**Roundtable discussion regarding the Supreme Court decision in the case of Lochner v. New York**

You will be participating in a roundtable discussion regarding the case of Lochner v. New York, which deals with the Bakeshop Act of 1895. Each student should come to class prepared to make a 1–2 minute presentation explaining their thoughts on Lochner.

Each student will:

(1) take a side in the case. Should the court rule for New York and uphold the maximum hours law? Or should the Court rule for Lochner and strike down the law as unconstitutional?

and

(2) explain why the court should take that side. What reasoning/justification best supports the court’s decision?

Answer the following questions so that you can more fully participate in the discussion:

1. What are the most significant problems facing America’s cities at the turn of the century? Is this sort of legislation ultimately beneficial or detrimental to the nation’s welfare?

2. In general, should the government pass legislation designed to improve working conditions—or the lot of workers in general? What are the likely consequences of this sort of legislation? What other options should the government—or private individuals—pursue in order to address the problem?

3. What are the constitutional questions involved in the case? Why does the New York legislature think it has the power to pass a maximum hours law? Why do the opponents of the Bakeshop Act think that the law is unconstitutional?

Justice Rufus Peckham (writer of the majority opinion in the case)

Justice John Marshall Harlan (writer of a dissenting opinion in the case)

Justice Oliver Wendell Holmes (writer of a dissenting opinion in the case)

Andrew Carnegie (industrialist, author of Gospel of Wealth)

Cornelius Vanderbilt (railroad tycoon, defender of unbridled laissez-faire and the “self-made” man)

William Graham Sumner (Social Darwinist)

Eugene Debs (presidential candidate of the Socialist Party of America)

Edward Bellamy (author of utopian novel Looking Backward)

Terence Powderly (leader of the Knights of Labor)

“Big Bill” Haywood (leader of the Industrial Workers of the World)

Henry Bowers (founder of the xenophobic American Protective Association—immigration restriction)

Jacob Riis (“Muckraker” and author of How the Other Half Lives)

George Washington Plunkitt (city boss)

Washington Gladden (leader of the Social Gospel movement)

Jane Addams (leader of the Settlement House Movement)

Louis Brandeis (Progressive reformer, later Supreme Court Justice)

Theodore Roosevelt (Progressive president)

Woodrow Wilson (Progressive president)

Robert La Follette (successful state-level Progressive reformer)