



# The Safeguard of Liberty and Property: The Supreme Court, *Kelo v. New London*, and the Takings Clause

*Guy F. Burnett*

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In 2005, the Supreme Court ruled in *Kelo v. New London* that a city might take property from one private owner and transfer it to another for economic redevelopment. The ruling marked a new interpretation of the Fifth Amendment to the Constitution, and set a precedent which has raised significant questions regarding government takings and property rights. The ruling also reawakened a public interest in private property and created a vicious reaction among many citizens, journalists, academics, and legislators. This book is unique because it offers an in-depth analysis of the case law found in the opinions and decisions of the state and federal courts, but also uses a variety of other sources including the oral argument before the Supreme Court, the amicus curiae briefs, American political and legal history, as well as the personal stories of those involved in the case. This book also analyzes the public backlash from several different perspectives including opinion polls, media coverage, academic articles and commentary, subsequent case law, and legislative action. Finally, this book offers an insightful critique of the case, including what the Supreme Court got wrong, what it got right, and where the law and courts should go from here.

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