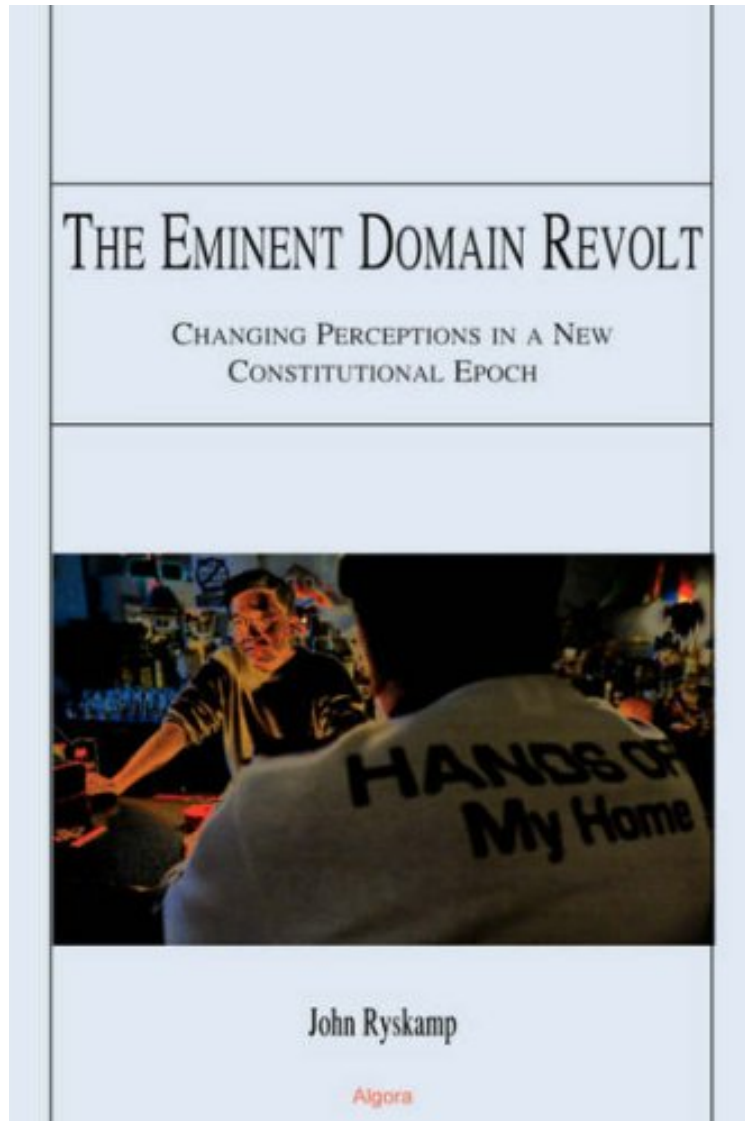


[Free] The Eminent Domain Revolt: Changing Perceptions in a New Constitutional Epoch

# The Eminent Domain Revolt: Changing Perceptions in a New Constitutional Epoch

*John Ryskamp*

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**John Ryskamp : The Eminent Domain Revolt: Changing Perceptions in a New Constitutional Epoch** before purchasing it in order to gage whether or not it would be worth my time, and all praised The Eminent Domain Revolt: Changing Perceptions in a New Constitutional Epoch:

8 of 8 people found the following review helpful. SloppyBy Peter CalvetLet me first admit up front that I have not read this book. I have only read the section that pertains to me.I do not know if this book makes a persuasive argument

