

# “An Opinion of Our Own”: Education, Politics, and the Struggle for Adulthood at Dartmouth College, 1814–1819

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On the night of November 11, 1817, nineteen-year-old Rufus Choate rushed to Dartmouth Hall from his Hanover boarding room to answer a call of alarm from his classmates. Professors from Dartmouth University, an institution recently created by legislative action, “had violently attacked” the student library under Choate’s care “and, after an unsuccessful attempt to force the lock, literally hewed down the door” with an axe.<sup>1</sup> Choate, who rejected these professors as figures of authority, joined his peers to temporarily lock the intruders in an adjoining room while they removed their books. News of the incident enraged the already volatile debate about the future of Dartmouth. Because the library riot involved generational violence, the professors accused the students of immaturity in an effort to exclude them from the Dartmouth debate. But students found that claims of immaturity could cut both ways. Although students occupied a liminal position between dependence and independence, it was not despite their youth, but because of it that they influenced the outcome of the case.<sup>2</sup> The library riot, then, is important not only for understanding the social context of the Dartmouth case, but also the ways young men interpreted the meaning of youth and maturity in the Early Republic.

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<sup>1</sup> *To the Graduated and Honorary Members of the Society of Social Friends*, 17 November 1817, DC Hist 881.H2543, Rauner Special Collections Library, Dartmouth College (hereafter cited as RSCL).

<sup>2</sup> A growing tradition of scholarship has explored how youth gained new meaning during the American Revolution. In building a society based on consent, political leaders stressed the importance of rational development in childhood. See Joseph F. Kett, *Rites of Passage: Adolescence in America, 1790 to the Present* (New York: Basic Books, 1977); James Alan Marten, ed., *Children and Youth in a New Nation* (New York: New York University Press, 2009); Rodney Hessinger, *Seduced, Abandoned, and Reborn: Visions of Youth in Middle-Class America, 1780–1850* (Philadelphia, PA: University of Pennsylvania Press, 2005).

The landmark decision in *Trustees of Dartmouth College v Woodward* (1819) has received significant attention from legal scholars for its precedent regarding the contract clause of the Constitution. For historians of education, the case illuminates tensions over the purpose of higher education in the Early Republic, particularly the clash between evangelical denominationalism and civic republicanism.<sup>3</sup> Historians also debate the extent to which the Supreme Court's decision established the public/private distinction that would come to define American higher education in the late nineteenth century.<sup>4</sup> When considering the meaning of the Dartmouth case, scholars typically examine the political and judicial debates within and around the courtroom. Current scholarship ignores how the conflict played out on Dartmouth's campus, particularly among the student body. While the judicial debate concerned the ownership of the college charter, students were an essential element in the disputed institution. This article shows how students' opinions and actions shaped their environment, thereby influencing the case.

In a recent examination of the Dartmouth case, Johann Neem argues that the conflict reflected a larger debate about the role of civil society in the early American republic.<sup>5</sup> The Dartmouth case forced American leaders to decide whether to place their trust in unelected officers of private institutions or politicians chosen by popular vote. This dilemma—whether to place public interest in the hands of elites or the mob—challenged the legitimacy of the ideologies that founded the United States. Neem's interpretation of the Dartmouth case's meaning to its participants most closely matches the perspective of the student body. Building on his analysis, we can see how clashes in American politics filtered down into the lives of students at an elite institution. As the Dartmouth case consumed their lives, students found themselves torn between the ideals of their education and the realities of their experience. Incorporating students into the historiography of the Dartmouth case shows how the rising generation answered the question of who could act on behalf of the common good in a democratic republic.

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<sup>3</sup>Eldon L. Johnson, "The Dartmouth College Case: The Neglected Educational Meaning," *Journal of the Early Republic* 3, no. 1 (Spring 1983): 45–67; Steven J. Novak, "The College in the Dartmouth College Case: A Reinterpretation," *The New England Quarterly* 47, no. 4 (December 1974): 550–63.

<sup>4</sup>Jurgen Herbst, *From Crisis to Crisis: American College Government, 1636–1819* (Cambridge, MA: Harvard University Press, 1982); John S. Whitehead, *The Separation of College and State: Columbia, Dartmouth, Harvard, and Yale, 1776–1876* (New Haven, CT: Yale University Press, 1973); John S. Whitehead and Jurgen Herbst, "How to Think about the Dartmouth College Case," *History of Education Quarterly* 26, no. 3 (Autumn 1986): 333–49.

<sup>5</sup>Johann N. Neem, *Creating a Nation of Joiners: Democracy and Civil Society in Early National Massachusetts* (Cambridge, MA: Harvard University Press, 2008).

The library riot was not simply a case of generational violence. The actions of Rufus Choate and his peers reveal the conceptions of maturity at the heart of the Dartmouth controversy. Rather than being peripheral to the case, Dartmouth students created the campus environment that fueled the legal struggle. This article explores the familiar terrain of the Dartmouth case through an unfamiliar medium—the writings of students. First, students learned to support competition and independent institutions, which encouraged their allegiance with the College faction against the state's takeover. Second, students used public perceptions of maturity to discredit the University faction. The students' involvement in the Dartmouth case reflects their shift against the paternalism of government and University leaders, and their acceptance of legitimate private interests on the basis of maturity. In examining students' responses to the Dartmouth controversy, we learn about the complex process of education in the early United States.

### “Both Parties Are Pressing On”

Young men did not come to Dartmouth to challenge social or political hierarchy. In fact, such stratification was ubiquitous in the instruction they received. Within the student body of nearly 150, freshmen and sophomores received their instruction from recent graduates employed as tutors, while juniors and seniors had classes with Dartmouth's four faculty members.<sup>6</sup> Rufus Choate complained about the “sluggish uniformity” of his daily routine, governed by the morning and evening bell, and divided between recitation, study, and prayer.<sup>7</sup> However, by the 1810s colleges were losing the strict control of the study body.<sup>8</sup> Faced with greater competition from upstart institutions, and expanded demand from rural boys leaving their family farms to pursue an academic or professional career, elite colleges diversified their subjects while maintaining the classical curriculum that conferred social prestige. These changes created a new atmosphere on campus in

<sup>6</sup>The faculty of Dartmouth College during this period consisted of John Wheelock, president and professor of history; Roswell Shurtleff, professor of theology; Ebenezer Adams, professor of mathematics and natural philosophy; and Zephaniah Moore, professor of Greek and Latin languages (who left his position in 1815).

<sup>7</sup>Rufus Choate to David Choate, 16 June 1816, Rufus Choate Papers, RSCL.

