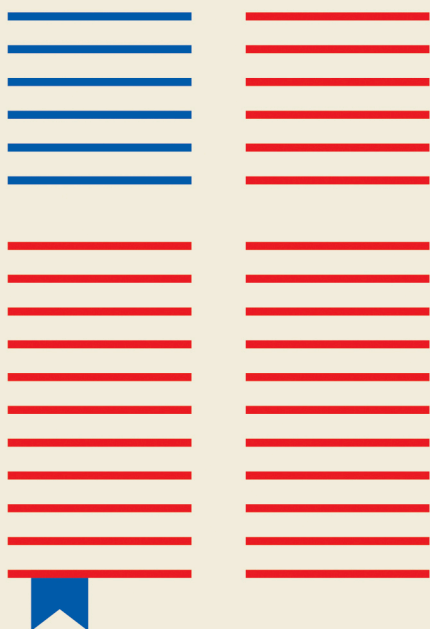


FOREWORD BY TONY EVANS

KEISHA TONI RUSSELL



# UNCOMMON COURAGE

DEFENDING TRUTH AND FREEDOM  
WHILE THERE IS STILL TIME

# **UNCOMMON COURAGE**



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**KEISHA TONI RUSSELL**



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*To my mom and sister. I miss you both.*



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# FOREWORD

*Dr. Tony Evans*

**W**e live in a day of massive social, political, educational, familial, economic, and personal chaos. In every direction we look we see conflict, confusion operating in the context of a cancel culture. People have become increasingly hesitant about expressing themselves for fear their views will be attacked on social media and beyond. In fact, the more you express a biblical framework for your life, your work, or your social and civic convictions, the more you can be assured that you are likely to become a target of those who reject such a framework. This group of rejecters is becoming larger and louder than ever. Our postmodern world has jettisoned the concept of absolute truth, resulting in an idolatrous society where good is viewed as evil and evil is embraced as good.

There is a great temptation, in light of this reality of potential criticism, rejection, and even threat, to become docile, passive, and quiet. Far too many Christians have succumbed to the adage of “going along to get along.” The desire to be accepted by

the culture even at the expense of being disconnected from the Lord has become all too common in our day. Allowing the culture to marginalize our bibliocentric worldview and mute our voice—so that we shrivel up in our ecclesiastical corners as we watch our nation speed headlong into division and darkness—is the spiritual crisis of our day.

It is high time for there to rise up voices who are committed to speaking the truth in love—people who are neither afraid nor ashamed of their commitment to Christ and His Word, and who are willing to clearly communicate it with technical excellence, spiritual integrity, and cultural relevance.

Such a person is Keisha Toni Russell. Keisha has earned the right to be heard. She belongs to a very unique group of accomplished Christians who are willing for their voices to be heard as visible followers of Jesus Christ and vocal representatives of the kingdom of God. Keisha is a conservative African American constitutional lawyer who wants her faith to speak into the issues of our day. As a constitutional lawyer, Keisha understands how our judicial and political systems work. As an African American, she is sensitive to the social, religious, and racial realities that need to be righteously and justly addressed. But most importantly, as a disciple of Jesus Christ and faithful member of our church in Dallas, Keisha wants to provide a biblical perspective on how the laws, structures, institutions, and issues of our day ought to be viewed, understood, interfaced with, and addressed from God's perspective.

In her timely book *Uncommon Courage*, Keisha clearly and simply gives us a theistic framework and historical and contemporary context for understanding and responding to the realities of personal and public life. *Uncommon Courage* will challenge

you to be a courageous Christian in your beliefs, convictions, and communication.

If we care about the state of affairs in our country, then it is way past time for us to get off of the sidelines and get in the game. We must do so by clearly carrying our faith with us. The public square needs to hear the voices of courageous Christians like Keisha Toni Russell. Voices that hold to biblical truth while simultaneously communicating and living it out in a way that the culture can't miss or ignore.

*Uncommon Courage* will educate and inspire you as well as give you the tools to strengthen your spiritual backbone to help reverse a nation that is teetering on the verge of total collapse.

Dr. Tony Evans  
President, The Urban Alternative



# TESTIFY

**W**hen a jury assesses a case, they must analyze the evidence and decide which side wins. A witness's testimony brings clarity to a case because they can provide a firsthand account. But testifying is not always easy. It's something most people must be forced to do.

