

Hiring the Fiduciaries: The Character, Knowledge, and Ability of the State Agents Who Hold Your Sovereignty

*The Founders' Hiring Standard for the Trustees We Elect to
Preserve the Governing Structure That Secures Our Rights*

A documentary record drawn from the Federalist Papers, the founding State declarations of rights, the ratification debates, the Founders' letters and sermons, presidential addresses, and the working principles of fiduciary law

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Executive Summary

Classes 1–3 established the three structural KNOWs: (1) the People are sovereign; (2) the structure of the Compound Republic secures our rights; and (3) the States are the sure guardians of that structure, armed with tools “powerful and at hand.” Class 4 begins our exploration of the practices of self-government: every state power and authority is wielded by **people** — a State Representative, State Senator, Attorney General, Governor, and Sheriff whom we “hire” (elect). In the Founders’ design these officers are not celebrities or rulers; they are “**fiduciaries**” — trustees bound by the highest duty known to our law, **the duty of utmost good faith and loyalty**, to put the people’s interests above their own and to preserve limits, divisions and balance of governing powers as meticulously designed into the constitutional structure.

The central question this brief answers: *What kind of people should the we hire to hold and exercise our sovereign power and responsibility — what character, what knowledge, and what abilities must they have — and how, practically, do we discover these traits before we hand over “our wallet”?* The answer is built from the Founders’ own hiring standard (Federalist Nos. 10, 55, 57, and 68), the fiduciary duties the founding documents impose on all public officers, the character qualifications the founding generation preached and practiced, the constitutional literacy the office demands, the abilities the work requires, the Anti-Federalists’ warnings about the kind of person to screen out — and a working protocol to vet such candidates: Our Servant Sovereign Job Interview.

*“The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess **most wisdom to discern**, and **most virtue to pursue**, the **common good of the society**; and in the next place, to take the **most effectual precautions for keeping them virtuous** whilst they continue to hold their **public trust**.”*

James Madison, Federalist No. 57 (1788). Full text at the Yale Avalon Project.

I. Government Is a Trust — and Officers Are Fiduciaries

A fiduciary is one who holds power *for another* — a guardian, a trustee, an agent — and **the law holds fiduciaries to its highest standard: utmost good faith and loyalty**, the interests of the principal above their own. The founding generation wrote this relationship directly into their constitutive documents. Government is not a throne to be won; it is a trust to be administered.

“All power is vested in, and consequently derived from, the people; ... magistrates are their trustees and servants, and at all times amenable to them.”

Virginia Declaration of Rights, Art. II (1776), drafted by George Mason.

*“All power residing originally in the people, and being derived from them, **the several magistrates and officers of government ... are their substitutes and agents, and are at all times accountable to them.**”*

Massachusetts Constitution, Declaration of Rights, Art. V (1780), drafted chiefly by John Adams.

*“The **federal and State governments are in fact but different agents and trustees of the people, constituted with different powers, and designed for different purposes.**”*

James Madison, Federalist No. 46 (1788).

*“**[G]overnment ... is altogether a trust**, in right of those by whom that trust is delegated, and by whom it is always resumable.”*

Thomas Paine, Rights of Man (1791–92).

*“Your **every voter, as surely as your Chief Magistrate ... exercises a public trust.**”*

Grover Cleveland, First Inaugural Address, March 4, 1885.

Governments do not have rights; people have rights. Governments have **powers and duties** — and the first duty of every officer is the fiduciary duty to put the interests of their principal(s) above their own. Translate the settled duties of trust law into the language of public office and you have the job description we, as the sovereign, seek to hire to exercise our responsibility for our government:

Fiduciary Duty	In Trust Law	In Public Office
Loyalty	The trustee acts solely in the beneficiary’s interest; no self-dealing, no serving two masters	The people’s interest above party, donors, ambition, and self — conflicts disclosed and avoided
Good Faith	Honesty and fair dealing in every act of administration	Truthfulness with constituents; no gamesmanship with the public’s business
Care & Skill	The prudence and competence a careful person would apply to such responsibilities	Actual competence: budgets read like audits; laws understood before they are voted on
Obedience to the Instrument	The trustee follows the trust document — not his own preferences	The Constitution is the trust instrument; the Article VI oath binds the officer to its limits, divisions, and balance
Disclosure & Accounting	The beneficiary is entitled to a full and honest accounting	Transparent votes, disclosed funding, answered questions — “the public cannot be too curious”
Defense of the Trust	The trustee must protect trust property from waste and from other agents’ encroachments	The Class 3 duty: interpose against federal invasion of the State’s reserved jurisdiction and preserve the State-Federal governing balance

Note the last row: the fiduciary duty of a State officer is not merely to be honest — it is to **assert and defend the trust**. A State agent who watches federal agents strip the State’s reserved jurisdiction and says or does nothing is like an accountant who watches the lawyer empty the client’s accounts and stays silent: a breach of duty — however personally virtuous.

II. The Founders' Hiring Standard: Wisdom to Discern, Virtue to Pursue

The Framers did not treat elections as popularity contests. They treated them as the sovereign's hiring process — **“the elective mode of obtaining rulers is the characteristic policy of republican government”** (Federalist 57) — and they stated the specifications for this hiring process:

*“The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess **most wisdom to discern, and most virtue to pursue, the common good of the society**; and in the next place, to take **the most effectual precautions for keeping them virtuous** whilst they continue to hold their public trust.”*

James Madison, Federalist No. 57 (1788).

“The true test of a good government is its aptitude and tendency to produce a good administration.”

Alexander Hamilton, Federalist No. 68 (1788).

*“As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust, so there are other qualities in human nature which justify a certain portion of esteem and confidence. **Republican government presupposes the existence of these qualities in a higher degree than any other form.**”*

James Madison, Federalist No. 55 (1788).

*“**Enlightened statesmen will not always be at the helm.**”*

James Madison, Federalist No. 10 (1787).

Read the four together and the standard is clear-eyed, not naive: **structure is the primary security** (Class 2), because **good men/women will not always be found** — but the system still *presupposes* a supply of wisdom and virtue in office, and it assigns to the electors the job of finding it. Madison's two-part formula is the outline of this entire brief: **first obtain fit rulers** (Sections III–VII: the hire); **then keep them faithful** (Section IX and Classes 5–6: the supervision).

Jefferson called the objects of this search the “natural aristocracy” — and made its selection the very test of a constitution:

*“**There is a natural aristocracy among men. The grounds of this are virtue and talents. ... May we not even say that that form of government is the best which provides the most effectually for a pure selection of these natural aristoi into the offices of government?**”*

Thomas Jefferson, Letter to John Adams, October 28, 1813. Text at Founders Online, National Archives.

III. The First Qualification: Character

Before platforms, before party, before talent — the founding generation examined **character: the settled disposition to do right when it costs something**. Their counsel is unambiguous:

*“Nothing is more essential ... in a State than that all persons employed in places of power and trust must be [people] of [un]exceptionable characters. **The public cannot be too curious concerning the characters of public men.**”*

Samuel Adams, 1775. (“Unexceptionable” — character to which no exception can be taken.)

“[The] truest friend to the liberty of his country ... will not suffer a man to be chosen into any office of power and trust who is not a wise and virtuous man.”

Samuel Adams, essay in *The Public Advertiser* (1749).

“In selecting men for office, let principle be your guide. Regard not the particular sect or denomination of the candidate — look to his character.”

Noah Webster, *Letters to a Young Gentleman Commencing His Education* (1823); accord his *History of the United States* (1832).

“Governments, like clocks, go from the motion men give them; and as governments are made and moved by men, so by them they are ruined too. ... Let men be good, and the government cannot be bad; if it be ill, they will cure it. But, if men be bad, let the government be never so good, they will endeavor to warp and spoil it to their turn.”

William Penn, *Preface to the Frame of Government of Pennsylvania* (1682).

“Virtue or morality is a necessary spring of popular government.”