<sup>8</sup>The image of American colleges in “retrogression” has been successfully challenged by a number of scholars. The historiography now demonstrates that institutions gained broader appeal and adapted to new educational demands. See Paul Mattingly, “The Political Culture of American Antebellum Colleges,” *The History of Higher Education Annual* 17 (1997): 73–96; Roger L. Geiger, ed., *The American College in the Nineteenth Century* (Nashville, TN: Vanderbilt University Press, 2000); Colin B. Burke, *American Collegiate Populations: A Test of the Traditional View* (New York: New York University Press, 1982); Steven J. Novak, *The Rights of Youth: American Colleges and Student Revolt, 1798–1815* (Cambridge, MA: Harvard University Press, 1977).

which students had more control and “scholarship became a competitive activity.”<sup>9</sup> As Choate wrote to his family, “the class is ambitious, and to be among the first . . . will be an arduous undertaking.”<sup>10</sup>

During the Revolutionary era, American society started to embrace a philosophy of individual potential that transformed the family, the church, and the state by emphasizing the development of consent over the use of force.<sup>11</sup> However, authoritarian control persisted in elite colleges, creating a conflict between students’ feelings of maturity and college officials’ expectations of deference. As a result, campuses in the late eighteenth and early nineteenth centuries experienced epidemics of student violence. Enflamed by arbitrary punishment or substandard living conditions, college students could terrorize a campus and effectively nullify professorial authority.<sup>12</sup> Following the larger shift against coercive relationships, colleges adapted their paternalistic attitude toward nurturing through persuasion and positive reinforcement rather than punishment. By the 1820s, colleges used a system of meritocracy to break students’ horizontal allegiances and encourage students’ desires to “please their professors.”<sup>13</sup> Thus, the Dartmouth case occurred during a period that was redefining the meaning of maturity on college campuses by altering the relationship between professors and students, as well as the methods for evaluating academic success.

The politics of evangelicalism created a unique crisis of discipline on Dartmouth’s campus. President John Wheelock (the first lay president of any American college), and the Board of Trustees held different visions for the religious future of Dartmouth College. In an 1805 dispute over who would minister to the local parish, the community split between Wheelock supporters and the more evangelical Trustees and faculty. By promoting revivals, the faculty-Trustee alliance obtained the loyalty of eager undergraduates. In his opposition to emotionalism in religious expression, Wheelock took the position as a rationalist, finding most of his support in the Medical School. The result was a series

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<sup>9</sup>David F. Allmendinger, “New England Students and the Revolution in Higher Education,” *History of Education Quarterly* 11, no. 4 (Winter 1971): 381–89. For more on the demographic changes and its influence on collegiate discipline, see David F. Allmendinger, *Paupers and Scholars: The Transformation of Student Life in Nineteenth-Century New England* (New York: St. Martin’s Press, 1975); Rodney Hessler, “The Most Powerful Instrument of College Discipline: Student Disorder and the Growth of Meritocracy in the Colleges of the Early Republic,” *History of Education Quarterly* 39, no. 3 (Fall 1999): 237–62.

<sup>10</sup>Rufus Choate to David Choate, 8 March 1816, file 92519, RSCL.

<sup>11</sup>Holly Brewer, *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority* (Chapel Hill: University of North Carolina Press, 2005); Jay Fliegelman, *Prodigals and Pilgrims: The American Revolution Against Patriarchal Authority, 1750–1800* (New York: Cambridge University Press, 1982).

<sup>12</sup>Novak, *The Rights of Youth*.

<sup>13</sup>Hessler, “The Most Powerful Instrument of College Discipline,” 250.

of riotous outbreaks, often between pious undergraduates and medical students. When Wheelock seemed reluctant to protect evangelical students, the Trustees and faculty started to reject his leadership of the institutions.<sup>14</sup>

Dartmouth College's legal struggle, which culminated in the famous Supreme Court decision of 1819 upholding the sanctity of private contracts, grew out of this religious dispute. In 1815, when the Trustees voted to remove Wheelock from his position, the shunned president appealed to the governor of New Hampshire, William Plumer. Under Plumer's direction, the legislature passed an amendment to the college's charter in June 1816, which renamed the institution Dartmouth University and put many administrative functions under state control. Plumer hoped to make the college less "monkish" and more compatible with "the pursuits and business of *this life*."<sup>15</sup> The legislature, dominated by the Democratic-Republican Party, believed that an educational institution served the public good, and therefore should be managed by elected officials. The Federalist members of the Board of Trustees disagreed, emphasizing the private nature of the original charter. The legal battle over whether private individuals or the state best protected Dartmouth as an educational institution escalated for the next three years.

The state's creation of Dartmouth University in 1816 forced the community to choose sides. Among the students, the choice was practically unanimous: Nearly one hundred students remained loyal to the College, while fewer than a dozen students enrolled in the University.<sup>16</sup> Dartmouth's faculty also continued their allegiance to the Board of Trustees, forcing the University to hire new professors. During 1817, two Dartmouths operated side by side—the state-approved University on campus and the unauthorized College in the town. Although the University officers "took possession of the College Buildings," including student quarters, students who remained loyal to the College continued to occupy their rented rooms. The College professors, Ebenezer Adams (class of 1791) and Roswell Shurtleff (class of 1799), "continue

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<sup>14</sup>Steven J. Novak's article "The College in the Dartmouth Case" in the *New England Quarterly* adds much to our understanding of the origins of the Dartmouth controversy. The schism in Hanover's religious community continued during the legislative controversy. I have omitted this discussion because the students did not portray the debate as religiously motivated in their writings.

<sup>15</sup>William Plumer quoted in Johnson, "The Dartmouth College Case," 51. Johnson argues that the Dartmouth case was fundamentally a debate about the direction of higher education. Plumer advocated liberalization of the curriculum, with practical courses and modern languages. While Johnson's argument is insightful, the students never spoke in those terms.