When the disciples told people about what they experienced with Jesus, it cost many of them their lives. But they were compelled to testify. As Christians, we are commanded to tell our testimony to the world. We are expected to proclaim who Christ is and how He has changed our lives. And it's not just about what we say. The way we live our lives reveals to others the strength and depth of our relationship with Christ, or lack thereof. Our behavior tells a story to nonbelievers about Christians. But it also has the power to edify, inform, and inspire other believers to persevere with Christ.

I share my testimony to persuade the nonbeliever and strengthen the believer.



Like most people who end up in a spiritual fight, I didn't pursue it. I was called.

My journey began right after I graduated from undergraduate school and became an educator in Atlanta. I worked in a vocational college where I realized that many of the students were grossly unprepared for college. Many of them couldn't read or write at a high school level, and most of them were deficient in their math skills. Having obtained a strong public education myself, I wondered why our nation's system had failed these students. After a few years of working with college students, God sent me to teach elementary students, where He opened my eyes to some of the issues plaguing our public school system.

After getting a master's degree in teaching from the University of Southern California, I joined Teach For America, an organization that seeks high-achieving college graduates to commit to expanding educational opportunities for low-income students by teaching for at least two years in a public school. Their goal is to close the academic achievement gap that persists between wealthy and mostly white students and poor minorities. I was assigned to teach elementary special education in Atlanta Public Schools.

I started the school year by assessing my fourth- and fifth-grade special education students in reading and math. Their scores were devastating. All the students were several grade levels behind. This isn't uncommon for special education students, but I was disheartened at the reality of their scores. I knew the students' futures would be severely limited if they couldn't even read.

I also found out that the students possessed ingrained beliefs about education and themselves that negatively affected their self-esteem. Many of them grew up watching friends and relatives who

did not take school seriously, and the students did not understand why they should give their education more of their attention. I was keenly aware that these students were in a predominately black part of Atlanta, with nearly all black teachers and administrators, and those leaders had allowed these students to continue through school without getting the basics skills. Not to mention that some of the students' lives at home were challenging for various reasons.

The students' challenges couldn't be blamed directly on systemic racism or white supremacy because they rarely encountered anyone white. However, it was clear there was a generational mindset producing at least some of the bad fruit I was seeing.

I was successful at teaching the students how to read, and many of them passed the state tests for the first time in their lives, even though they were in fourth or fifth grade at the time. Later in the book I talk about how I accomplished this, but this classroom taught me how to be an advocate and an educator. While I was teaching, I knew that there was lots of work to do in the education system, but I felt led to learn how to be a more powerful advocate.

After teaching for a few years and being nominated for a teacher-of-the-year award, I applied to law school. I didn't initially plan to attend Emory Law, but as I browsed the websites for different law schools in Georgia, Emory stood out. I was drawn to their Center for the Study of Law and Religion. No other school had anything comparable, and I was fascinated by the intersection of the two disciplines.

Like most law schools, Emory was a largely liberal environment. The students, professors, and most of the administrators were mostly left-leaning and their lectures often reflected their political views. This was not a big deal to me except when I thought

a professor's views influenced the classroom discussions, specifically in connection with issues like criminal justice, abortion, and same-sex unions.

My first semester, I enrolled in a clinic where I learned advocacy on behalf of foster children at the Georgia legislature during the 2015 legislative session. We drafted bills and worked on influencing senators and representatives to pass bills that would help children. The best part of this experience was being there on the last night of the session when the bell rang. We left the capital in the middle of the night, and I experienced a euphoria from the energy of the environment that I didn't think I'd ever experience with politics.

After my stint with the children's advocacy clinic, I quickly transitioned to being more involved in the Center. Up until that point, I edited research papers and treatises and wrote papers for my Religion and Law class. By 2016, I was a research assistant for Dr. Mark Goldfeder, an adjunct professor at Emory, the head of the student programs in the Center, and international counsel for the American Center for Law and Justice.

Around the same time, I was writing a paper charging Christians to be more involved in the education system. I was studying some of the work of critical race theorists and how those views could inform the problem. I found that critical theory did not present workable solutions. It also conflicted constantly with what I experienced as a teacher. This was a reminder that theory does not always align with practice. I finished the paper, but I was unsettled with my findings.

