THE BLUE FOLIO

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Prologue

The White House, May 6, 2059

Bill Waverly didn't hesitate for a millisecond as he slipped into the Roosevelt Room of the White House amid mouths opening into ovals. Usually loud, the media—pasted against the wall to his right—quieted to a suspicious hum at the sight of the president's attorney. He expected as much. There would never be a need for the president to have her attorney at one of these ceremonies. They were routine. Just photo ops. But Bill knew he would be needed.

He positioned himself just to the side of the door that led from the Oval Office into the Roosevelt Room, judging that it gave him the best vantage point to control the frenzy once it started. His presence could provide a headline, but it was a risk he had to take. And there was no way he could hide.

The top of his bare head gleaming under spotlights, the thin swatch of lightly salted, pepper-colored hair around the back and sides of his head, and his bulging midsection from too many hours of sitting in front of screens and books made him conspicuous. But his looks didn't advance his career, so he just stood there, looking like Friar Tuck in an expensive black suit draped awkwardly around his rotund body. In comparison to the others crowding into the Roosevelt Room, he appeared sickly.

While carefully observing Senator Delois Nath and Congressman Kelvin Lynn extol the benefits of the South American Free Trade Act (SAFTA) to the media, he tried to blend into the background. It was their baby. They proposed it, a power given to Congress in 2037. The more they bragged about their multiparty support for the legislation, the less attention on him.

Everyone wanted a piece of it. The senator was Patriot Party, the congressman a Democrat. But additional support from the Republican Party, the People's Party, the Independent Party, and the Conservative Party is what made it newsworthy. He could use that to put some distance between the president and the legislation.

In one form or another, he had started preparing the president for this meeting more than three years ago. When Congress sent the act to her eight days ago, those preparations became daily. They practiced careful scripts of what to say and how to answer questions. She complained about the hours and the repetition. Mostly she complained that he was treating her like an idiot, like she didn't know what she was doing.

He didn't fear her intelligence. She was smart. He feared that she could be hotheaded, aggressive. That she could blurt out thoughts as quickly as they popped into her head, rather than sticking to the scripts. She didn't understand the danger. He did. It was the reason the president needed him, and it made him feel clever.

The White House never listed this as either a signing ceremony or a veto ceremony. How that got past everyone, Bill couldn't figure. Maybe it was just a sign of the skyrocketing trust in politicians over the two decades since the Second Constitution became final. From the jovial mood, he gauged that everyone assumed it to be a signing ceremony. Logical, he thought, since it passed with sixty percent support in both houses and President Beth Roche-Suarez never spoke out against it. But he knew better.

Seconds before 9:00 a.m. and the reporters along the wall seemed to be getting used to his presence. They included the usual White House correspondents and a few younger ones from smaller outlets. Blogs with a few hundred thousand followers and small city newspapers. Correspondents who would be eager to assert themselves. Less disciplined than the hardened veterans.

The dignitaries took their seats around the longer sections of the rectangular, dark American walnut conference table, facing the empty chair at the head of the table where the president would sit, closest to the door Bill was guarding. Quick entrance, quick exit, he thought.

As President Suarez strode into the room, everyone stood to attention and applauded. She waved to the media as if they were the reason she was attending. Cameras and microphones were hidden in the decor, but Bill knew that she always played to the cameras. He saw her do this hundreds of times and he knew the effect. On-screen and in person, people liked her. Nocturnal eyes, big and round, with pupils spread so wide that they hid the color of her irises. Her tiny frame, only 157 or 160 centimeters tall he calculated, still not completely comfortable with the metric system fully adopted fifteen years ago. In any event, she didn't quite reach the top of his shoulders, and she was only a wet napkin's weight over forty-five kilograms. All this made her approachable, lovable, he thought. With his help, she never showed her other side to the people.

Before settling into her chair, the president gave quick handshakes to the senator and congressman without any conversation. The trade act lay on the table in front of her, next to her official stamp, a pen, and the official blue folio she brought with her—a dark royal-blue leather folio with the presidential seal emblazoned in the center of the cover. Fifty-one white stars encircling a spread eagle, its head facing left toward the olive branch in its dexter talon, away from the thirteen arrows in its sinister talon. The folio would usually hold her signing statement, giving the president's understanding of the new law and how it should be enforced by her administration. A copy of the signing statement along with one of the many pens used to sign the legislation were customarily gifted to the proponents.

As the initial commotion hushed, the president slowly opened the folder. Bill made eye contact with the press secretary standing in the center of the media and then turned to catch the eye of the president's Secret Service agent standing at the other side of the door frame. He felt confident that everything would go as planned.

"Good morning, ladies and gentlemen," the president began, looking toward the hidden cameras mounted just above the gaggle of reporters huddled against the wall and ignoring the people at the table in front of her. Bill's eyes focused on the faces of the senator and

congressman, both holding relaxed smiles of anticipation. Their bodies sitting erect, preening for the cameras, for their photo ops.

She continued, “After a great deal of research and deliberation, I have come to the determination that I must veto the South American Free Trade Act—”

“I beg your *pahdon*,” gasped Senator Nath in her Boston accent.

