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Opinion



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Pfizer abandons site of infamous Kelo eminent domain taking

By: [Timothy P. Carney](#)

Examiner Columnist

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The private homes that New London, Conn., took away from Suzette Kelo and her neighbors have been torn down. Their former site is a [wasteland of fields of weeds](#), a monument to the power of eminent domain.

But now Pfizer, the drug company whose neighboring research facility had been the original cause of the homes' seizure, has just announced that it is [closing up shop](#) in New London.

To lure those jobs to New London a decade ago, the local government promised to demolish the older residential neighborhood adjacent to the land Pfizer was buying for next-to-nothing. Suzette Kelo fought the taking to the Supreme Court, and lost. Five justices found this redevelopment met the constitutional hurdle of "public use."

The Hartford Courant [reports](#):

Pfizer Inc. will shut down its massive New London research and development headquarters and transfer most of the 1,400 people working there to Groton, the pharmaceutical giant said Monday....

Pfizer is now deciding what to do with its giant New London offices, and will consider selling it, leasing it and other options, a company spokeswoman said.

Scott Bullock, Kelo's co-counsel in the case, told me: "This shows the folly of these redevelopment projects that use massive taxpayer subsidies and other forms of corporate welfare and abuse eminent domain."

[update: Read my full column on this [here](#).]

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Dan Sullivan

Nov 9, 2009

It's the law of unintended consequences, but that's what happens when you give all power to the government.

Can't wait to see how many "oh, not-so-fasts" we get once the government runs healthcare--like "Yeah, I took your life, but I don't need it anymore."

Poor Mrs. Kelo!

Guy Jones

Nov 9, 2009

This decision was one of SCOTUS's worst in recent memory. Justice O'Connor's dissent was pragmatic and on the money in its criticism of the Court's decision. I had always thought that such a taking for private use was clearly unconstitutional, even beyond a textual basis -- for the simple reason that the supposed public benefit from such a taking is too speculative and uncertain. Now we see that was exactly the case here as Pfizer leaves for greener pastures.

PhilMB

Nov 9, 2009

Prior to New London taking this land for Pfizer was a bond put in place? If so, can Ms. Kelo et al lay claim to those funds, as the basis for the taking is no longer valid? Does anyone in any government know how to read and interpret English?

The Founders knew what they were doing, as they'd already had experiences with such theft from the Crown. Seems to me we now have a new Royalty in place! Give it back, \$1 per parcel fee simple.

Retired CPO

Nov 9, 2009

When the new House is elected in 2010, and when two thirds if the Senate has been replaced in 2112, Then the new congress can impeach the progessive other world Supreme court judges for cause. The next best thing would be a Constitutional amendment requiring that any bill passed by only one party of the Congress must be examined for constitutional legality.

george

Nov 9, 2009

Dan it wasn't the government that got the power here. It was the corporation Pfizer that got the power here

which was illegally transferred from the government to them. If the government had retained traditional control over it's eminent domain power this never would have happened.

And you know it was the Republican's on that government panel that gave that control to the company right?

Matt Braynard

Nov 9, 2009

So what of the City of New London's elected officials who authorized the taking and now have egg on their face?

Are they still in office? Did they get voted out?

Did the tax revenue begin to cover the legal costs of getting a case all the way to the SCOTUS?

Resolute

Nov 9, 2009

The Kelo decision surely ranks as one of the worst SCOTUS decisions ever. What a complete injustice! This whole decision and way that the SCOTUS justices arrived at their decision really shows a fundamental flaw in their basic common sense, their respect for property owners' rights, and their understanding of the Constitution. The City of New London, if it has any decency left, should return the seized property back to the owners and rebuild their destroyed homes. This whole Kelo affair sounds like something that would happen in a Communist country.

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Liberal Attack

Nov 9, 2009

Kelo; 268 Conn. 1, 843 A. 2d 500, affirmed.

Stevens, J., delivered the opinion of the Court, in which Kennedy, Souter, Ginsburg, and Breyer, JJ., joined. Kennedy, J., filed a concurring opinion.

O'Connor, J., filed a dissenting opinion, in which Rehnquist, C. J., and Scalia and Thomas, JJ., joined. Thomas, J., filed a dissenting opinion.

Jen

Nov 9, 2009

Taking away your private property to serve the interest of private corporations is un-American. Shame on the Supreme Court, and shame on The City of New London, and on all municipalities who are doing this across the country.

Rick

Nov 9, 2009

Liberals believe that individual rights should be superseded for the common good. Read the 2k pages of the Pelosi/Obamacare Bill and you'll weep and pray for America.