<sup>16</sup>Throughout this paper, College will refer to the institution under the original charter and University will refer to the institution created by the legislature in 1816.

to instruct and proceed in all respects as formerly," holding their classes for the majority of Dartmouth's students in a private residence. While relations between the two camps remained amicable at first, the stage was set for a showdown over the loyalty of the student body.<sup>17</sup>

While the students did not have a direct bearing on the judicial proceedings, they remained the primary constitutive force on Dartmouth's campus. Historians have not examined the role of Dartmouth students because, as youth, they were not involved in the legal aspects of the case. But this does not mean that students were passive objects within the dispute. Contemporary observers recognized that the students' actions would have a greater impact on Dartmouth University than even the Supreme Court. Supporters on both sides of the issue agreed "that the legislature have no power to enforce their act." Neither law nor force could conquer the students who remained loyal to the College. A newspaper writer warned that if the University tried to assert its legal authority over the students, they "would defend themselves with arms, or else leave the naked college walls to a new government, and that not a government over men, but an empty edifice." Without the student body, Dartmouth University would not survive, regardless of the judicial rendering.<sup>18</sup>

Given the reality of their power, the opinions of Dartmouth students are essential to understanding the historical context of the Dartmouth case. In determining their allegiance, students had to choose between a traditional culture of deference, and new values of competition and self-interest. In the classroom, students were educated to join a virtuous elite that was entrusted with the common good because it possessed the reason, and the socioeconomic status, to put aside private interest. According to the classical republican tradition, representative government required a state comprised of elected officials from the elite to protect society from the passions of the masses.<sup>19</sup> However, this paternalistic mentality clashed with the egalitarian promise of the revolution to create a society "by the people." The rise of political parties created division over "whether the state or 'the people'

<sup>17</sup> Lydia Huntington to Andrew Huntington, 13 July 1817, file 817413, RSCL.

<sup>18</sup> Philo, "Philo" in reply to 'Justitia,' *The People's Advocate*, 11 January 1817.

<sup>19</sup> Republicanism, which according to John Adams "may signify any thing, every thing, or nothing," remains a disputed issue, but scholars in recent years have become more willing to leave it as a flexible set of principles. Gordon S. Wood, *The Radicalism of the American Revolution* (New York: A.A. Knopf, 1992), 95. For the historiographical debate on the meaning of republicanism, see Robert E. Shalhope, "Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography," *William and Mary Quarterly* 29, no. 1 (January 1972): 49–80; Isaac Kramnick, "Republican Revisionism Revisited" *The American Historical Review* 87, no. 3 (June 1982): 629–64; Daniel T. Rogers, "Republicanism: The Career of a Concept," *The Journal of American History* 79, no. 1 (June 1992): 11–38.

should be the primary agent in civil society.”<sup>20</sup> While Federalists initially supported civil society run through centralized state authority, the electoral success of the Democratic-Republican Party in the early nineteenth century threatened to put civic institutions such as Dartmouth College under the control of their political opponents. To maintain control without a deferential society, Federalists turned to support an independent civil society that would ostensibly protect civic institutions from the dynamics of party politics.

While the Federalist-minded Trustees had to reevaluate their commitment to state control of a vital institution, students had to balance the elitism in which they had been schooled with the rising power of democratic party politics.<sup>21</sup> To navigate this shifting terrain, students identified Dartmouth’s charter as the mechanism that gave it independence from both the state and the populous. Carlton Chase, a senior, claimed that Dartmouth was “founded on a basis . . . which the intoxicated mania of parties cannot approach without violating the fundamental principles of society.” Dartmouth’s charter was supposed to protect the institution by tying its management to stable principles, rather than allowing the institution to exist “under the predominance of an infuriated populace headed by aspiring demagogues.”<sup>22</sup> College students feared state control because elected leaders followed the whim of the citizenry rather than their own conscience. Students reconciled the conflict between republican and democratic ideologies by appealing to the college’s private charter rather than state paternalism. The charter preserved the “natural hierarchy” of talent and merit prized by republicanism amidst the increasingly democratic environment that opened civil society to the lower sorts.

Fellow student David Dickey also questioned the prudence of severing Dartmouth from its charter and casting its fate with Democratic-Republican politicians. When “decid[ing] on a subject of this nature,” Dartmouth’s leaders had two choices: let the institution’s fate be determined by elections, or allow it to continue under its charter. While traditional Federalist thought placed all trust in elected officials, the rise of partisanship threatened the stability of charters with “the fluctuating current of party politics,” which would “cast [Dartmouth] on the rocks of delusion, or the quicksands of folly.” The wise alternative, in Dickey’s mind, was to “claim that right, which is necessary, in order to maintain

<sup>20</sup>Neem, *Creating a Nation of Joiners*, 7.

<sup>21</sup>Neem argues that Federalists’ position in the Dartmouth case was more a matter of practical necessity than ideological principle. The parties would take opposite sides in a similar case involving Harvard University in 1820. See Neem, *Creating a Nation of Joiners*, 81–113.

<sup>22</sup>Carlton Chase to Horace Chase, 22 March 1817, file 817224, RSCL.

our liberties, and independence, and which is guaranteed to us by the supreme ruler of the universe, to examine impartially and form an opinion of our own." Dickey expressed a common concern about who could represent the public good in a democratic republic. He was also looking for a way to maintain a republican hierarchy within a democratic environment. Partisan competition made the common electorate unsuitable for the role of managing an educational institution. Like most elite, educated American men, Dartmouth students considered political parties to be factions—illegitimate organizations that pursued private interests at the expense of the public good. However, even as political rhetoric decried partisanship, political action revealed the growing influence of party organization. Students were caught in the middle of this political revolution; although they denounced partisanship, students embraced competitive organization.<sup>23</sup>

Students understood firsthand the value of competition and autonomy, an opinion gained through their participation in fraternal organizations known as literary societies.<sup>24</sup> Students used literary societies to experiment with politics and to define their relationship with the "Government" of the college. In the 1810s, approximately two-thirds of Dartmouth students belonged to one of the two societies. Members organized and funded their own libraries, which were more useful and more accessible than the library run by the college. Societies also held weekly meetings to debate issues important to their generation, supplementing the classical curriculum of their professors with contemporary political skills. Within students' deferential, constrained lives, societies provided opportunities for leadership and autonomy. Moreover, when two literary societies existed on one campus, they created a democratic rivalry. Dartmouth's two societies, the Society of Social Friends and the United Fraternity, competed to have the best students, the best library, and the best academic displays.<sup>25</sup> Through competition, autonomy, and leadership, literary societies created transitional spaces that connected students with contemporary political culture and allowed them to experiment with adult behavior in a protected environment.

<sup>23</sup>David Dickey to Joseph Dickey, 28 April 1817, file 817278, RSCL.

<sup>24</sup>Thomas Harding, *College Literary Societies: Their Contribution to Higher Education in the United States, 1815–1876* (New York: Pageant Press International, 1971).

<sup>25</sup>The Society of Social Friends was instituted in 1783 in order to manage a student library and hold weekly debates. In 1786, members of the Social Friends seceded and formed the United Fraternity. The "Socials" and the "Fraters" competed to initiate the best freshmen. They also clashed over the honor of performing dramatic pieces during commencement celebrations. The conflicts between the Socials and the Fraters led to the Social Friends' records being burned by Fraternity members on three occasions. "Guide to the Dartmouth College Society of Social Friends Records, 1783–1904," February 2000, RSCL.