Congressman Lynn jumped to his feet. “When did this happen? When did you change your position?” he demanded. The Secret Service agent took a quick step forward, placing himself in the line of view between the congressman and the president. Just as Bill had instructed before the ceremony.

Along the wall, the reporters swarmed like fiddler crabs at low tide, thrusting claws in the air, grabbing for recognition, for the chance to shoot a question. They couldn’t ask questions without first being recognized by the press secretary. Bill could taste their frustration, especially the young ones. He counted on it.

“Why didn’t you tell us you were doing this?” Congressman Lynn shouted above the rustle of the reporters.

Turning first to the senator and then to the congressman, the president started to answer. “It was—really I just—” she stumbled.

Bill’s pupils narrowed as he focused on the president. Her eyes darted from the media to the senator before fixating on Congressman Lynn. Her hands drew together tightly in front of her, as if she could hold something in. Bill knew what she wanted to say, that they should all just be grateful for the good things she’d done and accept her judgment. Her hesitation, her stumbling, wasn’t uncertainty. She was fighting the urge to speak her mind without his filter. He needed to get her back on script.

He shuffled to his right, which placed him along the wall directly behind her seat. With a slight lift of his leg, his knee pressed into the back of her chair. Confident that no one saw the gesture, he could see that it startled the president out of her inner dialogue.

“I can assure you both, and the American people, that this was not a light decision. I gave it a great deal of consideration. I simply do not think it is in the best interests of the country at this

time," she concluded, back on script.

"*Naught* in the best interests?" Senator Nath mimicked, cocking her head back in disbelief. "You told us you supported SAFTA. You campaigned on this," she continued, her voice rising.

"That's right, I did initially campaign on this," the president responded, drawing out the word *initially* for emphasis. "There was a time I believed it was right for the United States. Recently"—she stopped herself—"I mean, after long deliberation, I came to the conclusion that while it would provide cheaper goods for Americans for a while, any benefit would be short-lived and it would eventually cost American jobs. It is not in the best interests of the country," she repeated.

Bill cringed when he heard her utter *recently*. It's exactly what he told her to avoid, any hint of when she made her decision. He tried to talk her out of the veto, to make her see what could happen to her, but she was stubborn. Either way, he damn well meant to protect her, to protect his golden goose. At least she didn't complete the sentence. Minimal damage, he thought, but he sensed that she might slip again.

"Did you change your mind before the election?" shouted a young reporter from the far end of the media pack lined along the wall.

Bill nodded to the press secretary, swallowing the sense of self-satisfaction rising to his lips. He knew they couldn't resist.

"Ladies and gentlemen, we will not tolerate outbursts. You know it's against protocol. You know better," the press secretary scolded, following Bill's instructions. "This meeting is over," he declared as he personally ushered the frustrated reporters through the far door amid their protests and apologies.

With the media gone and the ceremony concluded, the senator and congressman dropped the formality. "What the hell did you do? What are you doing to us, Beth?" Senator Nath demanded.

"Who got to you?" Congressman Lynn carped, taking a decisive step toward the president to make certain that it was clearly an accusation and not a question.

Bill nodded to the Secret Service agent, who put himself directly in front of the angry

congressman, as if he was going to restrain him.

"This meeting is over," Bill ordered.

On cue, the president responded, "I am sorry for your disappointment. As I have said, I believe it is in the best interests of the people that I veto this act." She stood and left through the door toward the Oval Office, followed by her Secret Service agent and Bill.

The president continued into the Oval Office while Bill hovered in the hallway, listening through the closed doors as the two members of Congress vented. He heard confusion and outrage. But he didn't hear the word he feared. Just as he thought, coyotes howling at the moon, complaining that they can't be men and powerless to change what they are. It was an image that brought him comfort, and just a little sense of approval, if only from himself.

Media attention would be intense for the next few days, but he could handle that until the public lost interest. As long as the one skeleton stayed buried, she would get away with it. He was confident that it would stay buried. At least he hoped it would.

Chapter 1

New York City, September 29, 2059

In the short walk from the elevator, Bill was gripped by a feeling he couldn't identify. Frustration, anger, dread, hate, disappointment were all part of his climb to the top of the shark-infested waters of law and politics. But this was different, unfamiliar, counter to the instincts that helped him crush anything that stood in his way. Admitting to fear was like cracking a vial of cyanide between his teeth. The poison would surely paralyze him within seconds, making him useless.

He had calculated that showing up without an appointment gave him the best shot of meeting with his old professor, George Comstock. In person Bill could argue his way into anything. He was the master of not taking no for an answer and the stakes were just too high for polite niceties. Shoving the alien emotion into that place where he quarantined things that didn't suit him, Bill opened the green-frosted glass doors to the offices of Comstock, Krause, Bitterman, and Tao on the 37th floor of New York's iconic Freedom Tower.

The reception area invited rather than intimidated, an accurate reflection of his old professor's personality. He felt instantly at home, as if walking on a beach. Overstuffed neo-deco cream cloth chairs dotted the muted sea-green carpet, like white caps on a tropical sea. Princeton grad or pauper would feel equally at home, Bill thought. But the surroundings didn't have the same effect on him.