MD

Nov 9, 2009

George your an idiot

Steve

Nov 9, 2009

I lived in Groton at the time right across the water. I can tell you right now there were no Republicans in power in NewLondon. That place was true blue Democrat. I don't see how you can blame Pfizer, if the NewLondon Government would've thought about their constituents instead of those tax dollars everyone would've been better off.

Mike@renegaderadio.net

Nov 9, 2009

Hmm...does this not therefore set the precedent that taking private property for the creation of an overgrown weed lot constitute "public use"? I assume the SCOTUS isn't going to vacate their decision after-the-fact. Therefore, the precedent (shudder) stands? Does it also allow for takings with the "promise" that "we're going to do something really nice with it...you'll see!" even though no development occurs?

Mike S

Nov 9, 2009

Anyone know if the people whose homes were taken were able to buy new ones within New London? Or were they priced out of the market?

lazlotoh

Nov 10, 2009

It wouldn't matter what party the officials were from; they should have been removed by the voters. All this does is give a company like Pfizer a way to buy the land forcibly for less than they otherwise would have had to pay and then we end up with something like this. People should dump their Pfizer shares and write the company to tell why. It won't help but it will make us feel better.

MightierBlue

Nov 10, 2009

@Dan Sullivan up top..

not sure why all you "gouvermintz iz bad" people overlook the glaring truth when you see stories like this, i.e. who benefits. Sure the government overstepped it's boundaries, but to whose benefit? The government's? No, private capital. If you wake up and realize that government is the lever, not the mover you'll begin to see the light.

aldona beall

Nov 10, 2009

Am I the first to notice that the Supreme Court decision that was rendered was 5 to 4, with the Conservative Justices in the "4" column...Why wasn't this reported in the article???

Dr D

Nov 10, 2009

No, it is not what you get when you give power to the government, it is what you get when you subvert the will of the people to the desires of the corporation, a typical right wing tenet.

JJ

Nov 10, 2009

@MightierBlue

How, exactly, is the government not the "mover" when the corporation would be powerless to force people out of their homes without the help of the government, with its ability to enforce eminent domain.

It is expected that corporations act in their own best interest, and yes, to try to exert pressure on government entities through lobbying or promises to bring tons of employment to a region or under the table payments or whatever. And it's no surprise that government officials can be swayed by such compelling incentives.

That's why the "gouvermintz iz bad" types, as you put it, have a problem with laws that give the government absolute power, particularly when that power supercedes the property rights of its citizenry.

JJ

Nov 10, 2009

@Dr D

Yes, it's such a right wing tenet that all four dissenting opinions in the Supreme Court decision were from conservative judges.

LoboSolo

Nov 10, 2009

Raich was an equally bad decision.

Tony G

Nov 10, 2009

You can't simply blame Big Government or the Big Corporation here -- they did this together and they are both equally to blame.

This is the kind of crap that happens when Big Government & Big Corporations get in bed together. It is the worst sort of mix as it combines the government's over-reaching power with the capital power of the corporation.

What bothers me the most in cases like this is that it causes many people to lose faith in the free market, when the real problem has to do with politicians who play favorites to specific corporations in return for campaign contributions and other perks.

On top of it all, SCOTUS definitely botched this one. They should have been the final check on this. In summary, all three parties (the local government, Pfizer, & SCOTUS) have dirt on their hands.

Beverlee

Nov 10, 2009

Public and private egos fed the New London development mania. Government (state and local) had become so intrusive, those egos thoughtlessly expanded in the name of "the greater good" - jobs. Government never creates real job (beyond the armed services and prosecutors), and government's ego must be suppressed. "Government ego suppression" is the primary function of the U.S. Constitution, but somewhere we lost it.

Daniel

Nov 10, 2009

If you want to see what the land looks like after New London took it from Susette Kelo and her neighbors, I was in New London a couple months ago and took some pictures: <http://www.dr5.org/kelo-v-new-london-the-aftermath/>

BKenney

Nov 10, 2009

In a related note, Pfizer just gave pink slips to 600 of 1000 workers here in St. Louis. Property they owned will be bought by Monsanto and then leased back to Pfizer. Sounds like Pfizer needs new management.

perseus317

Nov 11, 2009

It is amusing to see liberals going through all sorts of contortions to blame big business and not to blame big government. Bottom line is that the government officials got greedy and saw the property as a source of tax

revenue. (When has a liberal ever turned down a chance to get more tax money to support their bloated programs?) If the government had said, "No!" to the taking of the property, that would have been the end of it. The voters need to see through all of the liberals' distortions of the facts and recognize that, the longer that liberals are in charge of the government, the longer the public is going to end up getting screwed.

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