

DIGGING UP DUNSTER: THE VITAL LINK BETWEEN BURY GRAMMAR SCHOOL, HARVARD UNIVERSITY, AND HIGHER EDUCATION IN AMERICA

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The man we would call, today, the third Headmaster¹ of Bury Grammar School² was also and later the first President of what is now Harvard University.³ His corpse lay six feet under the ground in God's Acre⁴ at Harvard for nearly two hundred years before he was exhumed on July 1, 1846.⁵ He had been buried in a brick vault, under irregular slate flagstones three inches thick, and wrapped somewhat too loosely in a resinous shroud, so that his extremities had fallen away. After a few casual observations, he was respectfully re-interred, and a new stone erected to mark his resting place.⁶

This Bury man, Henry Dunster, lies there, still.⁷ I think it's time to dig him up, again.

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¹ A table listing the first thirteen Masters of the School appears as an annex to chapter 8 of IAN FALLOWS, *BURY GRAMMAR SCHOOL, A HISTORY, c 1570-1976*, 115 (2001) [hereinafter FALLOWS]. The entries span a period from 1618 to 1716. The designation Master later gave way to Headmaster.

² Fallows is nicely sensitive to the variety of names given to the School itself, both by people in Bury and by others who recorded university admissions at Oxford and Cambridge, for example, during the seventeenth century. The use of Bury Grammar School was heralded by the term "the free Grammar School of Bury" in a 1726 deed of Roger Kay relating to the refoundation of the School. *Id.* at 114.

³ The name of Harvard also has an intriguing history, with the first reference to Harvard University coming in the Massachusetts Constitution of 1780. The executive governing board is still known today, however, as the President and Fellows of Harvard College, or Harvard Corporation. It is the oldest corporation in the Western Hemisphere. The indispensable history of the founding of Harvard is SAMUEL ELIOT MORISON, *THE FOUNDING OF HARVARD COLLEGE* (1935) [hereinafter MORISON]. The book was reprinted in a paperback edition and with a new foreword in 1995.

⁴ The history of God's Acre is noted briefly in JOHN T. BETHELL, RICHARD M. HUNT & ROBERT SHENTON, *HARVARD A TO Z* 160-161 (2004).

⁵ The details of the exhumation are provided in one of the many footnotes that delightfully adorn JOHN GORHAM PALFREY, *HISTORY OF NEW ENGLAND II*, at 534 n.1 (1860) [hereinafter PALFREY].

⁶ The curiously casual imprecision of the observations, given that they were made at Harvard, did not, however, preclude the conclusion that the remains had qualities a phrenologist could readily associate with a person of superior moral and intellectual attainment. The earlier headstone rested on a lead base, which may have been removed and melted down for bullets or some other use.

⁷ In some published accounts of the history of Harvard, as well as some contemporary sources, Dunster is not identified as a Bury man. His name is more often and surely linked to Magdalene College, Cambridge, where Dunster matriculated, probably from "School Bury," to become an undergraduate in the Easter Term, 1627. Again, FALLOWS, *supra* note 1, 17-18, shows great sensitivity dealing with the lack of material evidence that Dunster was a pupil at Bury. Fallows, nevertheless, persuasively infers that Dunster was at the school before he went up to Cambridge. On the Harvard web, while the President's site [<http://www.president.harvard.edu/history/>] confidently notes that Dunster was a schoolmaster and church curate in Bury, it makes no mention of the Bury School. And on the web site of Dunster House, which was built as a student residence and named in honor of Dunster at the end of the 1920s, there is reference to Magdalene but no mention of Bury at all [http://dunster.harvard.edu/main/history/dunster_history]. Indeed,

During his lifetime, no-one had thought to make an image of Henry Dunster, or even to write a contemporaneous description of him. If they did, nothing survives.⁸ In July of 1846 curiosity got the better of the President and Fellows of Harvard. Mindful of his place in the history of their College as its first and founding President, they decided to dig Henry up and take a look.

We know, therefore, that Dunster was a man of medium height. His long, light brown hair fell down his back, thickly covered his whole head, and matched the half inch of beard he kept on his upper lip and chin. His thick eyebrows almost met above his nose.⁹

There are the makings, here, of a formidable presence. We cannot know for sure, however, just how much of the remarkable impact Dunster had on Bury School, on Harvard College, and on grammar school and higher education more generally can be attributed to his physical presence and evident energy rather than his powerful intellect and force of character.¹⁰ What were the factors underlying Dunster's evident success?

the Dunster House web is doubly confusing. It says that the Dunster family crest stands above the east wing of the building even though no other sources that I have seen, published or unpublished, assert or acknowledge that the Dunsters of Bury had a family crest.