Meanwhile, it was an election year, and the media was extremely polarized between Hillary Clinton and Donald Trump. A constant

theme in the news was police shootings involving black men. The reports were plastered on the television nearly every week leading up to the election. This exacerbated the mood of already-stressed-out students at the law school, and especially affected the black male law students. They were noticeably more tense, despondent, and frustrated. I couldn't help but wonder why the coverage was suddenly more intense. The reports felt politically manipulative, but at that point, I was not clear about why.

For the most part, I stayed away from the news and read news articles only when they covered popular subjects or when I was working on a project and I wanted to see the news coverage. I often noticed that there was a clear rift between what the news coverage said and the facts of the issue. This would be the beginning of my awakening to the deception that commonly takes place in the news.

As election day drew closer, the media coverage was intense, but most people seemed confident that Hillary Clinton would win. All the polls pointed in her favor. After Donald Trump astonishingly won the election, one of my professors cried in class about the results. One of the student groups laid out crayons and coloring books in the hallways and student center area of the law school building that allowed students to vent if they were feeling especially stressed about the election results.

I can't say that I was excited about Donald Trump's win. I thought he was brash and uncouth, but I wasn't a fan of Hillary Clinton either. To me, choosing between the two was difficult. So I was ambivalent to the election results. I knew that no matter who won the election, my mission was still the same. I had no idea then how much Donald Trump's win would impact the next few years of my life.

Immediately after the election, American Center for Law & Justice's work shifted because its president, Jay Sekulow, became a new member of Trump's legal team. I researched and drafted memos and briefs for many of the first set of legal issues facing the administration. There were a myriad of lawsuits and challenges. I also worked on a few confirmation hearings for the presidential appointments. It was complex, high-impact work.

At the same time, we also conducted research for Israel while the country led the legal committee of the United Nations. I can't say much about the substance of the work, but it was beyond interesting, and I learned a great deal about foreign policy. The work never stopped, and I was grateful to be learning so much as a third-year law student. I knew very few of my classmates were learning the law at the level I was.

Most of my classmates were unaware of the scope of my work. I didn't talk about it much, mostly because I couldn't. But many of them were discouraging about whether I should pursue constitutional law as a career. One of them told me I needed to try to get "a real job." I wondered what she was doing in her summer internships, because I knew it didn't compare to the work I was doing at that point.

I was able to get a job as a constitutional lawyer immediately out of law school. It was a divinely orchestrated situation. Mark Goldfeder at Emory connected me with First Liberty Institute, a religious liberty law firm. This led to an internship, and eventually, I was hired as a full-time lawyer. I was one of the first attorneys at the organization hired directly out of law school.

As a religious liberty lawyer, I became intimately involved in the conflicts between the culture and the church. I could see how the

increasing liberalization of society was causing people to express disdain for Christian principles and any proclamations of moral absolutes. The cultural trend was infecting state and federal governments, corporations, the news, education, and more. Christians who hold to a firmly biblical perspective are not only in the minority; they are the despised minority. The lawsuits we handled and the accompanying deceptive media coverage about those lawsuits revealed to me that the country is in flux. While the Bible warns us that the world will hate Christians, it is still alarming to watch America's rabid disdain for religion, and for Christianity in particular.

When you work on the front lines of the culture wars, you learn to discern the truth from the lies in the media. Over the last several years of working as a constitutional lawyer, I learned a lot about how the media manipulates the public. I would read the coverage about our cases and realize that the media was doing its best to portray the religious as the enemies in the conflict. The mainstream media rarely covered our cases in a positive light. The manipulation was effective because I realized that even Christians believed what the media told them.

Judges also become extremely important when you are a lawyer, especially a constitutional lawyer. The types of cases we worked on could often impact the law for some or all of the country. I learned that the judicial philosophy of a judge is imperative. First Liberty started evaluating Donald Trump's picks for the federal judiciary from the beginning of his presidency. Sometimes we approved his picks; sometimes we didn't. We weren't always on the good side of either political party because of our decision to evaluate each judge neutrally. But we knew that our evaluation needed to be sound. We did what we knew most people were not doing.

We read everything those prospective picks had ever written. We looked at their speeches and the organizations they belonged to. We evaluated every aspect of their professional lives and rated the judges as objectively as possible.