He consciously relaxed each facial muscle, as if he were preparing to be hypnotized, while he walked toward the semicircular reception desk in the vast reception area. By the time he reached the beanpole male receptionist, every muscle down through his legs was relaxed. A long-practiced ritual to hide any hint of anxiety or doubt.

“Good morning. Could you please tell Mr. Comstock that Bill Waverly would like to speak with him?” he asked, distracted by the swatch of blond hair, razor-cut and angled from the crown of the young man’s head toward his left eye.

“Do you have an appointment?” the receptionist politely asked in a slight drawl, his hairless eyebrows, a recent trend that Bill couldn’t understand, rising as he checked the display in front of him.

“No, but I’m sure he’ll see me,” answered Bill in a deep, calm voice. The receptionist examined Bill’s face as if he knew him but just couldn’t remember his name, even though he had just heard it twice. Bill was used to the reaction—people who knew they knew him but didn’t know how. A background celebrity.

“There’s a Bill Waverly here. He would like to see Mr. Comstock but he doesn’t have an appointment,” the receptionist announced, seemingly into open air, as Bill rambled over to peruse documents hanging on the wall of the reception area. It gave him a few more moments to continue his relaxation ritual. After a few hurried words that Bill couldn’t make out, the receptionist ended his conversation and joined him at the other end of the room.

“Of course Mr. Comstock will see you. He always has time for the president’s counsel,” the young man said, the tips of his ears turning bright red and his eyes unable to connect with Bill’s. “His assistant will be out in a moment to take you back. Can I get you anything? Tea? Water?”

“Thank you, no. I’m fine,” Bill answered, not deflecting his attention from the original documents gracing the walls. Letters penned in the hands of Thomas Jefferson and George Washington; Martin Luther King and Mahatma Gandhi; Supreme Court Justices Thurgood Marshall and Chloe Adee, whom Mr. Comstock clerked for after law school; President Barack Obama and President Souta Dozono, the first Asian American president. But the prized possession, the one that sent chills up the spines of even such hardened political players as Bill, was the original copy of the Second Constitution, signed by all of the reframers, including George Comstock.

Bill could hardly believe that it had been ten years since he last came to the 37th floor to call on his favorite professor. Only weeks before, he attended the fifty-eighth anniversary service

of the 9/11 terrorist attack with President Suarez. But the president's schedule didn't permit a visit. Anyway, he didn't want to speak to George with Beth nearby. It would be hard enough to get them both to agree to what he had in mind without them clashing heads, and he knew they would clash. Opposites who could never attract each other.

Standing back from the historic documents, Bill struggled to keep the alien emotion segregated. Anyone would be nervous meeting a man of George's stature, he thought. But the extra moisture filling the pores of his hands wasn't awe—he knew it was fear. Fear that the one person who could save the president might not.

"Good morning, Mr. Waverly," George's assistant announced, startling Bill, who hadn't heard her come up behind him. "Mr. Comstock is happy to see you," she explained. "Currently he is in a meeting, but he would like you to wait in his office. I'm certain that he won't be long."

"Thank you, Ms. Tinsley," Bill gently responded, catching the slight blush of her cheeks, revealing her surprise that he remembered her name. They had met only briefly a few times, but he made it a habit of memorizing the names of staff members, just for this purpose. Powerful men and women could get him what he wanted. Their staff could grant him access to them.

It was a short walk to George's office. The firm was small in relation to its importance. The other named partners had all worked for George as associates. Most likely the three current associates would someday become partners as well. Working for George was a lifetime commitment that Bill understood. They advised clients on constitutional issues. From the largest corporations to dirt-poor inmates. Fees assessed on ability to pay, not on the time spent on a case. Rare for attorneys, even in enlightened 2059.

Bill took it as an intentional sign of respect that he was allowed to wait in George's private office by himself. On the other hand, he knew that George probably insisted on that courtesy for everyone, even thieves.

He looked around as if he were in a museum. Awards of every kind; pictures with heads of state, the greatest minds in science, politics, law, and the arts; George's own books and hand-inscribed first editions of equally famous authors; and small tokens whose meanings were known only to George. A metal Roman centurion proudly facing forward on his desk; a brass horseshoe

holding three old pennies; an inexpensive pocket watch, its face open and its hands still; a wax seal; and a plaque with the inscription *We've blown past the ethical standards; we now play on the edge of the legal standards. —Sen. Chuck Hagel*. Anyone questioning their meaning got the standard "Oh, it's nothing" response or the more restraining "It's a private little joke" from an uncharacteristically reticent George.

Within a few minutes George burst into the office, hand outstretched to greet his former student. The physical differences between the two men could not be starker. In his mid eighties, George was tall and lean. Pure white hair framed penetrating sky-blue eyes. The outlines of his well-defined arms pressed against the sleeves of his crisp dress shirt with a sleeveless cardigan sweater on top.