⁸ Ian Fallows does a superb job of reconstructing the history of Bury School in the seventeenth century, mixing scanty documentary evidence with sensible contextual inference to tell a persuasive story while still venting frustration that the evidence is not more plentiful and robust. FALLOWS, *supra* note 1. When I specifically asked Fallows in October 2007 to reaffirm his conclusion that Henry Dunster was at Bury School before Dunster went up to Cambridge in 1627, Fallows did so, but not before properly underscoring the role fire has played in making it difficult to answer the question. A fire at Lathom House, long the home of the Stanley family, destroyed in 1646 all of the documentation relating to the School and much dealing with the town of Bury in the records associated with the family and estates of the Earl of Derby. Thomas, Lord Stanley, married Margaret Beaufort, the mother of Henry VII, and by astute support of his stepson at the Battle of Bosworth, gained possession of the Lancashire lands of dispossessed Yorkists. He extended his estates and as the Earl of Derby was Bury's local lord of the manor. Later, in the early nineteenth century, a fire at the parsonage destroyed the archive about the School assembled by successive Rectors of Bury and kept in the attic. Fallows also made the additional and important point that the situation vis-à-vis Dunster and Bury School is not exceptional. At the time, few schools had registers and would be equally unable to document attendance by a particular pupil. Pers. Comm. from Ian Fallows (Oct. 29, 2007) (on file with the author). The lack of a drawing or painting of Dunster, while also frustrating, would again have been unexceptional, given Dunster's modest family background. The genealogy of that background is sketched in G. Andrews Moriarty, *Genealogical Research in England*, 80 NEW ENG. HIST. & GENEALOGICAL REG. 86-95 (1926).

⁹ These details, first reported by PALFREY, *supra* note 5, were conveyed to the members of the Lancashire and Cheshire Antiquarian Society in 1909. Ernest Axon, *Henry Dunster: First President of Harvard College*, 27 TRANS. LANCASHIRE & CHESHIRE ANTIQUARIAN SOC'Y 84-103 (1909) [hereinafter AXON]. The trans-Atlantic traffic in local history and genealogical information was brisk at the time, although it was not always reliable. Thus, the Dunster genealogy presented by Moriarty in 1926 (*supra* note 8) corrected Joseph Gardner Bartlett, *Genealogical Research in England*, 61 NEW ENG. HIST. & GENEALOGICAL REG. 186-189 (1907). When he presented his paper on Dunster, Axon appears not to have told his audience that while Palfrey was colorful he was not always accurate. Palfrey says Dunster was a student at Emmanuel College, Cambridge, when in fact Dunster was a Magdalene man.

¹⁰ One way or another, those who have taken an interest in Dunster from time to time offered judgments about this or that aspect of his life and career. Writing about Dunster's appointment Morison, for example, writes that "Of all events in the early history of Harvard College, this was the most vital. It was the equivalent of a fresh foundation." MORISON, *supra* note 3, at 241. I find it more than passing strange,

We know, for example, from other sources, some of which he authored himself, that Dunster was an intense man, much given like many of his Puritan brethren to introspection. Indeed, when Henry Bury, a founding benefactor of Bury School, was writing his will and making a small bequest to Dunster he went so far as to describe him as a “studious and painfull minister,”¹¹ presumably meaning that Dunster made a deep and lasting impression on those who encountered him, whether in the classroom or from the pulpit.

In the context of his times, when England was torn by religious strife and later by Civil War, Dunster was probably no more intense, however, than many of those he heard in church, went to school and university with, and moved to live among in Massachusetts.¹² A more important clue to understanding his impact is that Dunster was willing to go further than intense introspection, act forcefully, and be a leader when an issue struck him as fundamental, as it did most consequentially during his presidency of Harvard on the question of baptizing infants.¹³

Now leadership, while it is a vital quality in a headmaster or college president and is a trait Dunster clearly possessed, needs to be exercised with some sensitivity. And Dunster had a tendency to let the strength and clarity of his views, whether about anabaptisms or some other subject, cut against his willingness and probably his ability to be politic and discrete. Possessed by his own enthusiasms, he had trouble disciplining his effusiveness.

Indeed, Axon states quite plainly that Dunster did not lose his job as President of Harvard in 1654 because he held Anabaptist views but because he had not sufficient tact to conceal them. “There was no crime,” Axon recalls, “in or out of the decalogue (*sic*) which the authorities of Massachusetts Bay disapproved more than the belief in or rather