While literary societies provided autonomous space for students, they were not egalitarian organizations. Instead, they embodied the ideals of hierarchy and distrust of expanded political participation. Students enforced a strict hierarchy based on educational rank, with privileges granted to seniors and responsibilities delegated to freshmen. In both societies, seniors owed less in membership dues but were allowed to withdraw more books from the libraries compared to freshmen.<sup>26</sup> With their precise constitutions, students structured their societies to inculcate the values of republican gentlemen by “promoting useful knowledge, informing the manners, [and] correcting the morals of youth.”<sup>27</sup> At their weekly meetings, society members debated topics of current interest, such as “Does party spirit contribute to preserve National independence?” and “Is the mode of elections practiced in the United States calculated to bring the best men in office?” which encouraged a skepticism toward growing partisan sentiments and instilled a preference for elite leadership over democratic representation.<sup>28</sup>

Because they organized literary societies to model adult behavior, Dartmouth students fiercely guarded the societies’ autonomy. In 1814, before the Dartmouth schism, the administration attempted to exert more control over the literary societies, leading to a confrontation with students over the role of competition and the autonomy of private associations within larger communities. The administration’s action sparked a debate among students over the meaning of honor and maturity. To maintain their societies’ independence, students had to challenge traditional definitions of republicanism and embrace the legitimacy of private associations. Students would carry these lessons with them as they engaged the factions that emerged during the Dartmouth case.

During the fall term in 1814 John Wheelock, still president of Dartmouth College, informed the students that fierce competition for new members created “an undue rivalry . . . between the associations,” which “has been of extensive detriment to the welfare of the College.” Wheelock’s chief concern was the pressure put on freshmen students to join one or the other society. To alleviate the problem of coercion, Wheelock “recommended and enjoined a plan to eliminate competition in the process of electing students into literary societies.” At the beginning of each term, the administration would assign each society a

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<sup>26</sup>Yearly membership dues ranged from five dollars for freshmen to one dollar for seniors. Seniors could withdraw as many as four books at one time, while freshmen were not allowed more than two. Fines for overdue books were four cents per day regardless of class. The United Fraternity also instituted a 25 cent fine for talking in the library during designated reading hours.

<sup>27</sup>Society of Social Friends Constitution, folder 8, box 3, series 3, DO-2, RSCL.

<sup>28</sup>United Fraternity minutes, 19 July 1816, folder 2, box 1, series 1, DO-4, RSCL.

specific pool of potential members, determined alphabetically, to ensure that the societies would not vie for the same freshmen students. Wheelock's plan eliminated competition in favor of the republican ideal of order directed from the community's elites. The professors considered themselves better qualified to orchestrate elections in the student societies and to uphold the greater good of Dartmouth College. Wheelock viewed the student societies as factions, groups that pursued private interest in conflict with the common good. He wanted to institute an egalitarian system of student society elections by eliminating competition and inappropriate influence.<sup>29</sup>

Literary society leaders resisted the president's directive because it diminished their ability to determine freely the membership of their organization. Although literary societies were designed to prepare students to lead a deferential society, students viewed competition and rivalry as "necessary for their improvement." In response to Wheelock's directive, a joint committee between the two societies set out to "secure the object of the [administration] without endangering the interests of the Societies." When formulating their alternative to Wheelock's plan, the joint committee offered to structure the elections around displays of honor and maturity. Requests for membership would occur through written letters and "every Member of each Society shall be bound by a solemn affirmation never, directly or indirectly . . . to influence a Member of the College . . . to join the society, to which he belongs." Any student caught violating this oath faced expulsion from the society after a trial conducted by his peers. With these procedures, literary society members expected to avoid the coercion of electing new members without acquiescing to the administration's paternal interference. Students embraced competition, but established rules to ensure that their private interests would support the common good of the college. Their proposal argued that students were mature enough to be trusted with the welfare of their own associations because they understood the principles of honorable conduct and were mature enough to follow them.<sup>30</sup>

Honor was an essential component to early American conceptions of adulthood, especially for elite men, and in order for it to be achieved, it had to be "publically enacted and recognized."<sup>31</sup> Dartmouth students presented their plan as a request for recognition from the faculty of their potential as honorable young gentlemen. When Wheelock denied the students' plan and insisted upon supervising the elections, he

<sup>29</sup>John Wheelock, "To be communicated to the Society of Social Friends," October 1814, file 814569, RSCL.

<sup>30</sup>"The Committee's Plan," n.d. [March 1815], file 814590, RSCL.

<sup>31</sup>Andrew S. Trees, *The Founding Fathers and the Politics of Character* (Princeton, NJ: Princeton University Press, 2004), 45.

signaled his belief that students were not mature enough to act honorably. Operating as the paternal authority, the administration rejected competition, viewing it as incompatible with the pursuit of the common good under traditional republican ideology. However, despite their failure to maintain control of their election procedures, Dartmouth students learned the value of autonomous associations within a larger organizational structure, revealing the contested nature of republican ideals and a fissure between the administration's expectations and students' goals. Despite losing their position, students outlined their definition of maturity as the ability to act honorably without external supervision. Only a year after the conflict over election procedures faded, students engaged the faculty in a different conflict. This time the college's own struggle with the New Hampshire state legislature dramatically altered its relationship with the students, providing students with a space to assert their maturity. The dynamics of this partisan battle over Dartmouth's relationship with the state gave students the opportunity to test new ideas about competition's compatibility with the public good.

As the political battle over Dartmouth's charter escalated, students adjusted to the changes in academic life on campus. Young men who were previously classmates passed each other on the Green as they walked to different Dartmouths. Although David Dickey counted only fifteen students who joined the University, "we cannot determine by this which will finally triumph."<sup>32</sup> While the College preserved the loyalty of the student body, the University held material advantages. University officers hoped that the College students' educational ambitions would trump their loyalty. Although many College students continued to rent rooms within Dartmouth Hall, the University controlled the building's recitation rooms. In February 1817, the University appointed three new professors, William Allen, Wheelock's son-in-law, James Dean (class of 1800), and Nathaniel Carter (class of 1811), to conduct classes on Dartmouth's campus. David Ames, a University student, remarked that the College professors were "reduced to the miserable necessity" of holding their classes in a private hall. Having "no library, no philosophical apparatus," which were also controlled by the University, Adams and Shurtleff taught "as private instructors," demeaning their former status as officers at a respected educational institution.<sup>33</sup>

Control of educational resources became the center of the battle between College and University factions. Running parallel to the constitutional struggle, the conflict on campus focused on which institution could function as an educational operation. Of all the resources under dispute, the libraries were the most significant. Despite being denied

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<sup>32</sup>David Dickey to Joseph Dickey, 28 April 1817, file 817278, RSCL.