More than thirty years his junior, Bill looked older than George. At least closer to death. Fashion had no meaning for him. His complexion bore the scars of his drive to the top, never letting exercise, nutrition, leisure, or even family stand in his path. Something his ex-wife and estranged sons would readily certify, Bill figured. He believed that his dowdy carriage made him less threatening to those who assessed danger by outward appearance.

"Always a pleasure to see you! I hope you haven't been waiting long," George offered, his grasp cutting into the circulation of Bill's fleshy hand. At George's gesture, Bill settled into a silk-covered armchair in front of George's handmade wooden desk. He looked at George and still saw his favorite teacher at William & Mary Law School. Remembering his passion and enthusiasm for the Constitutions, he revered the man who could accomplish so much and yet think that his accomplishments were so common.

It was no secret that George had twice refused appointments to the Supreme Court of the United States, despite there being no doubt that he would be confirmed. He was the true omni-partisan candidate to fill every vacancy on the court. It was such a natural position for him, yet he avoided it, refusing to interpret what he had written. Years before, he had confided to Bill that he feared he would too easily succumb to vanity, like an artist who paints himself into a picture, perverting its beauty and its art.

"I'm certain that you didn't come here just to pass the time of day," began George, cutting

short the usual pleasantries as he lowered himself into the chair next to Bill. “Is this about your employer?” he asked, leaning toward Bill like a priest ready to take confession. Bill took a moment to compose his response before speaking.

“Yes,” he replied, quickly adding, “but before we go further, I need to know—I have to make sure you don’t have a conflict of interest. Have you spoken with anyone regarding her? Regarding her present difficulties?”

Thinking for a moment, George replied, “The best I can tell you is that I haven’t agreed to be involved in the case. I haven’t given any advice regarding the case.” Reaching over and placing his left hand gently on Bill’s right forearm, he added, “By the same token, I assume you know I would have said *no* to the president as well.”

“We knew you wouldn’t represent her—that’s the only reason we didn’t ask,” Bill responded, adding the white lie. While George was the absolute best at constitutional law, he was never a trial lawyer.

“Paul Gordon is one of the best. I’m certain that the president is well represented,” George opined as the two men nodded in silent agreement. “I’m not sure how I could be of any help to you?” George asked, his pitch rising at the tail of the question.

“I understand,” Bill answered. “It has nothing to do with the trial or the appeal, of the case itself.”

“Then what?” asked George.

“Your life has been a monument to your greatest work,” Bill began slowly. “It is also a monument to your integrity. Your willingness to make yourself available for those ideals that you personally helped to bring back to our great nation.” Bill saw George’s eyes floating away, breaking contact—the sign of impatient tolerance that he saw whenever a student was making an irrelevant point. “As a result, your presence is your conviction,” he added, forcing the final words through a gripping throat that surprised him.

“I appreciate the sentiment,” George interrupted. “What do you want?” Bill knew he had exhausted George’s endurance for flattery, no matter how sincere.

“Your presence in a matter shows your belief in the righteousness of its position. That belief

can carry more weight than any precedent or evidence. It can even quell an angry *lynch mob*," he concluded.

"Ah yes—sentencing," George whispered as he stood from his chair. He picked up the pocket watch lying on his desk and walked over to the tall window framed by fine blue drapes. Rhythmically winding the watch, he looked out of the window toward the Hudson River without saying a word. It made Bill fidget.

"We must be prepared for anything," Bill interjected, his voice cracking slightly. "High treason still carries the death penalty. . . ."

George spun around like a lion ready to lunge, locking his laser gaze on Bill. It rekindled feelings of intimidation that Bill remembered when arguing in his class more than twenty-five years earlier.

"Not a single person has been executed for treason since 1942—and you know that," George expounded, his conviction and his strength flaring. Bill knew the history from his work on the death penalty. Herbert Hans Haupt, a German-born citizen, came to the United States as a child and became a US citizen at the age of ten. During World War II he was found guilty of plotting with the Nazis and died in the electric chair on August 8, 1942. It was an important case used by George W. Bush in 2001 to try US citizens involved in the 9/11 attacks in a military tribunal. Ironic, Bill thought, as he stood in the phoenix of what used to be the World Trade Towers.

"Yes—but no president has been tried for high treason until now," Bill shot back. "If she's convicted, and mind you I'm not saying that we think she will be, there are already cries for the death penalty. We must prepare; we must be prepared so that will never happen."

George's stand on the death penalty was well known, especially to Bill. His eloquent appeals to ban it in the Second Constitution were thwarted by a few states that protected their power over life and death like Roman emperors. He never gave up that fight. Only two states still had death penalty statutes on their books, California and Florida. Neither had used it in more than two decades, and the only crime that still carried the death penalty under federal law was high treason.

Bill became intimately familiar with George's abhorrence of the death penalty while attending William & Mary several years before the 2037 Constitutional Convention. The top of his class and a member of the Law Review, he earned a coveted place as one of a dozen research assistants assigned to help George prepare for the convention. His research on the proposed constitutional clause banning the death penalty gained him a chance to work intimately with a reframer. It also landed him a job with the American Civil Liberties Union, the ACLU, after graduation, the last position he held based on moral conviction.