however, that no-one has made a serious and reasonably systematic attempt to assess Dunster’s overall impact and accomplishments, or what exactly it was about this man and the work he actually did that might account for the significance of his contributions. This essay is not the place to attempt such a thoroughgoing assessment. I am only interested, here, in (re)drawing attention to Dunster and setting the stage, perhaps, for a future (re)analysis. Fallows understandably takes only a small bite at this apple, because his attention is focused on Dunster’s relationships to Bury Grammar School, which were notable but limited in duration (FALLOWS, *supra* note 1). Morison had several opportunities to bite the apple but kept his focus narrowly on Harvard, at the expense, I think, of Dunster. In addition to MORISON, *supra* note 3, see also SAMUEL ELIOT MORISON, THREE CENTURIES OF HARVARD, 1636-1936 (1936) [hereinafter MORISON 2] and SAMUEL ELIOT MORISON, HARVARD COLLEGE IN THE SEVENTEENTH CENTURY I (1936) [hereinafter MORISON 3]. In his several works, Morison’s methodology, which was typical for his time, may also account for his approach to Dunster. The evaluations Morison offers of Dunster’s life and work, even his life and work as President of Harvard, are adjuncts, even *ad hominem* adjuncts, of Morison’s preoccupation with a description of Dunster’s life and work. This allows Morison to exploit fully the rich array of sources he had at hand. But it also means there is no construction of the sort of analytical or evaluative framework that would allow an assessment of Dunster’s contributions.

¹¹ FALLOWS, *supra* note 1, at 43.

¹² The context is briskly sketched in a chapter dealing with the founding of New England in MORISON, *supra* note 3, 148-160.

¹³ A nicely balanced treatment of this episode appears in MORISON 3, *supra* note 10, at 305-314.

the expression of Anabaptist views, and so Dunster brought on himself the enmity of the most priest-ridden commonwealth of modern times.”¹⁴

Discretion may have been lacking earlier in Dunster’s life. From his urbane perch on the banks of the Charles River in Cambridge, Massachusetts, in 1935, it seemed to Morison that when Dunster went up to the other Cambridge in 1627 from Bury, Dunster was a country boy. Bury, he writes, was then just a “brisk little market town in the Lancashire woollen district,”¹⁵ And “like so many country boys who find themselves in a great university, Henry entered into the fascinating game of acquiring knowledge with more zeal than discretion.”¹⁶

But if Dunster as a plain, straightforward albeit enthusiastic country boy from a small market town -- in fact, from the mere outskirts of such a town¹⁷ -- lacked the discretion, and perhaps some of the sophistication and refinement Harvard thought should mark its presidents, at least by the time Morison re-examined the Dunster appointment with the benefit of three centuries worth of hindsight, why on Earth did Harvard make Dunster its President in the first place?

That is a very good question, although not one, I think, any of those who have dug up Dunster from time to time¹⁸ have dealt with very satisfactorily.

The short answer to the question, and one on which the two definitive institutional historians, Samuel Eliot Morison and Ian Fallows, find it easy to agree,¹⁹ is that Harvard was desperate and Dunster was available.

¹⁴ AXON, *supra* note 9, at 97-98.

¹⁵ MORISON, *supra* note 3, at 242. There is a brief but useful thumbnail sketch of the history of Bury, explaining among other things how the Black Death helped make it a woollen town, at <http://www.manchester2002-uk.com/towns/bury1.html> .

¹⁶ MORISON, *supra* note 3, at 111.

¹⁷ The road north and west from Bury, eventually passing across the Pennine moors towards Blackburn, leads through the suburb, once the village, of Tottington. Along that road, but closer in to Bury than Tottington itself, was a small settlement called Bolholt (or sometimes also Baleholt). This is where Dunster’s family had their home and their farm. There is apparently a plaque commemorating Dunster in the hotel associated with what is now Bolholt Country Park, although I have not seen either the hotel or a photograph of the plaque.

¹⁸ Dunster has, of course, only been dug up in a literal sense once, by order of the President and Fellows of Harvard College, in July 1846. Various historians of Harvard subsequent to Morison and former Presidents of Harvard, some of whom have written about their College and its impact on America and the world, have dug up Dunster in a more figurative sense, however, from time to time. I will forbear listing the various works in which Dunster attracts comment, but none of those I have seen stray beyond the parameters set by Morison.

¹⁹ Again, Fallows is happy to concur in Morison’s assessment because Fallows was focused on Bury School, not Harvard College. And who would gainsay a fellow historian who has had the chance of three bites at the apple of assessing Dunster’s relationship to and significance for Harvard? For a summary by Fallows of Dunster’s achievements, including Dunster’s association with the founding of the first grammar school in America and of the Harvard University Press, see FALLOWS, *supra* note 1, at 32-34. Both Fallows and Morison observe that Dunster may have benefited from the advocacy of Richard Mather, who was born in Lowton, Lancashire, went up to Brasenose College, Oxford, and married Katherine Holt from Bury. Mather went to New England in 1635 and became a minister in Dorchester, Massachusetts. The way Morison sees it “[Mather’s] old home was not far from Dunster’s [and his wife’s brothers] sat in the

Upon reflection, however, this marriage of convenience explanation is too pat.