or not, but there are two mistakes in the section in which the agency of which I am the current chairman is cited. First, and foremost, the redevelopment plan in question has nothing to do with housing. This book is an attempt to capitalize on many homeowners' natural revolt at the thought that municipalities can take over private homes just for the sake of economic development or someone's idea of "progress." Nothing could be further from the case in Bristol. Our redevelopment plan had nothing to do with economic development. It had nothing to do with housing, or displacing homeowners. It had nothing to do with "progress." The Bristol redevelopment plan had to do with the elimination of blight, that is properties who were neglected for decades and were a blot on the downtown. What was asked of the property owners was simply to bring their commercial properties, none of which were inhabited, in compliance with community standards, a common sense standard devoid of gimmickry or legal gobbledygook. Any rational person could look at these properties and determine their inadequacy without the benefit of an advanced engineering diploma or a law degree. Regardless of the merits of the *Kelo v. New London* Supreme Court decision, our redevelopment plan in Bristol had nothing in common with that situation. As a matter of fact, our public policy in Bristol is precisely that we do NOT condemn homes by invoking eminent domain, even to combat blight, much less for economic development. The second mistake is rather minor but illustrative of sloppy work. The town of Bristol referred to on page 182 is in Rhode Island, not Connecticut, a mistake obviously due to the fact that the *Kelo* case was in Connecticut. Close, but no cigar. On the positive side, the author spelled my name correctly and quoted me correctly. 3 of 3 people found the following review helpful. Eminent Domain Revolt Will Put A Crack Whore To Sleep By Steven Cyrus Pishdad Even if Ryskamp is right in everything he says in this book it still puts a crack whore to sleep in 5 minutes. This book makes *The Theory of Relativity* read like Dr. Seuss's *Green Eggs Ham*! Ultimately, if Ryskamp desires ANYBODY on earth to penetrate this exhaustive work (or else why write it?), why does he render it to such impenetrable levels. The book reads like the fine print of a car lease payment disclaimer 200 pages long?! I for one am a believer that anything which is of value to human beings, whether it be legal, scientific, or otherwise should not read like a 200 page car lease payment disclaimer! I don't care what the subject is! This book reminds me of a novel or some other kind of writing which gets so engrossed on the fine details that you just loose track of the whole purpose! This document lacks some serious structure. It's like trying to catch water using a net.

Ryskamp provides an up-to-the-minute report on the law and politics of eminent domain after the Supreme Court's (in)famous *Kelo v. New London* decision of June of 2005. All the states are just beginning to debate reforming their eminent domain laws, and there is nothing whatsoever on the market which would give them a clue as to how to frame the debate. Legislators are bewildered as to how to proceed. The eminent domain issue involves a new legal controversy about an apparently settled issue. It demands knowledge of the history out of which the Constitution arose, as well as legal background. In the famous *Lindsey v. Normet* Supreme Court case, 405 US 56 (1972), the Court found there was no right to housing, which is one of the reasons we are in the midst of this eminent domain controversy now. However, the Court made it clear that it was simply the argument which was not convincing, not that such a right could not be found. This book presents, among other things, a new housing right argument which has not previously been used. However, the dominant theme of the book is precisely the unsettled nature of the law and facts of this controversy. Readers need to inform themselves and think for themselves. In an area in which public opinion will determine much of the outcome, there are no experts and public opinion is just beginning to form. This book is everyone from lawyers to planners to legislators to the lay public who is interested in the eminent domain issue as it plays out in state legislatures, debates and crises around the country. This issue is in newspapers on a daily or weekly basis now. The system simply cannot resolve it. Legal scholars may disagree about Ryskamp's location of the right to housing (under Fifth Amendment Due Process), but the book will convince many readers that we have to start working to understand the legal principles involved in this controversy.

A journalist and critic with a law degree, Ryskamp begins with the story of the women in New London, Connecticut who refused to give up her house to a pharmaceutical giant, as directed by her city government. He asks why she fought all the way to the US Supreme Court when no one thought she had a chance, why her loss sparked legislation in every state and in Congress to prevent such actions, why that movement came as a surprise to the political system, and the continuing fight for the New Bill of Rights. --Reference Research Book News About the Author John Ryskamp earned his JD at Golden Gate University in 1985. A section from this work was published in 36 *Stetson Law* No. 1 (November 2006).