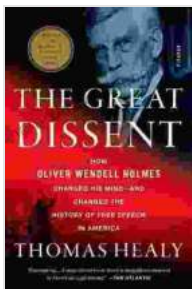


How Oliver Wendell Holmes Changed His Mind And Changed The History Of Free

Oliver Wendell Holmes Jr.'s transformation from a supporter of Union censorship during the Civil War to a staunch defender of free speech is a remarkable chapter in the history of the First Amendment. His evolution on this issue shaped the landmark jurisprudence that protects our right to express ourselves.

Holmes' Early Life and Civil War Service

Oliver Wendell Holmes Jr. was born in Boston, Massachusetts, in 1841. His father was a renowned physician, poet, and essayist. Holmes attended Harvard College and Harvard Law School, graduating in 1866.



The Great Dissent: How Oliver Wendell Holmes Changed His Mind--and Changed the History of Free Speech in America by Thomas Healy

★★★★☆ 4.5 out of 5

Language	: English
File size	: 2189 KB
Text-to-Speech	: Enabled
Screen Reader	: Supported
Enhanced typesetting	: Enabled
Word Wise	: Enabled
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Dimensions	: 9.3 x 0.7 x 6.4 inches



At the outbreak of the Civil War, Holmes enlisted in the Union Army and fought with distinction. He was wounded three times and rose to the rank of captain.

During the war, Holmes witnessed the suppression of dissent by the Union government, including the imprisonment of anti-war newspapers. He also saw firsthand the devastating impact of censorship on morale and public discourse.

Holmes' Evolving Views on Free Speech

After the war, Holmes served as a judge on the Massachusetts Supreme Judicial Court. Initially, he supported the government's wartime censorship measures, believing that they were necessary to protect national security.

However, over time, Holmes began to question the government's authority to restrict speech. He came to believe that free speech was essential for a vibrant and democratic society.

The Schenck Case and the "Clear and Present Danger" Test

In 1919, Holmes wrote a dissenting opinion in the landmark case *Schenck v. United States*. In this case, the government had convicted a man for distributing leaflets that urged young men to resist the draft during World War I.

Holmes argued that the government could not punish speech unless it posed a "clear and present danger" to national security. This test, known as the "clear and present danger" test, became a cornerstone of First Amendment jurisprudence.

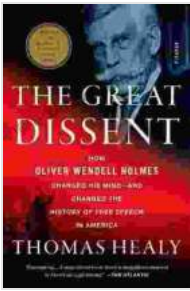
Holmes' Later Years and Legacy

Holmes served on the U.S. Supreme Court from 1902 to 1932, during which time he wrote a series of influential opinions on free speech. In cases such as *Abrams v. United States* and *Gitlow v. New York*, he continued to uphold the "clear and present danger" test.

Holmes's legacy as a free speech advocate is immense. His jurisprudence helped to establish the First Amendment as a fundamental guarantee of our freedom. His belief in the importance of free speech continues to inspire those who fight for the right to express themselves.

Oliver Wendell Holmes Jr.'s evolution on the issue of free speech is a testament to the power of changing one's mind. His transformation from a supporter of censorship to a staunch defender of the First Amendment changed the course of American history.

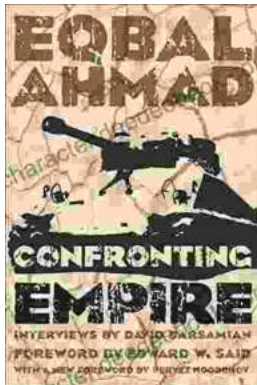
Thanks to Holmes's courage and vision, we live in a society where the right to express our thoughts and beliefs is protected by the law. His legacy serves as a reminder that the First Amendment is essential for a free and open society.



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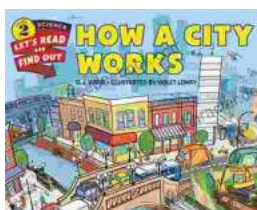
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