In the first place, the notion that Harvard took Dunster simply because it was desperate presupposes that some sort of vision of what Harvard was and ought to become existed before Dunster came along. Dunster, according to this line of reasoning, was simply chosen to get on with a job that had been pretty thoroughly worked out, before Dunster arrived. An image starts to form, here, of Dunster as a man who enjoyed commendable success after stepping in quickly as President of Harvard but only by overcoming the handicaps posed by his obscure family and country boy beginnings.²⁰

In fact, there was no Harvard to speak of prior to Dunster taking office and no presidency, either.

The Great and General Court of Massachusetts²¹ had directed that a college should be established at Newtown, to be rechristened Cambridge, and that it should have a Board of Overseers. The General Court also later voted to name the college after John Harvard, who left a gift to support such an institution, which gift would supplement the General Court's initial appropriation.²²

The Overseers had further decided in late 1637 to retain a person called Nathaniel Eaton as a professor for the college. But no-one, least of all Eaton, who was unquestionably a tyrant and a sadist²³ and close to being stark raving mad,²⁴ had the faintest idea of what

court-baron of Tottington, whence Dunster's father held his lands. It seems likely that Mather knew the Dunster family and could vouch for Henry's antecedents." MORISON, *supra* note 3, at 243. This one recommendation, even if it were made, is a slender reed on which to hang a job offer of the kind we are discussing.

²⁰ Morison is evidently uncomfortable not only with Dunster's obscure country boy beginnings and perhaps his "uncouth" northern accent but also with his academic performance, pointedly observing that when Dunster received his M.A. from Cambridge in 1634 he had "the low rank" of 115 out of an *ordo senioritatis* of 188. MORISON, *supra* note 3, at 242. Given that Dunster "left no impression of distinction on the records" at Cambridge, where he was "neither scholar nor fellow of his college," Morison thinks Dunster "was probably fortunate in becoming schoolmaster and curate in his native Bury, apparently 'the world forgetting, by the world forgot.'" There must have been something about Dunster, Morison goes on, that impressed itself on those contemporaries of his at college who preceded him to Massachusetts, but Morison does not make it clear either here or elsewhere what that something might have been. *Id.* at 113.

²¹ Its full name was the Great and General Court of the Governor and Company of the Massachusetts Bay in New England. This was the body that founded Harvard College. It was "simply a stockholders' meeting of [a] joint stock corporation, adapted to the purpose of governing a colony. The government rested on a body of freemen, who must be communicants of a puritan church, and who were admitted individually to the franchise as to a club. These freemen annually elected a governor, deputy-governor and assistants who were known collectively as the magistrates, since they had conferred upon themselves the duties of the English justices of the peace, and exercised judicial as well as executive and legislative power." *Id.* at 153-154.

²² Morison devotes a separate chapter to John Harvard, his gift, and the naming of the college. It makes the point that the General Court made the decision to found a college while John Harvard was still in England and that Harvard was not, therefore, the founder, as so many have supposed. *Id.* at 210-227.

²³ Morison entitles his chapter on Eaton "A School of Tyrannus" and acknowledges Eaton's sadism in one of its sub-sections. *Id.* at 228-240.

they were about or how to proceed. When Eaton was dismissed the College closed at the beginning of only its second academic year, its continuing existence very much in doubt.

The notion, then, that a marriage of convenience between Harvard and Dunster saved a young, woefully mismanaged but fundamentally well-conceived enterprise not just from disaster but also from complete collapse grossly undervalues Dunster. The convenience thesis makes what Harvard was, rather than what Dunster knew and did, the measure of Dunster's achievement.

It seems to me in other words to put the cart before the horse. It is a way of thinking about the history of Harvard that invites us to imagine, in effect, how lucky Dunster was – an obscure and unpromising country boy, fresh off the boat – to be offered the job of his dreams, the job surely of anyone's dreams, the presidency of Harvard!²⁵

But did Dunster see it that way?

A second and I think more serious problem, then, with the marriage of convenience thesis lies on the Dunster side. The argument is that Dunster was available, with the inference being that he had nothing on his plate at the time and no really attractive prospects. Hey, why not be the President of Harvard?

But is this seemingly vacuous calculation sufficient to explain why Henry Dunster accepted the presidency of Harvard when it was offered? Or did he imagine, could he have imagined that he had some contribution to make?