George Washington, *Farewell Address* (1796).

“Those, therefore, who pay no regard to religion and sobriety in the persons whom they send to the legislature of any State ... are guilty of the greatest absurdity, and will soon pay dear for their folly.”

Rev. John Witherspoon (signer of the Declaration; teacher of Madison), “The Dominion of Providence over the Passions of Men” (1776).

The founding generation also knew this standard from an older source — the counsel of Jethro to Moses on choosing rulers, a passage the founding-era electorate heard from its pulpits:

“Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers ...”

Exodus 18:21 (KJV) — the founding era’s shorthand: able, faithful, truthful, and immune to purchase.

Character in office has a specific, testable shape: Does the candidate keep commitments when keeping them is difficult to do? **Have they ever stood alone on principle — including against their own party?** Do they treat public money, in Paine’s phrase, “with the most scrupulous consciousness of honor”? Who funds their campaign — and what do those funders expect in return? As former Congressman Dick Armey put it:

“Three groups spend other people’s money: children, thieves, and politicians — and all three need parental supervision.”

IV. The Second Qualification: Knowledge of the Structure

Character without knowledge still fails the trust — **a virtuous trustee who cannot read the trust instrument, or has no ability to preserve it, will lose the estate in perfect good faith.** The trust instrument for our State agents is **the constitutional structure taught in Classes 1–3, and the founding generation regarded knowledge of it as a threshold qualification, not a nice-to-have.** The “American

Blackstone,” St. George Tucker, explains the importance of constitutional knowledge in those we “hire” to exercise our sovereign power and responsibility as follows:

*“If an acquaintance with the constitution and laws of our country be requisite to preserve the blessings of freedom to the people, it necessarily follows that those who are to frame laws or administer the government should possess a thorough knowledge of these subjects. **For what can be more absurd than that a person wholly ignorant of the constitution should presume to make laws pursuant thereto? or that one who neither understands the constitution nor the law, should boldly adventure to administer the government!** Yet such instances occur not unfrequently in all countries, and the danger that they will frequently occur in this, is perhaps greater than in any other. The road to office, in most other countries is filled with a thousand turnpikes, which are rarely opened but to the rich and powerful. These possess at least the means of education and information. With us it is equally open to all; but men of talents and virtue are not always the foremost in the course; persons of this description are generally more backward, than those of inferior pretensions, to the confidence of the people; a confidence which, if they do not, they are infinitely more liable to abuse, than if their minds had been properly enlightened by study and application.”*

Tucker, St. George, View of the Constitution of the United States with Selected Writings, On the Study of Law. Liberty Fund, 1803.

What, specifically, must the State agents we hire KNOW? Exactly the curriculum of this course — because it is their job description:

The Agent Must KNOW	From	Test Question for the Interview
The people are sovereign; the State agent is a trustee and servant, amenable at all times	Class 1: Va. Decl. Art. II; Wilson; Mason	“Who is considered the ‘sovereign’ in American government?” “What does the word ‘fiduciary’ mean to you?” “How does this duty apply to you as a State public official?”
The structure — limits, divisions, balance, checks, restraints — secures our rights	Class 2: Fed. 51, 45, 39; NFIB	“What do the Ninth and Tenth Amendments mean?” How can the State resist federal overreach?” “How would you describe the Constitution in four words, or less?”
Federal powers are “few and defined;” the State’s Police Power jurisdiction is the general power of governing	Class 2: Fed. 45; NFIB (Roberts)	“Would you name three matters within the State’s exclusive jurisdiction — and one the federal government claims but was never delegated?”
The States are duty-bound to interpose, with eight tools ‘powerful and at hand’	Class 3: Fed. 28, 46; Va. Resolutions; Natelson	“How will you defend against a federal agency ordering our State to administer a program not delegated to the national government?” “Is it lawful for a state to do so?” “Why, or why not?” (New York, Printz, Murphy)
The Article VI oath binds the officer to defend that structure — affirmatively	Art. VI; NFI Fundamental Principles	“What does the oath you swear require of you?” “What does it require when a federal act crosses the state jurisdictional line?” (silence, or interposition) “What does

		federalism/interposition/jurisdiction/police power mean to you?"
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A candidate who cannot answer these questions is not disqualified from citizenship — but they are not yet qualified to hold and exercise your sovereignty authority on your behalf. And when the officeholder doesn't know the job description, Garfield told us exactly where the responsibility lands:

*"Now more than ever before, the people are responsible for the character of their Congress. If that body be ignorant, reckless and corrupt, it is because the people tolerate ignorance, recklessness and corruption. If it be intelligent, brave and pure, it is **because the people demand these high qualities ...**"*

James A. Garfield, "A Century of Congress," The Atlantic (1877) — equally true of every State legislature.

V. The Third Qualification: Ability — Competence, Courage, and Influence

Character supplies the will; knowledge supplies the roadmap; **ability** delivers the result. Hamilton's test of government — "its **aptitude and tendency to produce a good administration**" — is likewise the test of the agent: **can this person actually do the work the trust requires?**

- **Competence with public funds:** reading budgets and audits; contingency planning; an understanding of the economic lessons of history. Our State agents directly oversee billions of dollars — and, through the role and responsibility of our State agents to oversee the national government, stands watch over trillions of dollars.
- **Courage to stand alone:** the state powers/authorities covered in Class 3 are used even despite resistance or ridicule — from agencies, from funders, and often from the agent's own party. Ask for the record: **"Tell me about a time you stood alone on principle. What did it cost you?"**
- **Skill within the system:** bills drafted, coalitions built, hearings chaired, negotiations conducted — the ENLL practices (Educate, Negotiate, Legislate, Litigate) executed intrastate, and even better interstate, with a documented record.
- **Influence:** "Leadership is influence — nothing more, nothing less" (John Maxwell). An agent without influence among peers cannot deliver even what they rightly believe or know; ask who follows them, and on what issues they have moved their chamber, or other body of leaders.

The representative must also actually *represent* — know the people whose sovereignty is entrusted to them. The Anti-Federalist 'Federal Farmer' stated the standard:

"[A] full and equal representation is that which possesses the same interests, feelings, opinions, and views the people themselves would were they all assembled."

Letters from the Federal Farmer, No. 2 (1787).

VI. Job Descriptions for the State Agents We Hire

There are five hiring decisions we each are responsible for, not just one. Each office holds a distinct trust portfolio — and a distinct role in guarding the State's jurisdictional line. We must vet each according to their respective job descriptions:

Office	The Trust They Hold	Their Role in Guarding the Line
State Representative	Your closest agent — one voice among [~75] in the State House directly accountable to YOU every two years; the lawmaking power “that necessarily predominates” over the “numerous and indefinite” powers of the State	Sponsors and votes the “legislative devices” of Federalist 46: jurisdiction-asserting/defending statutes (e.g., Utah HB 425), establishes continuing education standards for state leaders, refusals to administer federal programs, funding decisions, oversight hearings, establishing the record for negotiation, legislation, and litigation
State Senator	The chamber of sober second thought — “it doubles the security to the people, by requiring the concurrence of two distinct bodies” (Federalist 62)	Confirms executive appointments; sustains, amends or rejects the work of the House; long-view stewardship of the State’s constitutional record, other duties similar to that of the Representative
Attorney General	The State’s lawyer — its voice in every negotiation or courtroom	Responsible for State-led litigation (NFIB, Murphy, West Virginia v. EPA were AG-led); issues formal opinions defining the State’s constitutional positions/jurisdiction; joins or declines multistate coalitions, leads/advises on State negotiations, an Educator/Negotiator-in-Chief
Governor	The “executive magistracy” of Federalist 46 — commander of the State’s administrative machinery	The official “frowns of the executive magistracy” (bully pulpit), directs agencies to cooperate or decline; negotiates with federal counterparts (the ENLL ‘N’); signs or vetoes the legislature’s devices; convenes and leads interstate coalitions; Educator/Negotiator-in-Chief
Sheriff	The county’s chief elected law-enforcement officer — the constitutional officer closest to the people	Administers State criminal law throughout the county — including on proprietary-interest federal areas (Class 2); the officer whose refusal to be commandeered the Supreme Court vindicated in the Printz case

Five offices, five interviews, five relationships. Most Citizen Leaders cannot name all five of their agents. The boss who cannot name his employees cannot supervise them, and the boss who doesn’t know the job descriptions of their employees cannot hold them accountable. President Garfield warned us what becomes of un-supervised councils.