<sup>33</sup>David Ames to Ezekiel Morrill, April 1817, file 817254, RSCL.

access to the main library, College students commented “there are such a variety of books in the Society Libraries, it is not considered much of a loss.”<sup>34</sup> In this atmosphere, the student libraries held symbolic significance by maintaining students’ access to knowledge unmediated by figures of authority. College students controlled the literary societies, but the student libraries remained housed within the University’s main building. Yet, the legal conflict initially did not prevent both College and University students from using their society’s books. Access to this resource allowed Dartmouth students to maintain their allegiance to the College without sacrificing their education.

While the legal battle over Dartmouth’s charter reached the New Hampshire Superior Court, the battle on Dartmouth’s campus reveals equally important implications for the conflict interpreted by the rising generation. Dartmouth students supported the College because they learned to see the value of independent institutions through their experience with literary societies. While the College supporters fought for their independence in the courtroom, students struggled for their own independence on campus. The dual nature of the Dartmouth case placed the students in a position of power. Because the University needed the student body to ensure its legitimacy, the maturity of the students became a central feature of the controversy. When forced to take a public role in the case, students attacked the maturity of the University’s officers in an attempt to turn public support against them.

### **“Had This Property Been Theirs, Why Had They Not Taken It by Legal Means?”**

On November 6, 1817, the New Hampshire Superior Court delivered the first judicial opinion regarding the Dartmouth case. It upheld the legislature’s amendment to Dartmouth’s charter on the grounds that the institution was “a public trust” and that only elected representatives could maintain the institution’s educational purpose.<sup>35</sup> This blow to the Trustees and their supporters put the College’s future in jeopardy and strengthened the University’s position. Anxiety reigned as the College supporters prepared to appeal the decision to the Supreme Court. The student body continued to attend the college-in-exile in overwhelming numbers.<sup>36</sup> The once cordial relations between the two factions deteriorated as College students and University students jockeyed for control

<sup>34</sup>David Dickey to Joseph Dickey, 28 April 1817, file 817278, RSCL.

<sup>35</sup>*Trustees of Dartmouth College v Woodward*, New Hampshire Superior Court, 1 N.H. 111, 136 (1817).

<sup>36</sup>I am borrowing the phrase “college-in-exile” from Louis Menand, *The Meta-physical Club: A Story of Ideas in America* (New York: Farrar, Straus and Giroux, 2001), 243.

of the student libraries. In the politically charged environment, student property held an ambiguous position that paralleled the uncertain, but vital, position of the Dartmouth student body.

Debates over faculty authority and student maturity were central to the Dartmouth controversy, making the constitutionality of the legislature's actions only one aspect of the case. In the initial dispute between the President and the Trustees, both sides invoked the welfare of the student body to support their cause. Since the beginning of the controversy, the two sides had sparred over who was ultimately responsible for the "education and government of the students" and who could better perform the task.<sup>37</sup> The University faction claimed that Democratic-Republicans would "place our College under the control of learned, pious and impartial instructors."<sup>38</sup> The *New-Hampshire Patriot* accused Francis Brown and the College professors of "[holding] out lures to the students of some imaginary advantages to be derived from such a course." The *Patriot* also assumed that "a large portion of the students . . . are prone to the side of mischief and subordination" when exploited by the "demagogue" Brown.<sup>39</sup> University supporters bolstered their cause by implicating the College officers in leading the students to immature behavior. While they defended the legality of the legislature's actions, they also asserted the superiority of the University's influence on the students.

Despite the University's claim to superior educational influence, it continued to exert authority over only a minority of Dartmouth's students. For months, University officials had attempted to increase their enrollment. First, University officials focused on the College students who boarded on campus, "making [them] very generous offers of accommodations, or of other favours in their power to bestow." College supporters claimed to stand above self-interest, and "[the University faculty] cannot expect, that their fawnings, wheedling and solicitations will avail." When the carrot failed to achieve their ends, the University tried the stick, by threatening to use their legal powers to evict College students from University property. Despite the University's "command to evacuate the [University] Buildings," College students were determined "to remain undisturbed tenants of the castle."<sup>40</sup>

As the University and their state allies prepared to counter the judicial challenge mounted by the College Trustees, the University adjusted its strategy to gain the loyalty of the student body. After John

<sup>37</sup>Nathaniel Niles, "Remarks on an anonymous Pamphlet, entitled 'Sketches of the History of Dartmouth College,' &c.," *New-Hampshire Patriot*, 15 August 1815.

<sup>38</sup>"Detector," "Miscellany. For the N. H. Patriot. The Ass in the Lion's Skin," *New-Hampshire Patriot*, 23 April 1816.

<sup>39</sup>[Isaac Hill], "Dartmouth University," *New-Hampshire Patriot*, 17 March 1817.

<sup>40</sup>Carlton Chase to Horace Chase, 22 March 1817, file 817224, RSCL.

Wheelock's death in April 1817, the administration of the University passed to his son-in-law, William Allen. Rather than trying to convince the students to leave the College through bribes or threats, Allen tried to exploit Dartmouth students' dependence on their parents. Mere days after the Superior Court decision in his favor, Allen wrote a letter to "the parents & friends of the students, late of Dartmouth College." (In the original draft, Allen referred to the wayward pupils as "young gentlemen," which he crossed out and replaced with the less-mature "students.") Addressing his appeal to parents "who love their offspring & who wish to have them good citizens," Allen outlined the danger of allowing students to join the College against the wishes of the state. The President's rhetoric was consistent with the shift to affectionate parental relations that developed in the late eighteenth and early nineteenth century. Following contemporary theories of moral philosophy, parents wanted to instill moral independence and reason in their children through persuasion rather than coercion. Allen portrayed the students as deluded by their College professors, who were "exciting this influence erroneously & in a manner prejudicial to the literary and moral improvement of their pupils as well as injurious to the peace of the University." Allen's plea for paternal intervention cast the students who supported Dartmouth College as gullible children ensnared by the passions of their professors. Portraying the consequences of the current situation in the full light of republican values, he warned the parents that "a habit of indifference to law in our youth will shake the pillars of our free government."<sup>41</sup>

While Allen ultimately hoped to persuade the parents to encourage their children's "reunion with the legal seminary at Hanover" (that is, the University), at the very least he wanted the parents to facilitate "their withdrawal to some other college."<sup>42</sup> Allen recognized the power that students held in the campus battle over Dartmouth. Since he could not rely on the state to dictate the students' loyalties, he hoped that paternal authority might work in his favor. As long as the students remained loyal to the College, they presented an obstacle to the University. Allen recognized that the court battle was only half of the Dartmouth case. While debates about legal authority and property rights reigned in the judicial arena, issues of student maturity became central to the debate on campus. To vindicate the state's actions, the University needed the students' cooperation. When paternal pressure

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<sup>41</sup>William Allen, "To the Parents & Friends of the Students, late members of Dartmouth College," 8 November 1817, RSCL. For more on the shift to affectionate parental relations, see Steven Mintz and Susan Kellogg, *Domestic Revolutions: A Social History of American Family Life* (New York: The Free Press, 1988).