²⁴ It does not appear that Eaton was ever certified as mad. Perhaps there was no such procedure in Massachusetts at the time. I do not know how else to describe, however, a person who would beat his assistant master, not one of the students, with "a cudgel, which was a walnut tree plant, big enough to have killed a horse, and a yard in length." The assistant was held down, according to an account authored by Governor Winthrop and quoted by Morison, while Eaton struck him about two hundred times during the space of two hours. Eaton approached corporal punishment, which was common at the time in schools and colleges on both sides of the Atlantic, as a way to elicit confession and would "not give over correcting till he had subdued the party to his will." *Id.* at 234. Hence, the description of Eaton by William Hubbard, who was one of his students, as a man "fitter to have been an officer in the inquisition, or master of an house of correction, than an instructor (*sic*) of Christian youth." Quoted in *id.* at 228. The story of Eaton becomes even more lurid – and more puzzling if one asks how he came to get *his* job at Harvard – if the parts about his wife, "Mistress Eaton and her corps of sluttish servants" in Morison's words, are added. They were in charge of college meals, which were loathsome, and living conditions. Morison quotes at length the confession she made during her husband's dismissal proceeding. *Id.* at 232-233. At the time of his appointment at Harvard, Eaton had no degree, although he went up to Trinity College, Cambridge, as a scholar from Westminster School in 1630. Eaton had, however, published something, an asset Morison wryly notes for teachers in those days as well as ours, and had some teaching experience in English schools. The more relevant factor was probably that there were five former Trinity men on the Harvard Board of Overseers. *Id.* at 202-203. Later, after being dismissed from Harvard, Eaton and a friend connived to obtain both Ph.D. and M.D. degrees from the University of Padua. Eaton died in 1674 in the King's Bench prison at Southwark after a second arrest for debt. *Id.* at 237-240.

²⁵ Eaton was variously referred to as professor and master but never dignified with the title of President. *Id.* at 199-200.

As far as we know, Dunster had no job to go to in Massachusetts. He left England with his brother in the summer of 1640. Fallows surmises Dunster left partly because of frustrations at Bury, stemming from the religious orthodoxy of the pluralist Rector at St. Mary's Parish Church, where Dunster was curate, but more probably because of Dunster's final commitment to Puritanism.²⁶

Dunster did a good job as the Master of Bury School²⁷ and there is no indication that Dunster had serious disagreements with the School's new Governors, from whom he would in any event have had a measure of protection as a protégé of Henry Bury.²⁸ Dunster, then, was not so much running away from something bad as he was running towards something good, an indefinite but tantalizingly hopeful prospect.

Morison is less sure that Dunster became a committed Puritan before rather than after Dunster got to America. But certainly, Morison writes, Dunster was seeking the peace of God among "his people" in New England,²⁹ much as John Harvard had "crossed the ocean to enjoy 'Christ's ordinances' in their purity."³⁰

When well-educated men, who were often also ordained and of whom there was a good supply until England fell into Civil War, had no job to go to, the pattern in the early American colonies was to wait for an opening to occur as pastor or teacher of a church.³¹

²⁶ FALLOWS, *supra* note 1, at 53. The Rector of Bury also held the living at Halsall, near Ormskirk. Both livings were in the patronage of the Earl of Derby, who owned Lathom House, which was also not far from Ormskirk. Both Lord Derby and his son and heir at the time Dunster became Master of Bury School, Lord Strange, were loyal supporters of the orthodox Church of England. The Rector of Bury was the Earl of Derby's Chaplain. The Earl's son, who became the seventh Earl of Derby in 1638, was also a supporter of the Royalist cause in the English Civil War and was executed in Bolton in October 1651.

²⁷ As evidence of this Fallows cites two Bury boys who went up to University while Dunster was Master at Bury School and then both became ordained ministers. *Id.*

²⁸ The identification of Dunster as a protégé of Henry Bury is in *id.* at 52.

²⁹ MORISON, *supra* note 3, at 242.

³⁰ *Id.* at 214.

³¹ Morison's description of organized religion in New England makes clear the roles of pastor and teacher and their relevance for Dunster. "Strictly speaking," Morison writes, "there was no New England Church, only churches in New England; for no central organization existed. The communicants were 'a royal priesthood, an holy nation, a peculiar people,' each local group of them constituted a church, which had the right to censure, discipline, admit, expel, and excommunicate its members, and elect its officers. A church fully officered had two ministers, the pastor and the teacher, and two ruling elders. The pastor was supposed to exhort, the teacher to expound; but in practice their functions did not differ. Both these 'teaching elders' were ordained by the laying-on of hands, laymen and ministers from neighboring churches assisting; no ordination at large was considered valid by the puritans." *Id.* at 158-159 (citations omitted). Dunster could not expect recognition, therefore, of his earlier ordination in England. He would have to wait until a local church laid hands on him, as it were. He might not have to wait long, because for the churches in New England "an adequate supply of learned clergy was an imperious necessity." *Id.* at 159-160. This state of affairs also explains why, on the demand side, when Harvard started looking for a leader, it had trouble attracting local talent and had to satisfy itself in the first instance with the likes of Eaton. "New England churches had a vested interest in their ministers, and would not have considered for a moment releasing such men to the College." *Id.* at 203. On the supply side, the number of young men with university degrees in early New England was considerable. Some of them had experience as schoolmasters and some of those who were ordained, as most of them were, like John Harvard, did not find parishes when they first arrived. Appendix B of Morison's book on the founding of Harvard reviews and

In the interim, these highly prized immigrants might find work as a schoolmaster or private tutor.