This is why when the Biden administration picked Ketanji Brown Jackson as a nominee for the US Supreme Court, it was just business as usual for us. We did what we had been doing for years. We looked at her and the other prospective choices and, unsurprisingly, concluded that they were all fairly liberal advocacy judges whose beliefs would likely lead them to erroneously interpret the law and the Constitution in order to advance political objectives. Justice Jackson was problematic on many levels.

I spoke to many Christians about Jackson and realized that they knew nothing about her, yet had completely accepted the media's narratives about why they should support her. They didn't think that those in the news media would deceive them. Later, I'll provide more details to support my conclusions about her. But this experience related to Justice Jackson was one of many that I encountered that made me realize the church trusts the world far too much.

During the past decade, the culture's respect for morality and especially religion has depleted to a dangerously low level. Those who have biblical views are compared to the worst people in history, like Hitler and white supremacists. The nation is starkly divided politically, and the secular culture sees anyone with opposing views as morally deficient and unworthy of the same treatment that they are entitled to. The combination of these two trends—disdain for religious views and severe political division—has produced a series of problems for the church.

The most serious problem is that the church, which consists of sincere Democrats and Republicans, has become divided by political disagreements instead of being united in our common love for Christ. Another issue is that Christians of both political factions lack the knowledge that will help them to understand the other side's perspective and, more importantly, prevent them from seeing the biblical errors in their own perspectives. Members of the church have gone along with lies that keep them in the good graces of their political and social groups rather than embracing the truth that keeps them in right standing with God. The Bible says that God's people are destroyed for a lack of knowledge (Hosea 4:6), and what is happening to the church in today's society is a clear illustration of that.

From a cultural standpoint, the division and moral decline makes America susceptible to losing its position as the freest nation in the world and becoming a tyrannical country. Many people have written books warning about the rise of tyranny in our society. I reference some of these books, and I add to their insights in hopes of giving you a more comprehensive understanding about the issues we face in our country, and I do this as someone who has seen this battle from different angles. I have a unique vantage point. I am a fairly young Christian constitutional lawyer who also happens to be a black woman. I've worked in education, law, politics, and the media. I believe the Lord has compelled me to share what I've learned in the hope of building up the church and strengthening our country. I hope that reading *Uncommon Courage* inspires you to become a warrior for Christ in a hostile culture in need of God's love.



PART 1

# THE FOUNDATION FOR FREEDOM





# CHRISTIANITY AND THE CONSTITUTION

**T**he good news of Jesus Christ is the news of eternal freedom. The old covenant was one of bondage because we were slaves to a law that we could not obey (Hebrews 8:7-13). There was a never-ending cycle of death to atone for our inevitable sins. Then God offered Jesus Christ as the final sacrifice. God's Son was the only one who could perpetually atone for us, providing release from the bondage of sin and eternal freedom from our spiritual debt. As the apostle Paul said, "It is for freedom that Christ has set us free. Stand firm, then, and do not let yourselves be burdened again by a yoke of slavery" (Galatians 5:1).

Not only does God give us spiritual freedom, He also gives us the freedom to choose whether we want to accept that gift. Despite the possibility that we might reject Him, God still grants us the choice, even though He could undoubtedly force us to obey Him. The gift of free will is one of God's greatest acts of love toward us. God loves us enough to let us choose, and it is all the more

satisfying to Him when we choose to love Him by our own volition. In this way, God is not a tyrant. He is a loving ruler who, though uncompromising in His standards and unchanging in His ways, allows us to walk according to our own will. He is a righteous Father who gives us free will, while also openly inviting us to experience true spiritual freedom by walking in righteousness with Christ. Our God models true leadership.

As Christians, we often take our spiritual freedom for granted and bind ourselves again to sin by allowing our bodies and carnal minds to have mastery over us. Scripture says the human heart is inherently wicked (Jeremiah 17:9), which is why the Holy Spirit must constantly work within us to refine our behavior and transform us to become more like Christ. Over time, we can become slack about disciplining ourselves because God perpetually forgives us, and we sometimes face no immediate earthly consequences for our actions.

