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U.S. Supreme Court

Scalia Lumps Kelo Decision with Dred Scott and Roe v. Wade

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Justice Antonin Scalia predicted Monday that the Supreme Court's decision in *Kelo v. City of New London* will be overturned.

Speaking to students at the Chicago-Kent School of Law, Scalia criticized the decision allowing the city of New London to use eminent domain to seize property for economic development, the [Chicago Sun-Times](#) reports. "I do not think that the *Kelo* opinion is long for this world," Scalia said.

Scalia ranked *Kelo* among the top cases in which the court made a mistake of political judgment, according to the Sun-Times account. The others were the *Dred Scott v. Sanford* decision in favor of a slave owner and the *Roe v. Wade* decision finding a constitutional right to abortion.

"My court has, by my lights, made many mistakes of law during its distinguished two centuries of existence," Scalia said. "But it has made very few mistakes of political judgment, of estimating how far ... it could stretch beyond the text of the Constitution without provoking overwhelming public criticism and resistance. *Dred Scott* was one mistake of that sort. *Roe v. Wade* was another. ... And *Kelo*, I think, was a third."