VII. The Anti-Federalist Caution: Whom to Screen OUT

The ratification-era skeptics supplied the other half of the hiring standard: the profile of the applicant to refuse. Their warnings are the Servant Sovereign’s red-flag list:

“Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel.”

Patrick Henry, Virginia Ratifying Convention, June 5, 1788.

“There are two passions which have a powerful influence on the affairs of men. These are ambition and avarice; the love of power and the love of money. ... And of what kind are the men that will strive for this profitable pre-eminence ...? It will not be the wise and moderate,

the lovers of peace and good order, the men fittest for the trust. It will be the bold and the violent, the men of strong passions and indefatigable activity in their selfish pursuits.”

Benjamin Franklin, Speech at the Constitutional Convention, June 2, 1787.

Franklin’s warning converts directly into screening questions: Is the candidate running **toward a duty or toward a “prize”**? Who profits if they win? Do the interests of their donors align with yours — or fund a different loyalty? A self-described friend of limited government bankrolled by interests that feed on unlimited government is not a paradox; it is a disclosure.

VIII. The Sovereign’s Job Interview: A Working Vetting Protocol

Would you hand your wallet to a stranger for two years, no questions asked? Yet every two years most Americans hand something incomparably more valuable — life, liberty, property, and the structure of government that protects them — to State agents they cannot name, and whose job descriptions they cannot define. When did you last conduct a meaningful job interview of the candidates for State office to represent you? Here is the protocol, organized by the three qualifications:

Qualification	Interview Questions	Where to Verify
CHARACTER	Why are you running — duty or prize? Tell me about standing alone on principle: what did it cost you? Can you give me an example of how you treat money that isn’t yours? What would you refuse to do to win?	Campaign finance disclosures (who funds them — and why); past conduct under pressure; how they treat staff and opponents when cameras are off; who endorses them and what those endorsements represent
KNOWLEDGE	What is the purpose of government? Why does Article VI require your oath? What does this oath mean to you? What do the 9th and 10th Amendments mean? What is the State’s police power? What does it mean that state officials serve as a “fiduciaries”? How would you describe the constitution in 4 words or less? ‘If Government, Which Government?’	Their own words: debates, town halls, questionnaires, social media; voting record on jurisdictional questions; bills sponsored; committee work
ABILITY	What have you actually built, run, or balanced? What coalition(s) have you assembled? Explain how you would defend against federal overreach upstate roles and responsibilities? Can you give me an example of when you have done this? What does federalism (jurisdiction, police power, compound Republic) mean to you?	Legislative websites (sponsored bills, committee assignments, attendance); scorecards from groups you trust and groups you don’t; references from colleagues — and from adversaries, trusted organizations; which legislators/leaders do their most associate with?

The research pipeline is richer today than at any moment in history. The founding generation communicated about their vetting of candidates by nailing notes to trees; you carry a supercomputer in your pocket or bag. Legislative websites publish every vote, bill, and committee assignment (in Utah, le.utah.gov). Campaign-finance portals disclose every donor and donation. Scorecards rate every incumbent. Social media shows you the candidate with the cameras on — and delegate meetings, town halls, and precinct caucuses show you the candidate with the cameras off. How is it we hold smartphones and tolerate what St. George Tucker would call government by the constitutionally untrained?

