A Brief History of the Holmes Devise
When Oliver Wendell Holmes died in 1935, he left the bulk of his estate ($263,000) to the U.S. Congress for the benefit of the people of the United States. Apparently this was the largest unrestricted gift ever made to the U.S. In the 1955 Congress appropriated additional funds and established the Permanent Committee on the Oliver Holmes Devise and authorized it to determine how best to use these funds. They thought it in keeping with the spirit of Justice Holmes’s gift to commission a multivolume history of the Supreme Court of the United States, one that would treat comprehensively the development of the Court from its origins. Pre-eminent scholars in U.S. legal history were commissioned to write each volume. The nine published volumes in the series are major works of reference that have become the standard in the field, and the next four volumes will also meet that standard.

The very next volume to be published will be:

Volume 12, The Birth of the Modern Constitution: The United States Supreme Court, 1941–1953

By William Wiecek, Syracuse University Law School


Further planned volumes in the series are:

Volume 10, The Taft Court, 1921-1930,
by Robert Post, Yale University Law School

Volume 11, The Hughes Court, 1930-1941,
by Richard D. Friedman, University of Michigan Law School

Volume 13, The Warren Court and American Democracy, 1953-1976,
by Morton Horwitz, Harvard Law School

1941-1953 marked the emergence of legal liberalism, in the divergent activist efforts of Hugo Black, William O. Douglas, Frank Murphy, and Wiley Rutledge. The war and early Cold War years of the Court in reality marked the birth of the constitutional order that dominated American public law in the later twentieth century. That legal outlook emphasized judicial concern for civil rights, civil liberties, and reaction to the emergent national security state. This book recounts the history of United States Supreme Court in the momentous yet usually overlooked years between the constitutional revolution that occurred in the 1930s and Warren-Court judicial activism in the 1950s.

Contents

Volume 12,
The Birth of the Modern Constitution: The United States Supreme Court, 1941–1953

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“This well-researched volume skillfully chronicles the work of the Supreme Court under Chief Justices Stone and Vinson. Although scholars have tended to give short shrift to this era, Wiecek makes a compelling argument that these years marked a watershed in constitutional history and pointed the court toward a new constitutional understanding. Wiecek’s book will undoubtedly generate debate and will likely become the definitive treatment of the Stone-Vinson era.”

– James W. Ely, Jr., Vanderbilt University Law School

“A brilliantly done book by a master in the field. Wiecek guides us through an era that is troubled and often confusing, and he does it with a sure hand for what is important. This is a welcome and a noteworthy contribution to the Holmes Devise.”