The conversation grew more deliberate. Bill remained silent, carefully considering each question and comment before speaking. After several minutes George cut the discussion short.

"Honestly, Bill, I don't think I can help you. If the jury finds her guilty of treason, I wouldn't want her to get away with a token sentence. The protections from the constitutional changes are too important."

"I perfectly understand," Bill responded, growing formal, as if he had just stepped into a courtroom. "Our purpose—my purpose is to see if you would argue solely against the death penalty. Just in case. That would square with your ethics and give you an excellent pulpit to continue campaigning against the death penalty. . . ."

George paced around the large office as he periodically glanced at the old pocket watch still cradled in his hand, avoiding eye contact with Bill. "Do you really think the prosecution would seek the death penalty?" George asked, quickly pivoting to look directly at Bill. With some degree of internal swagger, Bill noted that the trademark move didn't affect him this time.

"Yes. If she's convicted, I'm convinced they'll seek death! They're willing to kill her—just to send a message." Bill huffed, gritting his teeth. "The danger of giving power to the people is that they will eventually become a lynch mob—and I am afraid that I can already see them building the gallows." His head dropped, his voice lowered. "It cannot happen! We cannot let it happen!"

George walked back to the seat next to Bill and sat silent for a few moments, shifting his gaze between the family picture on the credenza behind his desk and the tall window. "I must discuss this with my partners—and my wife," he explained. Bill doubted that he needed to ask

his partners' permission for anything, but he equally knew that such a monumental commitment required Mrs. Comstock's consent. George always spoke of the cost his part in the Second Constitution had on his wife and kids. "They will of course keep this confidential, but I cannot give you my answer until I discuss it with them," he concluded.

Bill wondered if maybe his apathy to the effects his relentless climb had on his wife and children is what led to his own divorce. How could trying to get ahead ever be bad for a wife and children? He would rhetorically ask himself this to soothe any remorse over relationships lost.

"Of course! Discuss it with them, but please make certain that they know not to tell anyone that we've talked. The media frenzy alone could convict her," Bill pointed out. Not wanting to chance George changing his mind, he immediately stood and handed George a card containing a private number for him to leave a message of simply *I'll do it, I can't help*, or *let's meet again*.

As the elevator descended from the 37th floor, Bill assessed the outcome of the meeting. He was encouraged by George's decision to discuss it with his wife. He didn't say no. Fear was gone, but another alien feeling grew. An unclean sense in his gut—an oily, unholy feeling that he was spoiling something sacred. By the time the elevator stopped he had banished that feeling to quarantine, freeing him up for his next meeting.

He needed his wits at their sharpest. With all of the media attention, it was getting harder to schedule private meetings. Meetings he didn't want Beth to know about, he wouldn't want George to know about. Celltops were out of the question and he knew he was being watched anytime he left his apartment or the White House.

He arranged to meet his handler in a bathroom in Penn Station. Anytime he used a public bathroom, his Secret Service agent would clear it out and post himself outside to keep anyone from entering. It would keep the meeting private, but still he worried. He didn't want his handler to know that he met with George, or why. There was no way to know how his handler would react.

Chapter 2

Philadelphia, May 25, 2037

The stillness hit George Comstock like a thunderbolt as he stepped from the eighteenth-century redbrick row house in Philadelphia's Society Hill. His home for the next four months. An eerie silence hung over the Old City section of Philadelphia, as if even the hushed roads understood the significance of the day. Surrounded by silence, George let his eyes follow the slivers of golden light as they crawled up red, white, and blue banners draping the sides of buildings facing Independence National Historical Park. The crystal spring sunrise felt like a good beginning, a good omen for the Second Constitutional Convention, he thought.

Each building was required to block any view of the park from prying eyes by covering the park side of the building with a full length banner. They could choose what would be printed on their banner. Advertisers dangled fortunes to place messages or logos on the banners. But none of the endless special interests, each vying for every conceivable syllable of the Second Constitution, would be allowed to place any message where the fifty delegates to the conventions, one from every state, could see.

Glad to be free of dogged solicitations, George welcomed the silence. No hum of electric cars, no groans from hybrid buses, no sound of a million footsteps, no planes or helicopters above. Nature triumphed over the mechanical noises created by humans, he gloated as he listened to the soulful *oo-wah-hooo, hoo-hoo* of the mourning doves. It was as if all humanity had been vacuumed out of the city and the delegates had been sent back 250 years to the world of the First Constitutional Convention in 1787.

But his thoughts, his feelings, didn't match the sereneness of his surroundings. Eagerness, bordering on childishness, swirled with terror like yin and yang. *Those who can't, teach*, repeated

in his head, echoing his doubts with each step toward Independence Hall. As a professor, even a leading expert on constitutional law, he never had to achieve a result. It blessed him with the luxury of only having to look at the best of all possible worlds. What should be, not what can be.

Unlike judges and practicing lawyers, he didn't have to worry about stare decisis, the doctrine of *let the decision stand*. Old case interpretations were hard to change in a courtroom, even when change was logical. In a classroom, however, it took nothing to criticize old decisions. But it felt dishonest to George. Like a boxing critic who never stepped into a ring, even for something he believed in.