Red Flags: The Screening Checklist

Red Flag	What It Signals	The Founders' Warning
Cannot answer the 9th/10th Amendment questions — “I leave constitutional stuff to the courts”	Fails the knowledge test — and misreads the oath, which is the officer’s own affirmative obligation, not the judiciary’s alone	St. George Tucker (1803); U.S. Const. art. VI
Donors whose interests run opposite the platform or your values/interests	A second master — the loyalty duty compromised before the first vote	Franklin (1787): avarice; Exodus 18:21: “hating covetousness”
No record of ever standing alone — every vote with the party, every time	Courage untested; the ‘frowns’ and ‘devices’ of Federalist 46 require an agent willing to be unpopular	Samuel Adams: “wise and virtuous”; Webster: principle over sect
Runs on national hot-button issues while silent on State jurisdiction	Doesn’t know the job — the State office exists to govern the “numerous and indefinite” matters reserved to the State and guard the jurisdictional line of the State	Fed. 45–46; Lopez (Kennedy, J.): accountability requires knowing which government does what
Vague on everything, measurable on nothing	The accounting duty pre-emptively refused — a trustee who won’t be audited or disclose actions or intentions	Paine: “scrupulous consciousness of honor”; Cleveland: every office a public trust
Seeks the office as a career rung, visibly hungry for the next one	Franklin’s profile: the bold pursuing “profitable pre-eminence,” not the trust	Franklin (1787); Henry (1788): “suspect every one”

IX. Madison’s Second Step: Keeping Them Virtuous

The formula in Federalist 57 has two halves, and the second is the Servant Sovereign’s continuing job: **“the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.”** Madison named the precautions the Constitution builds in — and every one depends on an attentive Citizen Leader:

- **Frequent elections** — the trust is short-term and always renewable or revocable: “the House of Representatives is so constituted as to support in the members an habitual recollection of their dependence on the people” (Federalist 57). State house terms are typically two years: the review cycle is constant.
- **Communion of interests** — the lawmaker lives under the laws he makes: “they can make no law which will not have its full operation on themselves and their friends” (Federalist 57). Watch for agents who exempt themselves.
- **Dependence on the people as the PRIMARY control** — “A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions” (Federalist 51). The structure is the auxiliary; YOU are the primary.
- **Public opinion as sovereign** — “Public opinion sets bounds to every government, and is the real sovereign in every free one” (Madison, ‘Public Opinion,’ 1791). But: “A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy” (Madison to W.T. Barry, 1822).
- **Transparency and accounting** — disclosure portals, public votes, open meetings: the modern machinery of the fiduciary’s accounting duty. We must make use these tools because an unread disclosure restrains no one.

- **The review loop** — expectations → action → review → adjust. Set clear expectations (structure first), ask for measurable action (“one jurisdictional line asserted/defended this month”), review the record, and adjust your support accordingly. This is the supervision Madison assumed — and the 3 Ps we will address in Class 5 make this a monthly discipline for each of our State agents.

X. A Compendium of Voices: The People Govern Through Trustees

For teaching, quoting, and sharing — additional authorities across the founding era and the presidency, each from a primary or authoritative published source:

Voice	Quote
James Madison, Federalist No. 10 (1787)	“[Representation serves] to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens.”
James Madison, Federalist No. 39 (1788)	“We may define a republic to be ... a government which derives all its powers directly or indirectly from the great body of the people.”
James Madison, Federalist No. 52 (1788)	“The definition of the right of suffrage is very justly regarded as a fundamental article of republican government.”
James Madison, Federalist No. 62 (1788)	“It doubles the security to the people, by requiring the concurrence of two distinct bodies.”
Alexander Hamilton, N.Y. Ratifying Convention (1788)	“Here, sir, the people govern; here they act by their immediate representatives.” ... “The true principle of a republic is, that the people should choose whom they please to govern them.”
Pennsylvania Constitution, Decl. of Rights, Art. XVI (1776)	“The people have a right ... to instruct their representatives.”
North Carolina Declaration of Rights, § II (1776)	“The people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof.”
George Washington, Farewell Address (1796)	“The basis of our political systems is the right of the people to make and to alter their Constitutions of Government.”
John Adams, Dissertation on the Canon and Feudal Law (1765)	“Liberty cannot be preserved without a general knowledge among the people.”
John Jay, Charge to the Grand Jury (1777)	“Every member of the State ought diligently to read and to study the constitution ... and teach the rising generation to be free.”
Daniel Webster, Second Reply to Hayne (1830)	“It is ... the people’s Constitution, the people’s government; made for the people, made by the people, and answerable to the people.”
Andrew Jackson, Farewell Address (1837)	“[The people] must ... continue watchful and jealous of their rights.”
Grover Cleveland, First Inaugural (1885)	“I shall ... be guided by ... a careful observance of the distinction between the powers granted to the Federal Government and those reserved to the States or to the people.”
Dwight D. Eisenhower (1954)	“Politics ought to be the part-time profession of every citizen who would protect the rights and privileges of free people.”
Ronald Reagan, First Inaugural (1981)	“We are a nation that has a government — not the other way around. ... Our government has no power except that granted it by the people.”

XI. The People's Responsibility: You Get the Agents You Demand

"Here, sir, the people govern; here they act by their immediate representatives."

Alexander Hamilton, New York Ratifying Convention, June 21, 1788.

"The true principle of a republic is, that the people should choose whom they please to govern them."

Alexander Hamilton, New York Ratifying Convention, June 21, 1788.

"The people are the only censors of their governors."

Thomas Jefferson to Edward Carrington, January 16, 1787.

"I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion."

Thomas Jefferson to William C. Jarvis, September 28, 1820.

"The preservation of the sacred fire of liberty, and the destiny of the republican model of government, are ... staked on the experiment entrusted to the hands of the American people."

George Washington, First Inaugural Address, 1789.

Recall the Class 1 diagnosis: a "boss" who shows up barely a third of the time, hires strangers, issues no job description, and never reviews the work will fail 100% of the time. Garfield closed the loop — **the character of the council is the mirror of the electorate. If we want agents who are "intelligent, brave and pure," the demand must come from us:** in the primary (where most hires are actually decided), at the caucus, in the interview, and in the follow-up. The hiring standard in this brief is worthless unless the Servant Sovereigns apply it.

XII. After the Hire: Growing Influence with Your Agents

Madison's formula had two parts: obtain fit rulers — then keep them faithful. Supervision is the subject of Class 5 (the 3 Ps), but the foundation is laid now, and **it is relational, not adversarial.**

"Leadership is influence — nothing more, nothing less." Influence grows from knowledge and contact:

- **Build the contact map:** official and district contact points for your five State agents (Representative, Senator, Attorney General, Governor, Sheriff) — plus the people around them: schedulers, chiefs of staff, staff, and yes, the spouse and inner circle. Reaching the people who protect an agent's time is often more effective than reaching the agent.
- **Learn about the person:** family, background, occupation, motivations, priorities, committees. The more you know, the more you can help — and the more weight your voice carries.
- **Show up where they are:** town halls, district meetings, precinct caucuses, delegate rounds — the settings where you see character with the cameras off, and where relationships form.
- **Subscribe to everything:** newsletters, event notices, social feeds — the free intelligence service on your own agents.

- **Be a Servant Sovereign, not a bossy “boss”:** the goal is to train and sustain our fiduciaries — building them up to do a job neither we nor they were ever taught — not to berate them for not knowing what we never told them.