<sup>42</sup>Allen, "To the Parents & Friends," 8 November 1817, RSCL.

did not convince College students to switch their allegiance, the University took a more aggressive approach. Instead of forcing disloyal students to leave Dartmouth Hall, the University officials attacked the symbol of student autonomy—their literary societies.

Aware of their vital position within the Dartmouth controversy, College students who served as leaders of the literary societies anticipated a confrontation with University officials. After spring commencement in 1817, both the Social Friends and the United Fraternity expected University officers to take a stronger position of authority over the wayward students. Each society felt that the libraries were particularly vulnerable because they continued to house the books in University-controlled Dartmouth Hall. To protect their assets, the societies formed a “committee of safety with discretionary powers to take care of the Library in the approaching difficulties.”<sup>43</sup> After the New Hampshire Superior Court’s decision, these committees were “determined to remove the books from the [University] building to a more secure situation near the College, where all members of the Society could be accommodated without fear of molestation.”<sup>44</sup> By removing their books from the contested property, College students claimed to transcend the partisan dispute in their pursuit of pure educational goals.

Resisting the power of the state was a profound experience for many Dartmouth students. Rufus Choate, a junior at Dartmouth College and the librarian for the Society of Social Friends, headed the Committee of Safety for his society. Choate, one of Dartmouth’s most successful graduates of the early nineteenth century, became a prominent lawyer, statesman, and orator, and a committed Whig. However, in 1817, he was an ambitious youth determined to protect his society from the tyrannous designs of the Democratic-Republicans and their University. Responsible for the security of the books, Choate was “alarmed every minute by reports ‘that the library is in danger’ or ‘that a mob is about collecting’.” Yet, like his compatriots, he seemed to relish the danger. Choate vowed “nothing short of the burning of the College or the tarring and feathering of some worthy but unlucky gentlemen, can induce me to break for a minute” from his studies.<sup>45</sup>

Choate’s concerns proved well founded in the days following the University’s first court victory. Members of the United Fraternity, holding their weekly meeting on the evening of November 11, 1817, were

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<sup>43</sup>Social Friends minutes, 21 May 1817, folder 3, box 1, series 1, DO-2, RSCL. The phrase “committee of safety” was used in the eighteenth century by New England patriots during early phases of resistance to British policy.

<sup>44</sup>*To the Graduated and Honorary Members of the Society of Social Friends*, 17 November 1817, DC Hist 881.H2543, RSCL (hereafter cited as *Society of Social Friends*).

<sup>45</sup>Rufus Choate to David Choate, 8 November 1817, file 92519, RSCL.

disrupted by a loud commotion in a nearby room. The sound was a group of University supporters, led by Professors James Dean and Nathaniel Carter, breaking down the door of the Society of Social Friends library with an axe. Their goal was to take control of the library to prevent students from removing the books. The Fraternity members roused their peers and, within minutes, dozens of students flooded Dartmouth Hall. According to University supporters, the College students trapped the intruders in the violated room, threatened them “with clubs, stones, and whatever missile chance afforded,” and then forced them into an adjoining room while they finished removing the books.<sup>46</sup> After half an hour, student leaders escorted the intruders out of the building and to their homes. According to a College student, the incident was resolved “with less disturbance than one would naturally [expect] from the enraged condition of every student, and friend of justice and good order.”<sup>47</sup>

One week after the incident, Rufus Choate and eight of his companions were arrested on charges of riot. A week later, the University professors were arrested as well. Both sides rushed to appeal their case to the public through newspaper editorials and circulated correspondences. Although a grand jury failed to indict either case, the incident added a new dimension to the Dartmouth controversy by focusing the conflict on the position of the students.<sup>48</sup> The public debate that emerged in the aftermath of the library riot reveals the local dynamics of the controversy. By appealing to public opinion, both sides demonstrated that their positions were not entirely in the hands of the court. They recognized the need to gain the community’s support by exemplifying the viability of their institution. The campus debate was especially useful for the students, whose youth barred them from the legal proceedings. On campus and in the press, their opinions mattered. To defend their own conduct and challenge the conduct of their opponents, students invoked the rhetoric of maturity, portraying the men who assaulted their library as immature, and ultimately as partisan. Because University supporters had publically accused the College professors of provoking immature behavior in their students, an attack on the University professors’ maturity was an attack on their educational capacity. The University could not be deemed fit to take responsibility for the development of future civic leaders if the professors themselves were guilty of immature conduct.

<sup>46</sup>Josiah Hobbs to his father, 15 November 1817, RSCL. In a postscript, Hobbs assured his father “I was an eye witness of the riot . . . but not a participant.”

<sup>47</sup>William Rogers to Samuel Fletcher, 12 November 1817, file 817612, RSCL.

<sup>48</sup>Frederick Chase and John King Lord, *A History of Dartmouth College and the Town of Hanover, New Hampshire* (Cambridge, MA: J. Wilson, 1891–1913), 135–6.



The University's attack on student literary societies forced College students to bring their opinions into full public view. Days after the incident, both the Society of Social Friends and the United Fraternity published handbills addressed to their "Honorary and Graduated Members," which defended the students' actions against the hostile faculty members. They provided a detailed account of the riot, including the fears that prompted the students to begin evacuating their books, and the justifications for student control of the property. Within days of the riot, local newspapers published the societies' handbills, disseminating their opinions to the public. Students spoke out using the language of maturity by stressing their honorable conduct under violent pressure. The handbills followed a familiar format of defense pamphlets used by early American politicians, being addressed to a specific group but concerning a public issue, and arguing in a legalistic tone.<sup>49</sup> Students used the handbills not only to proclaim their maturity, but also to demonstrate their fluency with contemporary political culture.