Much like we are inclined to take our spiritual freedom for granted, we often take our cultural freedom for granted. The right to choose and exercise our Christianity in a free society tends to produce a lukewarm, complacent church. This is analogous to a believer who takes the compassion and grace of God for granted and, over time, becomes halfhearted in his or her quest for sanctification.

Freedom is a central principle of Christianity, and that principle thrives in a culture that embraces the freedom of religion. That is, the freedom to choose Christ over all other gods among us. This is one reason a Christian foundation was essential for the national freedom that Americans possess now. To ensure that America was a bastion of liberty, the founders needed to give

everyone the freedom to choose their own religious path. This is why a national ruler must never seek more authority over us than God exercises over us. Any nation that chooses to be “under God” must acknowledge that freedom of religion is essential to truly being under Him.

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*Freedom is a central principle of Christianity,  
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While we know that the church can and often does thrive in a culture where Christianity is persecuted, there is no question that a culture that freely allows Christianity is beneficial to the church. A church that is not punished by the government for acting and speaking according to biblical truths can be effective in spreading the gospel, serving the local community, and discipling believers.

Historically, this is why totalitarian regimes always begin their reign of persecution by stifling the speech and assembly of the religious population. Those who believe in a higher authority cannot be easily tamed by tyrannical government because they resist the idea that the government is supreme. Thus, a tyrant must rid his nation of the devout.

A tyrant is anyone who seeks to intercept our relationship with God by usurping His position in our lives. As we seek to obey God, we are coerced to obey the government, and we are penalized if we don't. To establish an obedient, loyal population of subjects, a tyrannical government must train everyone to consider

the government their supreme authority, or their god. This is why tyrannical systems of government are contrary to Christianity and the church should oppose governments that exercise such power.

Communism is tyrannical because it aims to be the supreme authority in its citizens' lives. The threat of tyrannical government should awaken the complacent within the church and embolden a lackluster democratic society.

### **A BIBLICAL VIEW OF GOVERNMENT**

God's original design for government was one in which people were subject only to Him. "For kingship belongs to the LORD, and he rules over the nations" (Psalm 22:28 ESV; see also 1 Samuel 12:12). But to ensure that justice prevailed, God appointed judges. During this period of time there were 14 judges, including Samuel (1 Samuel 7:15-17). Then the Israelites approached Samuel and demanded a king instead. When Samuel approached God about the people's demand, God told Samuel to grant the request because "they have not rejected you, but they have rejected me from being king over them" (1 Samuel 8:7 ESV).

Samuel tried warning the Israelites that a king would become a tyrant. A king would collect a tenth of their wages (verses 15, 17) and help himself to their sons, daughters, and flocks (verse 11-18). The people's ability to serve God would diminish because they would be forced to be slaves to the king. Yet the Israelites disregarded the warning and, because they wanted to be like all the other nations (1 Samuel 8:19-20), they insisted that Samuel give them a king. As a result, Samuel was the last of Israel's judges.

Samuel anointed Saul as the first king of Israel (1 Samuel 10:1). Saul was chosen because he was a righteous man who, at first, obeyed God. But it didn't take long for Saul to succumb to the corrupting nature of power, abandon God's guidance, and become a tyrant over Israel (1 Samuel 12–16).

While God allowed His people to be ruled by kings, He wanted kings who submitted to Him and would rule under His direction. But this proved difficult. As fallen humans, even the kings who yielded to Him made poor decisions and let their stature and power give them inflated egos. The kings who failed to submit to Him ended up usurping His role among the people. These kings sought power and exaltation, indulged in sin, and subjugated the righteous.

Even Solomon, the man whom the Bible calls the wisest of all the kings, failed to maintain his allegiance to God. Though God prohibited kings from marrying many wives or becoming greedy (Deuteronomy 17:16-17), Solomon violated these requirements despite his wisdom (1 Kings 11:1-8). This demonstrates that even those of us who are committed to God are susceptible to letting our power overcome us and deteriorate our allegiance to God.

These biblical examples illustrate a principle at work in government: absolute power corrupts absolutely. By nature, we are prideful, arrogant, and self-centered, and when we have too much power over others, these traits are exacerbated. Power can make us want to be a god over others, which is a satanic sentiment.

