In 1862, for example, Jay lost an election as delegate for St. Matthew's Church at the Diocesan Convention for having "several years misrepresented this Parish by introducing the Slavery question to the injury thereof."¹⁰⁸ As the Civil War took a hopeful turn for the Union in the next year, however, the Vestry recognized Jay's efforts and restored him to his position as a representative at the Convention. In 1891, despite years of presenting challenges to his Columbian peers, Columbia University itself paid tribute to Jay's work for the school and for New York and American society, awarding him an

¹⁰⁷ *The People ex. rel. James P. Barnett vs. The Trustees of the College of Physicians and Surgeons*, Opinion to overrule writ of alternative mandamus, June 7, 1853, WR-B 343, Division of Old Records and Archival Material, New York State Supreme Court, 1.

¹⁰⁸ John Jay II to the Vestry of St. Matthew's Church, Bedford, NY, 1862, Library of Congress.

honorary Doctorate of Laws (LL.D.)¹⁰⁹ John Jay II's presence may not be felt as strongly on Columbia's modern campus as his grandfather's, but his work as a student activist, churchman, and lawyer to support inclusion and equality provide a shining example of what it means to be a true Columbian.

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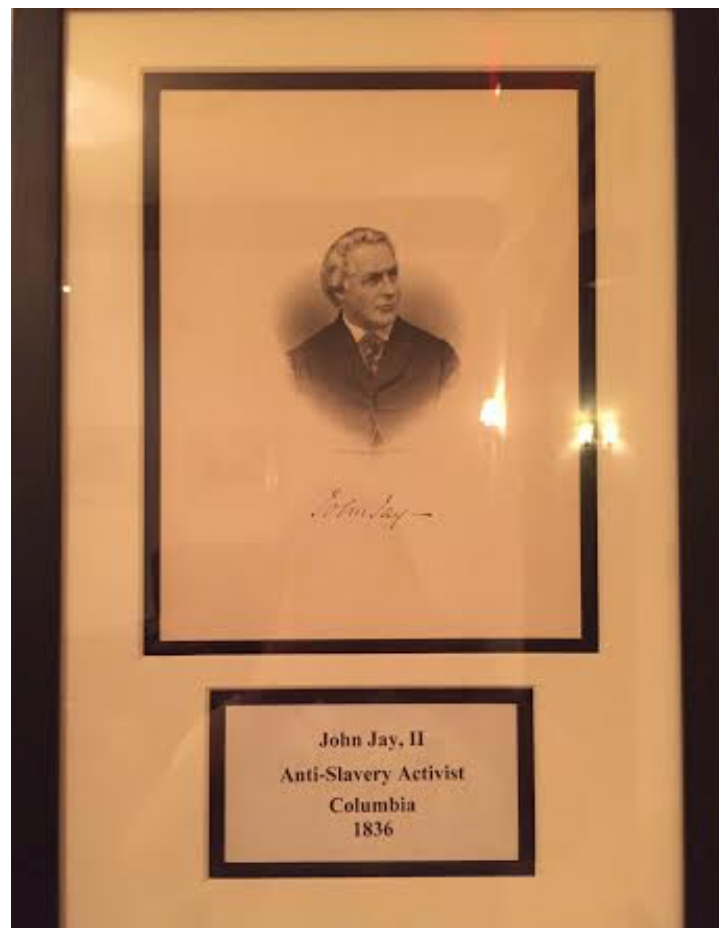
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Picture of John Jay II displayed in the Alpha Delta Phi Society
chapter he founded at Columbia, now on 114th Street in Manhattan
across from Butler Library