Dunster was well-equipped to fit this pattern. Indeed, this was exactly what Dunster did when he left Magdalene College at Cambridge and returned to Lancashire, to be curate for the pluralist incumbent of St. Mary's in Bury and to teach and be the Master at his old school.³²

Morison acknowledges that, when Dunster said yes to Harvard, Dunster thought he was being asked to do something that he already knew how to do, rather than something that would conveniently fill his time until he found something that he wanted to do. Morison recalls that Dunster, explaining in 1653 what sort of job he had been asked to do, said he thought he was being retained primarily as a teacher.³³ But what Morison does not say is that at the start, in 1640, Dunster had no clear idea -- as was the case, I would add, of everyone else involved at Harvard at the time -- what else he was getting himself into.

The idea, then, that Dunster was conveniently "available" in the summer of 1640 to be a good president, as well as a good teacher, for Harvard is not one that either Dunster or Harvard could reasonably have entertained. What it might mean to be a good President of Harvard was rather a notion that grew and developed and changed over time, both in Dunster's mind and in the minds of others.

So, for at least the first ten years of his tenure, during which time Harvard continued to function under the somewhat ramshackle governance arrangements approved by the General Court in 1636 and 1637,³⁴ Dunster had to work very hard in an extremely

revises an analysis first published in 1880 of the seventy-two Cambridge graduates and twenty-two Oxford graduates who went to New England before 1650. *Id.* at 359-410

³² Ordained university graduates who did not find a job as schoolmaster could nonetheless supplement whatever income they might derive from a church living or curacy by offering private tuition. Indeed, in many cases, probably including that of Dunster himself, a graduate who did become a schoolmaster would also work as a private tutor. Without some degree of private tutoring pupils at a school like that in Bury would have found it difficult to gain university admission. FALLOWS, *supra* note 1, at 19.

³³ "There is some reason to believe," writes Morison, "that, as President, Dunster was not expected to be the master of Harvard College. His title was uncommon for the head of an English college; the office of President in his own college of Magdalene...was inferior to that of Master, corresponding more or less to the Dean of the Faculty in an American college. Dunster reminded the magistrates in 1653 [when they were examining college finances] that they had called him 'to undertake the instructing of the youth of riper years and literature after they came from the grammar schools... No further care or distraction was imposed on mee or expected from mee but to instruct.' It seems that Dunster had expected to play the part of a senior fellow, or President in the Cambridge sense, under a master who would be President in the later American sense." MORISON, *supra* note 3, at 243-244. Dunster's title as President was not formally affirmed until 1650. *Id.* at 246.

³⁴ The original legislative grant of November 1637 "merely named certain persons to act as Overseers for an indefinite period, making no provision for filling vacancies, and...the only power granted to them under that act was 'to take order for a colledge at Newetowne.'" MORISON, *supra* note 3, at 325. A new act was passed in September 1642, but it was arguably only slightly less ramshackle than its predecessor. The Board of Overseers is recorded as only ever having met once under the terms of the 1642 act. *Id.* at 328.

difficult environment³⁵ not only to shape his own role as President of Harvard but also to form the institution itself.³⁶ And the evidence is that he framed and negotiated both of these outcomes with considerable patience and skill.

Because these accomplishments took considerable time, neither Dunster nor Harvard could claim much in the way of substantial achievement or a lasting legacy until 1650, when a new Charter for Harvard's governance was approved.³⁷ Henry Dunster was the prime architect and author of this constitution for higher education. It laid down the essential foundations on which Harvard became the first successful institution of higher learning in the American colonies and, later, the model of educational policy and governance for other colleges and universities throughout the United States.³⁸

In some ways, one can look at the contributions Dunster eventually made to Harvard and say about them that they amounted to little more than the application of basic Christian

³⁵ In 1641, very soon after Dunster started work, the economy of New England went into depression. The General Court had trouble collecting taxes and resorted to the expedient of making grain and wampum legal tender. But the value of even this surrogate currency was falling and offered no sure basis on which to complete building or other projects Dunster had set in motion. The effects of the depression were also exacerbated by reduced immigration and even some reverse migration. Events in England suggested to many that God's chosen people might not need to be in America to find freedom and enjoy Christ's ordinances in their purity. MORISON, *supra* note 3, at 253-257.