In the literary society handbills, which were distributed among Dartmouth alumni and printed in local newspapers, students recounted the library riot in a manner calculated to emphasize the immature conduct of the University professors. First, the students condemned the party for choosing to execute its task at night. While the community generally considered the perpetrators to "hold the highly responsible office of Professors at a literary institution," the students asked their supporters and the public at large to "take into consideration the hour, at which they made the attack."<sup>50</sup> Second, they attacked the professors for allowing disreputable men to assist in their task. While Dean and Carter led the party, they were joined by other men from the town, most likely supporters of the Democratic-Republican Party. The United Fraternity simply pointed out that the professors were "attended by a number of persons, one whose names and *characters* we leave others to comment."<sup>51</sup> The Social Friends were less discrete, remarking on "the notoriously despicable character of some of their associates."<sup>52</sup>

Finally, students argued that the very act of violence destroyed the University's hopes for legitimacy. The fact that the professors "demanded the keys of neither" library showed that they never expected to have authority over the books. Instead, "the shivered fragments" of the library door were "sufficient to show in what manner they expected,

<sup>49</sup>Joanne B. Freeman, *Affairs of Honor: National Politics in the Early Republic* (New Haven, CT: Yale University Press, 2001).

<sup>50</sup>*Society of Social Friends*, DC Hist 881.H2543, RSCL.

<sup>51</sup>*To the Graduated and Honorary Members of the United Fraternity*, 19 November 1817, DC Hist Z881.H2545, RSCL (hereafter cited as *United Fraternity*).

<sup>52</sup>*Society of Social Friends*, 17 November 1817, RSCL.

from the first, to execute their commission."<sup>53</sup> This was clear evidence that the University faculty had succumbed to violent passion rather than following the reason of law. Rather than retaliating in kind, the College students allowed the professors to leave unmolested. The Social Friends even claimed that Carter "expressed his thanks for this civility."<sup>54</sup> By emphasizing how they showed restraint beyond their age, the students demonstrated that they had reached the level of maturity that enabled them to avoid partisanship and act on behalf of the common good.

As a final recourse against the library attackers, the Social Friends expelled Carter and Dean from their organization, which they justified as the last resort taken to punish abusive members, not a passionate act of vengeance. As Dartmouth graduates, Dean and Carter had been members of the society, and retained the status of honorary members after their graduation, which permitted them use of the library, but not a voice in its administration. After the assault, the students made multiple attempts to receive an explanation, which they claimed were "done in a respectful manner by the committee, who were again insulted, and the very existence of such a Society as the Social Friends was *contemptuously denied*."<sup>55</sup> In their dealings with Dean and Carter, College students tried to maintain the high road, demonstrating their behavior as a mark of maturity. By denouncing the petty behavior of their opponents, Dartmouth students hoped to prove that they could be trusted with the management of their literary societies because their maturity freed them from partisanship.

The success of the students' defense pamphlets forced President Allen of the University to justify his officers' authority over the literary society's books. In a published defense that circulated through local newspapers, Allen cast a different light on the incident that exposed the students' underhanded behavior. Allen claimed that Carter and Dean were defending the rights of University students because College students were removing the societies' books "without the knowledge of those students of the University, who were members of the Societies." To stop the students from removing their books secretly, President Allen directed Henry Hutchinson, the inspector of the buildings, "to secure the doors of the room containing these libraries." Allen attacked the students' motives for removing their books from Dartmouth Hall, an action that also took place under the cover of darkness. He publically accused the College students of conspiring to "carry off secretly and to places unknown the libraries of the Societies." Therefore, the professors only acted "to secure the books to the object for which they were

<sup>53</sup> *United Fraternity*, 19 November 1817, RSCL.

<sup>54</sup> *Society of Social Friends*, 17 November 1817, RSCL.

<sup>55</sup> *Ibid.*

given, that every member of the Society, whether connected with the University or not, might have access to them.”<sup>56</sup>

President Allen could use the violence of the library riot to bolster his own claims as well. Dismissing the professors’ assault on the library door with an axe, Allen emphasized that in the course of executing their duty, the professors were “assailed by a formidable number of the youth above mentioned, armed with clubs, and after being compelled into another room, were there, for a considerable time, forcibly detained.” Allen’s description invoked the epidemic of student riots on college campuses. By linking Dartmouth students to this phenomenon, he emphasized their immaturity and ignored their political motives. Allen stressed the paternal relationship between the societies and his administration. Only the University could uphold the purpose of the societies—and protect students from themselves and their party delusions. Allen implied that College students did not have the maturity to keep their societies free of factionalism. In a letter to their parents, Allen claimed that the students were acting on the delusional hopes planted by the former Dartmouth (College) faculty members, rather than on their own will. Allen designed his comments to portray College students as pawns in the Federalist plot against Dartmouth University, not as independent opponents capable of following their own opinions.<sup>57</sup>

The attack on Dartmouth students continued from other sources. Newspaper editorials from University supporters used “the (as yet unfixed) character of these *youth*” to cast doubt on the students’ claims. University supporters stressed the dependent position that students held within the collegiate environment. In an editorial printed in the *New-Hampshire Patriot*, the leading supporter of the University, an anonymous writer, “Iolas,” justified the faculty’s actions on the grounds that “[i]n the year 1815, the officers of College, thinking that too great a degree of rivalry existed between the two societies, passed a law assigning a certain portion of the members of each class to each society.” Iolas attacked the students’ claims both of autonomy and maturity by informing the public of the paternal relationship between Dartmouth’s administration and the student literary societies.<sup>58</sup>

Students countered this attack by embracing the liminal status of youth. They argued that a literary society could be both independent and under the superintending power of a higher authority. As president of the United Fraternity, William Chamberlain took the lead in entering the debate. Chamberlain acknowledged Iolas’ version of the election controversy, but argued that “the case adduced by Iolas,

<sup>56</sup>William Allen, “To the Public,” *The Farmer’s Cabinet*, 29 November 1817.

<sup>57</sup>Ibid.

<sup>58</sup>“Iolas,” “For the N.H. Patriot,” *New-Hampshire Patriot*, 2 December 1817.

proves nothing” with regard to the societies’ autonomy. He acknowledged that Dartmouth students had a “duty to submit” to measures that would prevent improper, ungentlemanly conduct during the recruitment processes. But Chamberlain argued that submitting to a prudent rule did not give the University unlimited authority over the societies. Just as young men could be independent as they deferred to the rational authority of adults, student societies could maintain their autonomy while operating within the collegiate structure.<sup>59</sup>

Throughout their rebuttals, College students embraced their age, and used their youth to depoliticize their actions. In a public letter, Chamberlain acknowledged that he could “be censured as a hot-headed and hair brained young man” for defending the College students’ actions. He recognized “the folly, in ordinary circumstances, in rushing this early into notoriety” by making a public appeal through the newspapers. However, Chamberlain claimed that the circumstances required him “not only to act but appear” as the defender of his society. Chamberlain dismissed the immaturity of youthful passions with the purity of their motives. He argued that College students acted not out of blind obedience, like children, but out of a duty to a higher cause, like young gentlemen.<sup>60</sup>