The snowy white tower above Independence Hall glared down at him as he walked north on 6th Street. In contrast to its pristine history, he felt impossibly inadequate, an imposter. He never stepped into the ring, even for his passionate opposition of the death penalty. Every few years he convinced a student to take up the fight by joining the ACLU, knowing the daily torture of having their clients' lives hanging on the threads of their abilities, knowing the guilt they would feel as they watched a client slip into death at the end of an IV needle because they couldn't sway jurors to acknowledge doubt or show mercy, because they couldn't overcome outdated cases. But he could never take on that responsibility himself. He couldn't take the pressure of having someone die because he wasn't good enough. How could he now hold the fate, the freedoms, of the country in such timid hands?

His gaze drifted down, away from the spire, focusing on each sidewalk flag in front of him. The bright concrete flags, lit by a strong morning sun, turned dark. A shadow caressed the tip of his shoe, forcing him to stop and look up. He had reached the far edge of the shadow projecting from the tower, several times longer than the tower was tall.

A block away and he could hear the hum of low voices. His footsteps quickened along with the rhythm of his heartbeat. Arriving at Independence Square, the small park just south of the entrance to Independence Hall, the difference between *what should be* and *what can be* welled in the pit of his stomach like a rancid piece of meat. The expectation of having to achieve a result scared him to the bone.

The delegates outside the entrance stood silent, barely speaking, content to be part of

history by approximation. As lifeless as the pillars lucky enough to be witnesses to history, along with the churchlike iconic spire of Tower Stair Hall towering above them. George rationalized that maybe they felt as small as he did. It was comforting.

He mingled with the others, instinctively shaking a few hands, bowing to others. He uttered his first greeting to Anaihyia Alman, the delegate from Illinois. They had become friends during the fifteen-year struggle to make the convention a reality, first meeting at the rally of five million in 2023.

As a physician from the South Side of Chicago, her adamant defense of abortion conflicted with his. But disagreements didn't mean they couldn't work together. What was freedom of speech, if not disagreement? He admired her willingness to protect the increasingly large portion of the population edged out of a meaningful voice in their own destinies. It was their shared value, their shared goal. Her tiny frame being dragged by handcuffed arms had become a mighty symbol of women's rights. A modern-day Rosa Parks for a woman's right to control her own body.

The two talked as he followed her through the white double doors into Tower Stair Hall. She was a friend, a fellow *scholar* delegate, one of twenty-four. Some questioned her informal designation as a scholar because of her passion for her proposed clause on abortion. George knew she would never hold the right of the people to control their government hostage to that agenda. She was dedicated to the single principle of taking the government out of the hands of special interests and returning it to the people. The defining principle of the scholars.

"Sorry," he cried as he nearly ran over her. She had come to a sudden stop with an audible gasp, just inside the twenty-eight-foot-square hall. Rays of sunlight from the large window above illuminated fine particles hanging in the air before landing along the light blue walls. Rays like those beaming through the great dome in St. Peter's Basilica and the high Gothic windows in the Cathedral at Reims, the coronation site of the French monarchs, George reminisced with awe. But what he saw at the end of the rays was more sacred to him than any tabernacle.

The beams lit up wooden display cases containing documents along the northwest and western walls of the small square hall to his left. Original signed copies of the Declaration of

Independence, the First United States Constitution, and the Bill of Rights, where the delegates would pass every day into session. A powerful reminder that they were in America's maternity ward for such radical ideas as *freedom, a government of the people,* and the *pursuit of happiness*, George thought, feeling the weight of their message.

"There's my guy," Anaihyia whispered as she casually glided over to Jack Connors standing in front of the document cases. It didn't sound so duplicitous when she said it, George thought with a sigh, but it still went against his grain as he looked for *his guy*—as he looked for Sebastian Irving, the *political* delegate from New York.

The tight coalition of scholar delegates had assigned one scholar delegate to each of the political and patronage delegates to act as a liaison, an ambassador for the reform that the people so desperately wanted. For the life of him, George couldn't figure out why they assigned him to shadow Sebastian, especially if the rumors were true.

Never serving a day in public office, Sebastian was virtually unknown to citizens even in his native New York. His backroom political brokering earned him the reputation as the great-grandson of St. Tammany, the sixteenth-century Native American Chief whose name was adopted by Tammany Hall politicians for nearly 170 years. He rose like a modern-day Boss Tweed for the growing conservative sentiment in New York City. Originally a Democrat, he switched to the Republican Party, where he single-handedly converted wealthy Manhattan Democrats to the Republican faith, commanding the upper class with the assumed modesty of a Uriah Heep, the humble clerk of Dickens's *David Copperfield*.

It made sense that Sebastian would want to keep the government as it was. His buddies benefited from the status quo, George thought, remembering how they fought the Constitutional Convention right up to the doors of Independence Hall. But this was worse. Hints that a shadow government was growing in the background, in the underground, in the event that the convention succeeded. One that could still control the economy and mount a sustained battle to undo any meaningful protections in a Second Constitution.

