

Lawyer's Bookshelf

Unthinkable: Trauma, Truth, And the Trials of American Democracy

REVIEWED BY
JERRY H. GOLDFEDER

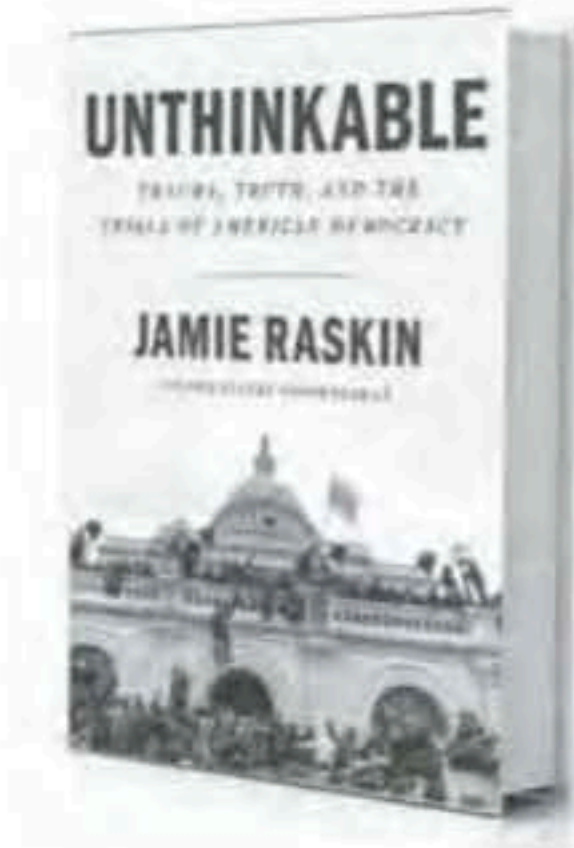
By Jamie Raskin, Harper, 2022,
448 pages, \$27.99

Daily revelations about former president Trump's schemes to stay in office might make it seem that the impeachment trial for his role in the January 6th insurrection is ancient history. It is not. As the old saw goes, if we don't learn from history, we may be doomed to repeat it. For that reason alone, you must read *Unthinkable* by Congressman Jamie Raskin. As he reminds us, it is "good memory" that makes us whole and guides us, as people and as a nation—"if we cannot get the past right, we will get the future all wrong."

But the real reason his new book is so captivating is that it is a window into a unique public official. Jamie's zeitgeist leaps off every page. We get to see him in a memoir like no other—his grief; his hopes; his self-doubts; his loves. He recounts in gripping detail the loss of his son through suicide and the almost-loss of our constitutional republic through an attempted "self-coup" by the former president. It's not the facts of the insurrection or his work as lead manager of the second impeachment trial that are so striking—though his telling of the events is riveting. Rather, it is the love of his late son, his huge family and, yes, the U.S. Constitution, that informs his story-telling and compels our unbridled attention.

Jamie made me weep as he described finding his son; angry all over again as he recounted the details of January 6th; understand why his colleagues call him "the Professor" as he explained—so easily and thoroughly—the 25th Amendment, the 12th Amendment, the Electoral Count Act, and even the Emoluments Clause of the Constitution; and admire his intelligence and verve as he prosecuted

Trump. Whatever you remember about the trial, or think you know about Jamie from the snippets you may have read about his book, you would be missing a uniquely intimate experience by not reading it. You will get to know this man, this father, this lawyer, this patriot, only by spending time with him—by devouring his emotions as he conveys them. Jamie opens his heart and soul in a way that makes you want to join his dinners, hike with him in the woods, play Uno



and Boggle with him, and hold him tight. Ironically and unfortunately, it is the death of his boy Tommy—his brilliant, hilarious, exuberant, loving son and comrade, a "world-class empath"—that propelled Jamie to write this ode to his late son, wife, daughters, and unending number of friends and relatives. At the same time, *Unthinkable* is also an homage to James Madison, Alexander Hamilton and Tom Paine, and makes you share his love for our country.

By his own account, Jamie is possessed of "insanely ridiculous optimism." He tells us that his family makes fun of him for this, calling him "Mr. Rose-Colored Glasses." This comes across when he talks about the impeachment trial. "We won in the eyes of history and in the eyes of the constitution." Trump may have "beat the spread," avoiding conviction by two-thirds of the Senators, but, he argues, it

was a bicameral, bipartisan majority vote against Trump that really matters. Put this way, he is right.

Most poignantly, however, is the fact that he carries Tombo (as he sweetly refers to his son), as well as his daughters Tabitha and Hannah, in his heart at all times, as all of America saw during the impeachment trial. How many fathers would be propelled by a son's suicide to work even harder to save the Constitution? Luckily, most parents don't have to make that choice.

Jamie is right that it is unthinkable to lose a child to suicide. Or for Americans to have almost lost our republic, and face that prospect again through a spate of laws designed to subvert our elections. But Raskin urges us to adopt his dear Tommy's insistence that we must think the unthinkable for a better world—to work hard on legislative fixes, sure; but also to explore new ideas, create more positive relationships, and eradicate hunger and want. And in order to achieve these presumably unattainable goals, we first have to think they are possible. That's the real lesson of *Unthinkable*.

Jamie Raskin may be the smartest constitutional scholar in Congress—though he takes great pleasure at being called "the funniest"—but he is foremost a patriot who is steeped in history and hopeful for the future. He suffers no self-delusion, though, and understands that our constitutional republic is in danger. So, this Congressman, quoting from a sacred text, demands that we keep in mind a central tenet of Judaism: "It's not incumbent upon you to finish the work, but neither are you free to evade it."

Read Jamie's book—you will come away with a deeper love for our Constitution and our nation.

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