Even with their assertions of autonomy, College students embraced the transitional status of youth. They used letters from notable (though sometimes anonymous) alumni to support their cause. Some of these letters appeared in local newspapers, adding more established voices to the students’ claims. Other letters came directly to the societies. Asa Lyon, a 1790 graduate and former member of the United Fraternity, sent a letter of support to Dartmouth College students after receiving the society’s defense pamphlet. He denounced the University professors’ actions for being “as unwarranted as if they had broken into my study with an interest to add my books to the University library.” Despite the outrage, Lyon encouraged the “Young Gentlemen . . . to act with suitable [moderation].” In his letter of support, Lyon emphasized the unwarranted conduct of the adults, but stressed the opportunities for development among the students. Trusting that law was on their side, Lyon advised the students to wait for the community to vindicate their position.<sup>61</sup>

By acknowledging their youth but asserting their maturity, Dartmouth students distanced their actions from the taint of partisanship. They claimed to defend their societies not out of passion for a

<sup>59</sup>William Chamberlain, “To the editor of the *Concord Gazette*,” 2 December 1817, file 817152, RSCL.

<sup>60</sup>*Ibid.*

<sup>61</sup>Asa Lyon to the Society of Social Friends, January 1818, file 818101, RSCL.

political group, but out of the sense of honor imbibed by every gentleman. They claimed that their literary societies were independent from both factions. Students contended that “the authority of College have never claimed to be made acquainted with the proceedings of the society, or assumed any controul over it or any of its members.” Students emphasized that their societies were governed by constitutions, which directed their management for the good of all members. In defending their actions to the public, leaders of the literary societies described how the “whole proceeding” of transporting books to a secure location “was consistent with the constitution” of the society. The societies’ constitutions were another mark of maturity: having procedures to eliminate the corrupting partisan zeal allowed the societies to act on behalf of all members. Maturity allowed private associations such as the student literary societies to pursue the common good without interference by University faculty.<sup>62</sup>

The public debate over the library riot was a turning point in the communities’ opinion toward the factions in the Dartmouth case. Despite their efforts, University supporters could not redeem the professors actions from the taint of immaturity. As Dartmouth historians Frederick Chase and John King Lord argue, “the affair as a whole damaged much the cause of the University abroad, while assurances of countenance and approval came to the students from all sides.”<sup>63</sup> Among the Hanover community, the library riot damaged the reputation of the University as a viable educational institution. Even if students were also found immature, their youth would give them leeway not extended to the University professors.

Even on the eve of the Supreme Court arguments, the interest in student maturity remained central to the College’s strategy for gaining public support. President Brown of Dartmouth College thanked the parents for their support “by committing their sons to its instruction and guardianship.” He asked the students to “continue to maintain their fair reputation, and to reflect honour on the College, by a course of elevated conduct.” Brown asserted that the College was “well supplied with books from the Libraries of the two Literary Societies in College.” Even after the library riot, Brown claimed the societies’ books for the College. With the benefit of the students’ resources, the College would continue until the Supreme Court made its decision. Brown insisted that “the moral and literary habits of its members . . . [have] at no time been better.” Brown warned his readers that if the Supreme Court decided against the College, the students, “should they desire it, will be recommended to either of the Colleges in New-England.” Although

<sup>62</sup> *United Fraternity*, 19 November 1817, RSCL.

<sup>63</sup> Chase and Lord, *A History of Dartmouth College*, 136.

he could not control the students' decisions, Brown was confident that they would leave New Hampshire and pursue their studies elsewhere.<sup>64</sup>

By spring of 1818 the library controversy lost its central place in the debate over Dartmouth College as the community awaited the Supreme Court's opinion. A year later, in February 1819, the Supreme Court ruled the legislature's actions unconstitutional and restored Dartmouth College under its original charter. Affirming the position of the College made by its lead attorney, Daniel Webster (class of 1801), Chief Justice John Marshall argued that Dartmouth was a private entity, protected by the contract clause of the Constitution. Students did not appear before the Supreme Court that decided Dartmouth's legal fate, but they were still a vital component to the case. While Webster placed the fate of his beloved, but "weak," institution in the judges' hands, acknowledging that they held the legal power to "extinguish" Dartmouth's educational light, students held the ultimate power for the success of the University.<sup>65</sup> The court could destroy the College, but the students could destroy the University. The case established the precedent for private institutions protected from government interference, setting the stage for a revolution in civil society during the mid-nineteenth century. Examining the context of the case on Dartmouth's campus shows how the students reached the same conclusion.

## Conclusion

The Dartmouth case foreshadowed the future development of American civil society precisely because it affirmed the value of competition and independent institutions that was gaining support among the rising generation. While educational leaders embraced the public/private distinction slowly over the next century, the broader implications of the 1819 Supreme Court decision extended to other types of independent institutions. To many College supporters, the case was about the legitimacy of private associations and the sanctity of contracts. To the students, it was about the virtues of youth as a liminal zone. In the clash between republican ideology and democratic politics, students adjusted their outlook by balancing their formal and informal education. The students' involvement in the Dartmouth case reflected their changing view of youth and represents a cultural shift away from republican ideology in the Early Republic.

This examination of the famed Dartmouth College Case has deviated from the traditional historiography by focusing on the opinions

<sup>64</sup>Francis Brown, "Hanover, Feb 25," *Boston Daily Advertiser*, 3 March 1818.

<sup>65</sup>Chase and Lord, *A History of Dartmouth College*, 149.

and actions of the student body. My reading of the students' interpretation supports the argument made by Johann Neem, that the Dartmouth case represents a debate about the proper role of civil society in early America. However, focusing on the students also reveals the critical role that conceptions of maturity played in public perception of the case. Advocates on both sides of the case used the image of the student body to support their cause. Rather than being passive subjects of faculty demands, students were agents of their own destiny and the destiny of Dartmouth College. Students used their idea of maturity to reconcile the conflicting values of republicanism and democracy.

This project attempts to invoke not only a reexamination of the role of the Dartmouth case in the history of higher education in the United States through the eyes of the students, but also to encourage scholars to look beyond the legal debates of important judicial issues to examine the social environment that fueled their development. Scholars should continue to examine the agency of young people to improve our historical understanding of social change in early America. Educational leaders attempt to transmit the dominant knowledge and assumptions of the community in order to produce individuals committed to a set of social values. But this process creates the nearly inevitable outcome of producing individuals able to critique those values. Dartmouth students received an education steeped in republicanism, but witnessed the development of new democratic political practices. Understanding the role of students in the Dartmouth case shows how Americans across the generational divide embraced the concept of independent, private institutions in the early nineteenth century.