The Bible highlights a powerful truth: Man is evil without God, and sometimes even with God. We are constantly thinking of ourselves, and, under the right conditions, we will seek to control others. This Christian understanding about the nature of men provides the basis for the structure for America's government and

our national Constitution. Both are designed to limit the amount of power given to one person or to a small group of people. It is by design that, in America, the greatest amount of power rests in the hands of the American people.

## HUMAN NATURE AND GOVERNMENT

The Founding Fathers' religious convictions informed the way they structured the American government. For one, most of them possessed a deep faith in God. Benjamin Franklin and Thomas Jefferson believed in God later in life, but ultimately, they both had foundational beliefs about the nature of man that resembled the teachings of Christianity.<sup>1</sup> Most of the Founding Fathers believed in the deity of Jesus Christ.<sup>2</sup> Because of the cultural beliefs and expectations at the time, all the Founding Fathers were students of the Bible and considered it authoritative, and all—except Jefferson—considered the Bible to be the inspired Word of God.<sup>3</sup>

A Christian worldview about Jesus Christ and the Bible births a specific worldview about the nature of human beings: Given the opportunity, people will abuse power and become tyrants. Such a view naturally leads to the belief that any system of government must, in some ways, tame the evil inclinations of the human heart.

This stands in contrast with those who believe that people are generally kindhearted and trustworthy. An idealistic view of human nature is most in line with socialist or Communist governments. This perspective states there is little need to restrict the power of government rulers because the assumption is that rulers can manage their power responsibly.<sup>4</sup>

We know that the Founding Fathers believed that God revealed

His moral standards for human behavior through the Bible.<sup>5</sup> They believed that His moral standards should be translated into human laws that ensured people would conform to God's will for society.<sup>6</sup> God's standards reveal that we have certain natural rights, and His standards demand that those rights are respected by others.

It's clear that people will violate God's standards when given the opportunity, especially if there are no penalties for their actions. This puts people in the position of relying on the government to enact laws and enforce them for the protection of society. This is often referred to as social contract theory: People will agree to live under governmental authority so that the government can protect the rights of the people. Essentially, we give up some control of our lives to the government so we can gain the protection that only the government can provide. We cede power to the government to help secure our rights, yet the government is entitled to possess only the power that the people—and God—delegate to it.<sup>7</sup> But it is one thing for everyone to agree that we need a government; it is quite another to create a government that everyone agrees on.

## **CREATING THE CONSTITUTION**

By the time America's founders explored the prospect of a constitution, they had learned many lessons regarding government power. Great Britain's government was too powerful, and Americans went to war to be freed from the crushing authority of the monarchy.<sup>8</sup> But after the American Revolution, the new country erected a soft, almost powerless government under the Articles of Confederation. This caused chaos and anarchy, and the newly freed nation nearly collapsed as a result.<sup>9</sup>

The creators of the new government would have to walk a tight-rope to formulate a government with enough power to bring order to society but not enough power to allow tyranny.<sup>10</sup> Ultimately, the founders came up with a system that would divide powers into three distinct but equal branches of government and between the federal and state governments. This structure was designed to prevent the country from ever being subject to only one person or a small group of people who had the power to create, interpret, and enforce laws.<sup>11</sup>

The US Constitution consists of three main parts: the preamble, seven articles, and 27 amendments. The preamble begins and ends with “We the People of the United States...do ordain and establish this Constitution for the United States of America.” The articles explain the framework of the government and define the scope of power for each branch and between the states and the federal government. For example, Article I explains the structure of the legislature, how members of the House and Senate are chosen, and lists the specific powers of Congress and its limits. Article II describes the executive branch. Article III describes the judicial branch. Articles IV-VII focus on the powers of the states.

The process to amend the Constitution is extensive, and of the thousands of amendments that have been proposed, only 27 have become law. A national amendment requires three-fourths of the states to ratify, or approve, it. The first ten amendments are called the Bill of Rights. These were proposed together and are focused primarily on an acknowledgment of the rights of the people. They spell out the various rights of the American people, including freedoms of religion, speech, and association; the right to remain silent; the right to be free from illegal search and seizure; protection from excessive bail and cruel and unusual punishment; and more.