Case Studies: What a Fiduciary Looks Like

The standard is not theoretical — it has a face. The founding era’s supreme example: George Washington, twice handed powers he handled back — his commission at Annapolis in 1783, and the presidency itself after two terms, when nothing but character required it. **Told that Washington intended to surrender his command and return to his farm, King George III reportedly said that if he did, “he will be the greatest man in the world.”** The founding generation named the pattern for Cincinnatus, the Roman called from his plow to absolute power, who finished the task and went back to the plow. **That is the fiduciary profile: the office as a duty accepted, discharged, and returned — never a prize captured.**

The modern test presents smaller stages but the same script: the legislator who votes against a leadership priority because it crosses the State’s jurisdictional line — and pays for it in committee assignments; the attorney general who declines to join a popular multistate suit because the State lacks the constitutional ground — or joins an unpopular one because it has; the governor who returns a federal grant whose strings purchase the State’s policy discretion; the sheriff who, like the officers in the Printz case, respectfully declines to be conscripted into administering a federal program. Each is the accountant refusing to stay silent while the lawyer starts filing the tax returns and doing the books. When you find an agent with such a record — that is the hire. When you find one without any such record — it’s time to drill down deeper on the interview questions to scrutinize this candidate for the delegation of your sovereign authority and responsibility.

The Math: Where the Hire Is Actually Decided

Here is the arithmetic the sovereign must know: in most districts, the real hiring decision is made not in **November but in the primary — and often before it, at the caucus and convention, where turnout is a small fraction of an already-small fraction.** Barely a third of Americans vote in general elections (Class 1); primary and caucus participation runs far lower. **The practical consequence cuts both ways: a tiny, unwatchful electorate is how unfit agents slip through — and a tiny, *organized* electorate is how fit ones get hired.** This is the math underpinning the 10×10 Initiative: **roughly 100 informed citizens in a legislative district — attending the caucus, becoming delegates, conducting the interviews, and voting in the primary — can effectively set the hiring standard for that seat.** Samuel Adams again: **it does not take a majority — it takes an irate, tireless minority.** The hiring power is not diluted at the level where it matters most; it is concentrated, waiting for whoever shows up.

XIII. Six Settled Propositions

Proposition	Primary Authority
1. Government is a trust; every officer is a fiduciary — bound to utmost good faith and loyalty, the people’s interests above their own	Va. Decl. of Rights, Art. II (1776); Mass. Const., Art. V (1780); Fed. 46; Paine, Rights of Man; Cleveland (1885)

2. The constitutional aim of elections is to obtain rulers of wisdom and virtue — and then keep them virtuous while they hold the trust	Madison, Federalist No. 57; Federalist No. 55; Jefferson to Adams (1813) (“natural aristocracy ... virtue and talents”)
3. Character is the first qualification: “unexceptionable,” principled, and immune to purchase	Samuel Adams (1749, 1775); Noah Webster; Penn (1682); Washington, Farewell Address; Witherspoon (1776); Exodus 18:21
4. Knowledge of the constitutional structure is a threshold qualification — the oath presupposes it	St. George Tucker (1803); U.S. Const. art. VI; Mason (frequent recurrence); Garfield (1877)
5. Ability completes the fiduciary: competence, courage to stand alone, and influence to deliver	Hamilton, Federalist No. 68; Federal Farmer No. 2; Paine (public money); the ENLL practices
6. The people get the agents they demand — vetting and electing fit fiduciaries is the sovereign’s own duty	Garfield (1877); Hamilton, N.Y. Ratifying Convention (1788); Jefferson to Carrington (1787) and Jarvis (1820); Franklin’s and Henry’s warnings

XIV. Conclusion: Hire Like You’re Entrusting Them with Your Own Wallet — Because Much More Is At Stake...!

You would not hand your wallet to a stranger for two minutes; do not hand your sovereignty to one for two yearsn (or more). Choose your State agents the way you would choose a guardian for your children or a trustee for your life savings — because that is precisely what they are: guardians of the liberty your children will inherit, trustees of the structure that secures everything in the wallet and everything the wallet could never hold. **The standard is written: wisdom to discern, virtue to pursue, knowledge of the instrument, ability to deliver, and the fiduciary’s loyalty throughout.** The vetting tools are in our pocket. The interview is ours to conduct — this week, in five minutes.

“The aim of every political constitution is ... to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue, the common good.”

James Madison, Federalist No. 57

“The public cannot be too curious concerning the characters of public men.”

Samuel Adams

“Now more than ever before, the people are responsible for the character of their Congress.”

James A. Garfield (1877)