³⁶ Again, I do not want this essay to be the place where a detailed re-assessment of Dunster's work at and contributions to Harvard is attempted. Suffice it to say that, in the wake of the mess left by Eaton, Dunster was basically starting from scratch in matters of buildings, food and lodging, finances, teaching (all of which he did himself at first with whatever unpaid help he could train), curriculum, and educational philosophy and policy. Other more personal factors made life difficult for Dunster, too, including his first marriage to the widow of the man who had died *en route* to Massachusetts with New England's first printing press. The first Mrs. Dunster, to use a modern argot, was a piece of work, inclined to live in the manner to which she would like to become accustomed. MORISON, *supra* note 3, at 256. After Dunster re-married, it was a while before the complicated arrangements in his household involving his step-children and his own children and now and then some others took on a settled air. *Id.* at 342-343. Astonishingly, through all of this, Dunster took but a meager salary, ran the college on a shoestring without regular appropriations from the General Court, and had to contend with what we would today regard as bizarre financial transactions, which sometimes involved money but were as like to take the form of wampum, the "College corn," and the Charlestown ferry rents. *Id.* at 292-324.

³⁷ The story of the Charter of 1650 is told in MORISON 3, *supra* note 10, at 3-25. Elsewhere, Morison writes of the resentment Dunster felt about his relationship to the Board of Overseers, a large group that was difficult to assemble and had no intimate day-to-day knowledge or understanding of college affairs. To address this problem, "In 1650 President Dunster was able to obtain from the General Court the Charter under which Harvard University still operates. The President and Treasurer and five fellows were incorporated as the President and Fellows of Harvard College ('The Corporation' as we still call it), and given perpetual succession.... The Charter...continued the Board of Overseers, as organized in 1642, as a second governing board; and, composed as it was of magistrates and ministers [it] remained the dominant governing board until 1686, when it was temporarily suspended by a change in government." MORISON 2, *supra* note 3, at 17-18.

³⁸ "Dunster's genius for organization was such that the curriculum, the forms, and the institutions established under his presidency long outlasted his time, and even his century. Harvard University grew out of the Liberal Arts college as Dunster left it; and the Charter of 1650 that he obtained, and in all probability drafted, still serves as constitution of the modern University." MORISON 2, *supra* note 10, at 19. In the light of this sweepingly generous assessment, one is even more puzzled why Morison does not attempt to explain how Dunster, who in 1640 Morison saw as a man with *only one visible asset* [MORISON, *supra* note 3, at 242, emphasis added], namely his Cambridge M.A., managed to do what he did.

principles and ordinary common sense. One could even say about them that they were industrious but pedestrian attempts at social reproduction, merely replicating on the banks of the Charles the Cambridge that already existed by the Cam.³⁹

These evaluations of Dunster have the virtue of being consistent with his lack of intellectual brilliance and scholarly eminence. To the notion that Dunster was a successful President of Harvard despite being a country boy from an obscure family in a place of no great note it allows us to add the notion that, although he was not clever,⁴⁰ Dunster was at least a good and decent and hard-working man.

But, again, what is the real value of this way of thinking about Dunster and his relationship to Harvard? Is it Dunster's fundamental goodness and decency and industriousness that compensates for his lack of intellectual brilliance and, thus, allows us to account for his success at Harvard against the odds posed by his own background and character, or is there more to it than that?

The analytical problem here lies in the idea that success as President of Harvard is (or ought to be) primarily dependent on the intellectual brilliance of the person chosen to fill the office.⁴¹ Henry Dunster must have known, however, and even more clearly than those who offered him the job, that he was not and was never going to be God's gift to scholarship.⁴²

He had appreciable assets, nonetheless. Above all, Dunster had practical experience to apply across the board to the problems of setting up educational institutions. These problems faced Harvard acutely after Eaton was dismissed, the students were sent home, and the College for all intents and purposes closed. But the same basic and practical problems were chronic in the larger society of the American colonies. The colonists had

³⁹ The reasons why the people of New England wanted Harvard to be a college in the Cambridge sense, the ways in which Harvard resembled Cambridge, and the ways in which it did not are summarized in MORISON 2, *supra* note 10, at 12 and 25-35.

⁴⁰ Dunster, in fact, was quite clever and an accomplished linguist. He was even regarded as an expert in "Oriental languages," although at the time the Orient stopped at the eastern end of the Mediterranean and omitted India, China, and Japan. In addition to Latin and Greek, Dunster knew Hebrew and his program for Harvard students had freshmen studying Hebrew grammar, juniors studying the Aramaic books of the Old Testament, and seniors the Syriac New Testament. *Id.* at 31.

⁴¹ Whatever the value of this normative standard, which clearly had enormous appeal to Morison, Morison's own descriptions of several of the Presidents of Harvard who followed Dunster makes it abundantly clear that it was a standard honored at least as much in the breach as it was in the observance. Indeed, without naming names or going into cases, the very recent history of Harvard demonstrates that even when intellectual brilliance is present a great presidency does not necessarily follow.

