

Supreme court, case of kelo v. the city of new london

Law



of the Law of the Concerned 29 October Supreme Court, Case of Kelo v. The City of New London The 5 to 4 ruling in the Supreme Court case Kelo v. City of New London, the eminent court extended the “ public use” requirement enshrined in Takings Clause of the 5th Amendment to include within its scope the meaning “ public purpose”. Doing so, the Supreme Court merely fulfilled its responsibility to interpret the meaning and intention of the involved law and the consenting judges in no way resorted to judicial activism.

One has to be a non-activist to divest the charges of activism oft levied on the consenting judges in this particular case. Actually speaking there exists nothing like an activist judge, at least in majority of the cases. The US Constitution has essentially resorted to an equal division of power to the three branches of the government that are judicial, legislative and executive. Hence, strictly as per the US constitution, the duty of the Supreme Court is to interpret laws, especially those areas of law that are ambiguous, confusing and unclear. So, by authorizing the City of New London to transfer property to private owners, after taking it from homeowners for the sake of economic development, the court did its job of interpreting the given law as per its true spirit and intention in the context of the scenario in which it was to be exercised.

No doubt, the Supreme Court rulings play an important part in shaping the nature of the American society and in the given case; the eminent court aptly interpreted the law to enable the political leadership to revitalize a dwindling local economy.