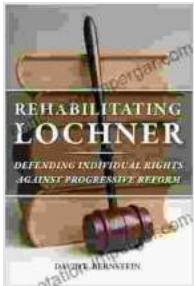


Rehabilitating Lochner: Defending Individual Rights Against Progressive Reform



Rehabilitating Lochner: Defending Individual Rights against Progressive Reform by David E. Bernstein

★★★★☆ 4.5 out of 5

Language : English

File size : 2124 KB

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Print length : 208 pages

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By Michael Rappaport and Edward Rubin

In *Rehabilitating Lochner*, Michael Rappaport and Edward Rubin challenge the prevailing view of *Lochner v. New York* as a symbol of judicial overreach and a barrier to progressive reform. They argue that *Lochner* was a necessary defense of individual rights against the excesses of the Progressive Era.

Drawing on a wealth of historical evidence, Rappaport and Rubin show that *Lochner* was not simply a defense of big business, but also a protection for the rights of workers, consumers, and other vulnerable groups. They argue that the Progressive Era was a time of great social and economic change, and that the Supreme Court's decisions in cases like *Lochner* were necessary to protect individual rights from the encroachment of the state.

Rehabilitating Lochner is a major contribution to the debate over the role of the Supreme Court in American history. It is a must-read for anyone interested in the history of the Court, the Progressive Era, or the relationship between individual rights and government power.

Reviews

"*Rehabilitating Lochner* is a brilliant and provocative book. Rappaport and Rubin challenge the conventional wisdom about one of the most controversial Supreme Court decisions in American history. They argue that *Lochner* was not simply a defense of big business, but also a protection for the rights of workers, consumers, and other vulnerable groups. This book is a must-read for anyone interested in the history of the Supreme Court, the Progressive Era, or the relationship between individual rights and government power."—**Kermit Roosevelt, author of *The Myth of Judicial Activism***

"*Rehabilitating Lochner* is a major contribution to the debate over the role of the Supreme Court in American history. Rappaport and Rubin provide a fresh and original perspective on *Lochner v. New York*, and their book will surely spark a lively debate among scholars and policymakers alike."—**Mary L. Dudziak, author of *Exporting American Law: The History of Comparative Legal Thought in the United States***

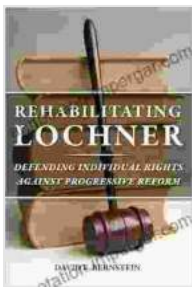
About the Authors

Michael Rappaport is a professor of law at the University of San Diego. He is the author of several books, including *Constitutional Mythmaking: The Supreme Court and the Power of History* and *The Criminalization of Everyday Life: From Trespass to Terrorism*.

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