



Rehabilitating Lochner: Defending Individual Rights against Progressive Reform

David E. Bernstein

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In this timely reevaluation of an infamous Supreme Court decision, David E. Bernstein provides a compelling survey of the history and background of *Lochner v. New York*. This 1905 decision invalidated state laws limiting work hours and became the leading case contending that novel economic regulations were unconstitutional. Sure to be controversial, *Rehabilitating Lochner* argues that the decision was well grounded in precedent—and that modern constitutional jurisprudence owes at least as much to the limited-government ideas of *Lochner* proponents as to the more expansive vision of its Progressive opponents.

Tracing the influence of this decision through subsequent battles over segregation laws, sex discrimination, civil liberties, and more, *Rehabilitating Lochner* argues not only that the court acted reasonably in *Lochner*, but that *Lochner* and like-minded cases have been widely misunderstood and unfairly maligned ever since.



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