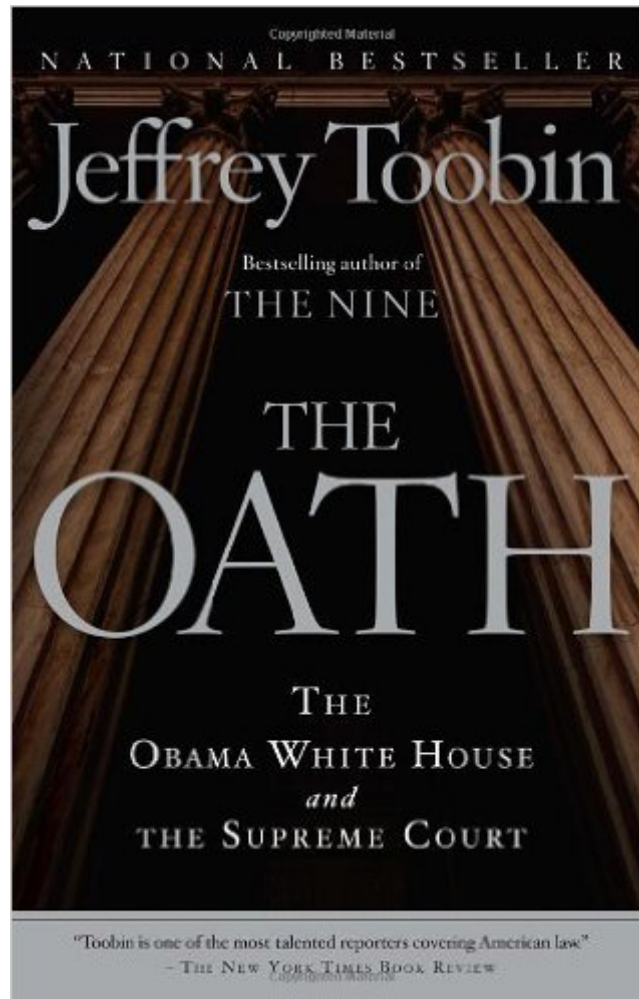


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# The Oath: The Obama White House And The Supreme Court



## Synopsis

A Washington Post Notable Work of Nonfiction From the moment Chief Justice Roberts botched Barack Obama's oath of office, the relationship between the Court and the White House has been a fraught one. Grappling with issues as diverse as campaign finance, abortion, and the right to bear arms, the Roberts court has put itself squarely at the center of American political life. Jeffrey Toobin brilliantly portrays key personalities and cases and shows how the President was fatally slow to realize the importance of the judicial branch to his agenda. Combining incisive legal analysis with riveting insider details, *The Oath* is an essential guide to understanding the Supreme Court of our interesting times.

## Book Information

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## Customer Reviews

Toobin provides brief, biographical info on each of the associate justices and Chief Justice Roberts and President Obama because he believes their background provides a window to their views. It is probably not entirely clear why, in his short histories of Roberts and Obama, that Toobin details the rise of Critical Legal Studies at Harvard Law School. After all, Roberts' tenure at Harvard predated the Crits, and Obama never bought into their views. So why bring it up? The answer lies in Toobin's background. Like Roberts and Obama, Toobin graduated magna cum laude from Harvard and was on law review. Unlike Roberts and Obama, Toobin is a Crit. That is, he buys fully into the theory that all law is merely a vehicle for the application of politics. *The Oath* should be viewed through that lens. To Toobin, every opinion the justices write is written to advance the positions of their party. This view is ridiculous, which is why CLS is now discredited in the academy, but it still has an

obvious adherent in Toobin. Toobin is also a very good journalist and writer. The Oath shines as a piece of journalism, as a work of current history of the Supreme Court, tracking it from Obama's inauguration. The short bios of the President and each justice are sterling. As is his reporting of the twists and turns of Citizens United and the Obamacare case between oral argument and opinion (this is particularly impressive, sources within the Supreme Court are hard to come by).

Interestingly, Toobin thinks it was law clerks, not the justices themselves, who provided leaks on Obamacare, contrary to the conventional wisdom. Toobin has a good handle on each justice's writing style.

The Oath: The Obama White House and the Supreme Court by Jeffrey Toobin "The Oath: The Obama White House and the Supreme Court" is the riveting book that covers the evolution of the Supreme Court with a focus on how it relates to President Obama's administration. It discusses many of the hot-button issues of today by the Roberts-led Supreme Court while making precise historical references. It provides enlightening characterizations of the current justices including recent retirees. Award-winning author, senior legal analyst at CNN and Harvard Law School, Jeffrey Toobin, has written an expertly crafted book for the masses that goes inside the Supreme Court and provides readers with the current struggles of constitutional interpretation. This enlightening 352-page book is composed of twenty-three chapters within five parts. Positives: 1. A beautifully written book that covers the evolution of the Supreme Court to its current form. Enlightening, provocative and stimulating. 2. Riveting topic in the hands of a skilled author. 3. Even-handed and fair. A book of this ilk must cover the main angles of the issues to be fair and it does. Toobin does this book, dare I say it...justice. 4. The book is full of captivating tidbits, personality traits and facts about the justices. I really enjoyed how the author masterfully interweaved the personalities and philosophies of each one of the justices within the context of court cases. 5. The book provides readers with terrific insight on what it entails to be a Supreme Court justice. The preparation, intelligence and caution it takes to be an elite within elite. "It is important to be identified enough with one party to have patrons, but not so closely that you have enemies." 6.

Four-fifths of this book seemed disorganized, newsy, or anecdotal. First, the disorganization. Toobin starts off by talking about the controversial oath of office delivered by Roberts to Obama upon the latter's election to the presidency. He then spends the first part of the book tracing the rise of both these individuals through their chosen professions. So far, so good. However, weaved in this discussion is a series of chapters that examine Ginsburg and Breyer and the cases that defined

their careers. Huh? Part two follows with a look at Scalia before going BACK to an example of Obama's bipartisanship before then examining the appointment of Sotomayor. Part three looks at Citizens United, Alito, and Stevens. Part four looks at Kagan's appointment, Thomas, and retired justices O'Connor and Souter. Still following? Finally, part five examines the subtitle of this book by examining in detail Obama and the Court through the lens of the Affordable Care Act decision. Throughout much of the first 250 pages, I found myself wondering how exactly the President and Roberts figured into this book, or where the book was headed. Second, the fact that this book is "newsy" stands out because a lot of what Toobin writes has already been reported elsewhere. Although I enjoyed the pages on Souter's quirks, O'Connor's struggle to care for her husband, and Kagan's relationship with Scalia, a lot of this has been documented extensively (and better) elsewhere -- the Wall Street Journal, Washington Post, New York Times. Thus, a reader can spend a lot of time trying to find his/her way through the chapters only to learn details that have already been reported. Last, in examining the justices, Toobin cites maybe five pages of sources.

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