## **BIG IDEAS OF THE CONSTITUTION**

### ***Protecting Individual Rights***

As the Declaration of Independence declares, “That to secure these rights, Governments are instituted among Men.” The principal purpose of the Constitution is to protect individual inherent rights, and the commitment to protecting those rights has a theological foundation. Even Thomas Jefferson, who most people would argue was the least religious of all the founders, said, “God who gave us life, gave us liberty at the same time. Can the liberties of a nation be secure when we have removed their only sure basis, a conviction in the minds of the people that those liberties are the gift of God?”<sup>12</sup>

The belief that we are made in God’s image means that we are all inherently worthy. He loves us equally and sees us equally (Genesis 1:26-27; 9:6). God is not a respecter of persons (Acts 10:34); thus, His view of justice commands equality under the law (Exodus 23:6-7). This is the core reason that caste systems are unbiblical and cannot be justified with a Christian view of the world, even though many people have tried to do so.

The opposing view of humanity relies on an evolutionary foundation. It presupposes that evolution created inequalities in humans’ abilities, intellects, and ultimately, their worth. Some people are stronger, faster, and smarter; therefore, they should be granted special and superior treatment in society over those who have not supremely evolved. The Nazis and white supremacists have relied on this evolutionary humanist view to promote their propaganda.<sup>13</sup>

Contrary to the supremacist view of the world, God demands that we are all treated with equal respect, and ultimately, that we

do not interfere with His authority in another's life. God's commandments create protection for our individual rights. His demand that we do not kill (Exodus 20:13), enslave (Exodus 21:16; Deuteronomy 24:7), or steal (Exodus 20:15) protects our rights to life, liberty, and property.<sup>14</sup>

Speaking of slavery, we have not yet examined the stain on the Constitution of the Three-Fifths Compromise and the passage of the subsequent Thirteenth Amendment. We will. For now, try to embrace the fact that the general principles that laid the foundation for the Constitution were sound and based on the idea of freedom, even if the founders violated those principles in provisions designed to protect the immoral institution of slavery and ultimately, the idol of greed. Later in the book, we will see that it was these Christianity-inspired foundational principles that ultimately led to the eradication of slavery and the end of Jim Crow.

But generally, remember that the Constitution's acknowledgment of and promise to protect our God-bestowed rights are found primarily in the Constitution's amendments, especially the Bill of Rights. These amendments lay out specific rights that the government must not infringe upon, and the Twenty-Seventh Amendment states that the rights listed are not exhaustive.

When you review some of the world's tyrannical governments, you can quickly determine which rights you would want for protection against such a system. You'd want a government that couldn't tell you who to worship, what to say, or who you can associate with. You'd want a government that couldn't lock you up without a fair trial or enter your home and search it without a warrant. You'd want the right to protect yourself and your family. You'd want to

be free—that is, not a slave to a person or the government. The Constitution’s amendments protect all these rights.

### ***Limitations on Concentrated Power***

To ensure our inherent rights are protected from government interference and control, our Constitution establishes a limited government with limited power. Contained primarily in its articles, the Constitution divides power among different branches of government and between the federal government and the states. Each are designated with distinct powers that prevent one branch or the state or federal government from controlling the people. The branches of government consist of the executive, legislative, and judicial branches. In essence, this design splits the power of a “monarchy” into three different roles.

The legislative branch consists of Congress and the state legislators; each enacts laws for the respective populations. Historically, this is the branch that was supposed to be the most powerful because it had the authority to decide what would be legal in society. Every representative or senator is elected by the people, and the people trust that those who are elected will vote for the laws that reflect the desires of the constituents. This is the branch we should scrutinize the most, although that rarely happens because the other two tend to hold our attention more.

The executive branch, which consists of the office of the president, its federal agencies, and the state governors’ offices, are charged with enforcing the laws. We tend to grant this branch more attention because of the influential role of a president or governor. This branch often reflects the regal influence of the monarchy.

The judicial branch includes the federal and state courts, and

its job is to interpret the laws enacted by the legislators. It presides over criminal and civil disputes and weighs the facts against the laws and decides the appropriate outcome of conflicts. The role of the court is corrective, not creative. The court's job is not to change the law or decide what the law should be. Its role is to use the law to decide the outcome. Over the last few decades, the courts have drifted from the founders' design for them—they have issued decisions that functionally have the force of law. This has produced tense political conflicts around the nomination of judges, particularly to the US Supreme Court.