George kept one eye on the entrance while he examined the sacred documents. They spoke to him in whispers of condemnation. Like a parent expressing disappointment. As if Washington

and Franklin and Hamilton and Madison disapproved of his agreement to shadow Sebastian, to try to influence him. As if they knew he had no chance of stopping or even slowing Sebastian's plans, or so it seemed to him.

A flash of Sebastian rushing through Tower Stair Hall, without a glance at the display cases, interrupted the voices in George's head. Sebastian's wide torso barely fit through the doorway between Tower Stair Hall and the vestibule. George's stomach twisted at the sight. Not from Sebastian's size, but from the uncertainty he harbored at his assigned task. A clandestine task. George believed it to be right. But plotters always believed themselves to be in the right. Even the bad ones.

He scurried through the doorway into the vestibule, looking for Sebastian, then passed through the small doorway to the Assembly Room, to the east of the vestibule. Sebastian stood by a table greeting political delegates with a slap on their shoulders, as if he were a prince at a receiving line.

Not wanting to interrupt, George shuffled around the forty-foot-square Assembly Room—the room where the First Constitution was signed. He studied the changes made to the room to accommodate delegates instead of tourists, patiently waiting for an opportunity to approach Sebastian. Railings, carpets, and antique furniture had been removed. Only one original table and chair remained, perched on a small platform at the east end of the room, between two large fireplaces. George recognized the "rising sun" carving at the top of the chair, which was used by George Washington during the First Convention. A hopeful symbol of a rising nation. Another good omen, he prayed, hoping the knot in his stomach would untangle. Portraits of the most well-known founding fathers hung on the walls, standing sentry. He felt their eyes glaring down on him as he walked about the room.

When Sebastian was finally alone, George rushed over to where he was half seated on the edge of the long rectangular table. George didn't know what to say. They had met maybe twice at preconvention meetings but had never spoken. Other than occupying this moment in history, he couldn't think of anything they had in common, any topic to spark a natural conversation.

"Nice to see you again. George Comstock," George began, introducing himself just in case.

Sebastian grasped George's hand and pulled him a half step closer. Sebastian's pat on his right shoulder felt like a hammer hitting an anvil, jarring him out of his awkwardness. It seemed so out of the moment that George stifled a laugh.

"Mr. Naïve Intentions," Sebastian declared in a tone that George could not immediately interpret. Mocking? Admiring? Telegraphing a strategy?

"I'm honored that you read my book."

"Oh—no, I'm sorry," Sebastian shot back, still shaking his hand. "I didn't actually read it. Too *scholarly* for me. I'm just a public-school kid." His Bronx accent seemed exaggerated for effect. George felt suckered as he tried to find a way to steer the conversation.

"I wonder if Ben Franklin was this nervous?" George bumbled, retracting his hand from Sebastian's grasp and unconsciously rubbing his palms together, as if washing them.

"Oh. Ah, yeah," Sebastian responded, his eyes squinted, his head skewed slightly. George realized how silly the question seemed.

"Have you seen the Supreme Court room yet?" George asked, pointing across to the chamber on the west side of the vestibule. He grasped Sebastian's elbow and led him away from the table.

"No, not yet?" Sebastian replied, seeming surprised by George's insistence.

Entering the Supreme Court chamber, George began to lecture on the changes made for the convention. The original tiered wooden jury and spectator boxes had been carefully modified to fit forty-seven delegates in three boxes, each with five rows. Each row had bench seating, like church pews, with small wooden shelves for tablets, netbooks, or notepads. High-density foam cushions lay on the seats and hung on the backs of each bench.

"An accommodation to more tender bottoms than existed at the founding of this country," George quipped, showing a little of the humor that made him popular with his students. Sebastian did not respond.

The *rap-rap-rap!* of a gavel against solid wood sounded in the Assembly Room. It pierced George's concentration and brought first silence, then a sigh of hushed laughter from the delegates. Without a word, Sebastian headed to the small doorway leading to the Assembly

Room and disappeared inside. This isn't going to be easy, George thought, lagging behind.

"Hear ye, hear ye, hear ye. All those having business before this, the Second Constitutional Convention of the United States of America, draw near and be counted," Henri Ormond, the sergeant at arms, announced in a loud, formal voice from the head of the Assembly Room.

George tried to paste himself next to Sebastian, who was walking in and out of the five rows of tables, looking for a seat. They were assigned seats in the Supreme Court room, where all arguments would take place, but not in the Assembly Room, where final votes would be taken and the Constitution would be signed. Sebastian plopped down between two delegates in the second row. George could swear that Sebastian threw him a triumphant smile as he sat, like a commuter evading a pesky subway prophet.

As the roll was called, George's mind slipped from his clandestine task. His thoughts returned to the historic journey that brought him here, brought all of them here. A chance to make things right. Each step of the journey continued in his mind with the call of the delegates by state. He mentally prepared to give his own response as the alphabet wound up to his birth state.

"Minnesota—George Comstock."

He held a tear from breaching the edge of his eyelid as he stood and responded, "Present."