⁴² Dunster's greatest scholarly legacy in terms of publications, indeed the only printed work of which he is known to be part author, was "The Psalmes, Hymns And Spiritual Songs Of the Old and New Testament, faithfully translated into English metre, For the use, edification, and comfort, of the Saints, in publick, and private, especially in New England." It was first printed in 1651 on the press that the first Mrs. Dunster's late husband had imported from England. The volume was more generally known as the Dunster-Lyon psalm book and it was frequently reprinted for use in New England churches until the middle of the eighteenth century. MORISON, *supra* note 3, at 348-349 (including a reproduction of the title page and the beginning of the Magnificat).

enormous respect for schools and learning and a corresponding eagerness to enact policies that would create a system of public education.⁴³

These were problems Henry Dunster knew how to tackle, and we can surmise that he may have had considerable confidence in his ability to start the work. He could draw, for example, on his experience as a pupil at Bury School, where work in the classroom would be supplemented at least for some students by private tuition, especially if they wanted university admission.⁴⁴ This was a mix of school work and tutoring that New England already practiced and Dunster was well placed to assess both its strengths and its limitations. Dunster could also apply what he learned from being a student at Cambridge, where undergraduate society was organized on a very much smaller scale than it is now,⁴⁵ but was just about the right size to be a good model then for Harvard.⁴⁶

And perhaps most importantly Dunster could reflect on his work for several years as curate and schoolmaster in Bury. This was in effect his in-service training as a teacher and as an educational administrator. Moreover, it was an experience that occurred precisely at the time when Bury School was going through its own period of constitution writing and institution building.⁴⁷ In the particular context of Harvard in the early 1640s, as well as for Massachusetts and New England at the time more generally, it was experience I think we might reasonably regard as priceless.

Taken altogether the personal and professional assets Dunster could identify and reflect upon in the summer of 1640 do not add up, perhaps, to the most audacious or imaginative or otherwise remarkable or visionary foundations on which to build a durable system for the education of children and young adults in a brave new world, or anywhere else for that matter. But among the blind men in Massachusetts who were struggling in August 1640 to make something, anything, out of Harvard College they made Henry Dunster a one-eyed king.

⁴³ *Id.* at 157-158.

⁴⁴ Again, private tuition was common at the time in both England and America. After Eaton's dismissal, arrangements were made for several Harvard students to continue their work on this basis. *Id.* at 235-236. Private tuition grated, however, against Puritan sensibilities, because unless everyone in Puritan society was educated to a relatively high level meaningful participation in church and civic affairs was impossible and the Puritan way of life could not be sustained. *Id.* at 157. This is why there was so much political pressure in the colonies to create a system of free and compulsory primary and secondary education, an objective achieved everywhere except Rhode Island by 1671. A similar sentiment stoked the desire to provide free access to Bury School for at least some pupils, and still motivates the desire to build up bursaries.

⁴⁵ There were sixteen members of Dunster's year at Magdalene College, Cambridge. *Id.* at 110.

⁴⁶ In 1650, Harvard had about forty students in all four undergraduate years and ten studying for an M.A.. *Id.* at 342.

⁴⁷ Broadly speaking, the issues focused on the relationships obtaining, or the relationships that should obtain under the terms of Henry Bury's 1634 will, between the Master, the Governors, the Rector of Bury, and the parishioners of Bury, which last group was seen as a way of growing endowments. FALLONS, *supra* note 1, at 49.

It resounds, I think, to the everlasting credit of this generally unexceptional Lancashire lad,⁴⁸ this *alumnus* of Bury School, that he understood the remarkable value in a particular time and place of his otherwise unremarkable learning and experience. He deserves credit, too, for having the good sense and confidence to act on what he knew, to roll up his sleeves and get to work with the tools he had at hand, much as country boys from Lancashire have always done.

My sense, then, after only a quick dig is that the contributions Henry Dunster made to Harvard in particular and to colonial schooling and higher education in America more broadly are worthy of a keener appreciation than they have so far received. And I would also venture to say that they represent and deserve recognition as the implementation of a standard of personal and professional service which pupils at the Bury Grammar Schools have always striven, and are striving now, to emulate. In the not too distant future these are themes that could usefully be explored in a suitable trans-Atlantic forum, perhaps at Dunster House.

⁴⁸ Dunster seems to have thought of himself this way. “Ego enim Lancastrensis sum,” he writes in a letter that has survived. Morison thinks Dunster was writing this in defense of his “uncouth” northern English accent, but Dunster might just as well have been affirming the pride he felt in his Bury roots. MORISON, *supra* note 3, at 242.