It all still seemed like a dream. Making history instead of just teaching it. He knew that his adopted state of Virginia would choose a political tiger, not a monkish professor. He had become the unofficial spokesperson for the Second Constitution ever since the *Newsweek* article quoted his rambling observation that it was absurd and dangerous not to have periodic Constitutional Conventions. But politics was never part of his résumé.

Before Virginia had named their delegate, Minnesota announced him as their choice. No interview, no vetting process that he was aware of. Just the announcement that came shortly after Congress passed the bill authorizing the convention and it was signed into law by the president. Perhaps the only one stunned by the announcement, George had the initial reaction to turn it down. He fought so hard to make this a reality but never thought of himself occupying one of these seats. These seats were for brave men and women, not him, he worried as the roll call

continued in the background.

"Rhode Island—Chloe Adee."

George could hardly hear her cheerful "Present" above the spontaneous applause at the mention of the former Supreme Court justice's name. Rising from his chair, he led the chamber to a standing ovation.

By the time the concept of the Second Convention became accepted as a possibility in the early 2020s, Justice Adee increasingly lent her support through her decisions. Writing dissenting opinions more often, she explained in detail why portions of the Constitution should be changed. George proudly followed over the years as she reviewed the road map of how interpretations were moved from people-centric to business-centric, from citizen-defined to business-defined, money-defined.

Clerking for Justice Adee out of law school, George understood both her incredible powers of logic and her unwavering commitment to the most basic founding principle of a government empowered by its citizens. Her later decisions didn't surprise him. Only the thirst ordinary citizens had to read her opinions surprised and encouraged him. Scholar delegates celebrated her appointment and resolved to have her elected president of the convention. It would be their first test of solidarity. George was so excited by her upcoming election that he barely heard the remaining roll call.

When the roll call ended, Henri Ormond called for nominations for president of the convention. Dr. Alman immediately shouted, "Justice Adee!" The response was so overwhelming that Dr. Alman suggested a vote by acclamation. At Henri Ormond's call for a vote by acclamation, a single "Yea!" blared from the mouths of the delegates with the force of the shot heard around the world. Justice Adee was now President Adee.

Looking around, George couldn't be sure if Sebastian had cast an answer, yea or nay. Sebastian's puffy face, creases streaking down his cheeks to the line between his first set of chins, took on a darker shade of red. His lower lip pushed past his upper, like a child opening a wrapped package of coal on Christmas morning. Sebastian certainly didn't expect to be nominated, let alone elected president of the convention, George assumed. But clearly he had

someone else in mind. Some other plan now being foiled by a unanimous vote, by a single voice not in tune with his own.

The oath was given and a short recess ordered before President Adee's opening speech in the Supreme Court chamber.

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The narrow wooden aisle in the third row of the center jury box creaked as Sebastian straggled to his seat, echoing throughout the Supreme Court chamber. With the maneuverability of a bear in a small cage, Sebastian struggled past George and dropped onto the last seat on the closed end of the box.

Once all of the delegates were seated and the creaking silenced, President Adee entered the chamber from the vestibule. George followed her small, weathered frame as she sprang across the floor and hurdled the stairs to the three chairs atop the judicial bench at the front of the chamber. As she stood in front of the middle Windsor chair, only the top third of her body was visible.

As she spoke, George listened with an intensity he wished he could command from his students. The road to the Constitutional Convention had too many potholes, too many dead ends, too many blind curves to trust the leadership to the wrong person. Justice Adee was the right person, he envisioned. Maybe the only person who could realign the polarized ends of politics that threatened to break the social contract.

Her words were calm, familiar, like a shared family story told at a reunion. "In the debates to come, do not become like Dante's Satan," she advised, "a winged beast trapped in a lake frozen by the frigid blasts of air from wings viciously flapped in anger. Look for what is right in each position. Try each proposal on like a new suit. Live with it for a while. Look to see how your ideas can help it grow, not how you can destroy it. How *you* can put us back on the right path."

The delegates watched with quiet admiration, many holding a hand over their hearts. Buoyant, George was certain that her instructions, her logic, would convert even the most cynical, the most opportunistic. His eyes floated around the room, trying to capture mental

snapshots of what history looked like. Descriptions he could gift to his grandchildren. As his eyes rolled to his left, he saw Sebastian slumped forward and scribbling in a notepad, which was perched on the small wooden shelf in front of him. He looked annoyed. Still pouting over the vote by acclamation? Or upset that President Adee's descriptions hit too close to home? It disturbed George, distracted him. No other delegates were writing. All were listening, except Sebastian.

As President Adee's last words vibrated against the yellow-painted wood-paneled walls, George, still distracted by the note taking, aimlessly stood with the house. He observed Sebastian scratch his final marks, close the notepad against prying eyes (against his eyes), push himself to a standing position, and offer fugazi applause—hollow, silent claps.

A pale of despair gripped George. The way a drowning man must feel when he realizes he will never take another breath, he thought. Powerless to inhale anything but an endless ocean of destruction, and aware that it was of his own doing, the product of his own weakness. He didn't make Sebastian what he was; he didn't bring him to this hall. But he realized how powerless he was to stop such a dedicated political terrorist, an antichrist of the Second Constitution, a leader of a different America.