In addition, both the states and the federal governments have specific powers. Generally, the federal government has the power to control commerce, levy taxes, control the military, and declare war. The states' powers focus on policing, including the safety, health, and welfare of citizens. This includes the power to control education, to have state courts, and to have a state criminal justice system. The federal and state governments are considered separate sovereigns, and the federal government cannot force the states to uphold federal laws.

A fundamental aspect of the separation of powers is the checks and balances between them. Each branch of government has the power to correct the other. For example, if the legislature enacts a law that violates the Constitution, the court can strike down that law. But, if the court makes an incorrect decision, the legislature can make a law to overturn that decision and nullify it.

This separation of powers is one of America's biggest barriers to tyranny. This is why Americans must guard closely the distribution of power and ensure that no branch or sovereignty is usurping the power of another. For example, we must ensure that the judicial

branch is not making laws, or that the federal government is not overreaching and inappropriately controlling the states. When any branch of government or sovereign violates the separation of powers doctrine, it should be called out and immediately corrected through the proper channels available in our laws.

### ***A Republic, Not a Pure Democracy***

America is not a pure democracy. A pure democracy is one in which the majority rules. In a republic, the people elect representatives to make decisions on their behalf. A republic seeks to provide all populations with some authority over the direction of the country, even when they may represent only a small subset of the population. As John Adams said, “The very definition of a Republic is ‘an Empire of Laws and not of Men.’”<sup>15</sup>

Congress consists of two houses. In the House of Representatives, the states are assigned representatives according to their respective populations. States with more people have more representatives. But the Senate provides equal representation to all the states. Each state gets two senators, no matter what its population. For any law to be passed on the entire country, both houses of Congress must vote for it. This ensures a balance of power between the bigger states and the smaller.

A republic is focused on protecting individual rights regardless of whether the majority of people agree with those rights. There are many instances in which the majority will support the suppression of the rights of others because they dislike a group of people. The power of a republic is in its ability to uphold its laws in the face of a changing culture.

The Electoral College provides a clear illustration of this principle.

The Electoral College is how the Constitution ensures that states with the largest populations, like California or Texas, do not alone control the outcome of a nationwide presidential election. Each state gets a certain number of electoral votes, and then the Electoral College representatives for that state choose the president. Despite the fact that a state like North Dakota may not be nearly as powerful in its populace as California, each state still has a say in choosing the president.

This may seem obvious by now, but this difference between a republic and a democracy is also paralleled in the differences in our political parties. Democrats tend to focus more on social and community impact. They tend to believe that laws should evolve with the needs of the people. The more people tend to lean in the direction of a new social idea, the more the Democratic party pushes for the advancement of that idea. It's not exactly accurate to say that the Democrats represent the majority view, but instead, that they often represent the cultural trends.

Republicans are grounded in tradition and history and resist adjusting laws based on social expectations. Republicans want to protect core individual rights with as much respect to the original intention of those rights as possible. Democrats believe individual rights are not absolute, especially in the face of a changing culture. There are pros and cons to both approaches, and they both need the other to find the proper balance.

### **IS THE CONSTITUTION OUTDATED?**

One of the major criticisms about the Constitution is that it is too old to be relevant. Ironically, this same criticism is aimed at the

Bible. Recall that it was biblical principles that provided the foundation for much of the Constitution and its structure. The idea that people are inherently inclined to abuse power inspired the separation of powers and is designed to protect people from tyrannical behavior. No one is exempt from this expectation of abuse of power. Everyone is capable, and thus no one can be trusted. In addition, all of us are made in the image of God, and God commands that we respect His commandments in our treatment of one another.

The Constitution's allowance for slavery is the most valid criticism against it, and this would be a good time to address this issue. We will explore this several times throughout this book, but as a starting point, let's explore how the founders integrated slavery into the Constitution.

The founders generally understood that Congress would have the most power of all the branches of government because it would have the authority to enact laws. Because of this, the most contentious arguments between the delegates were about state representation and voting in Congress.

In relation to representation, the lesser-populated states wanted to ensure that they had as many votes as more-populated states to prevent the latter from dominating the country. The more-populated states argued the opposite: that voting in Congress should be proportional to the states' populations.<sup>16</sup> This resulted in two houses of Congress: the House of Representatives and the Senate. Each state would be assigned representatives in the House according to population, but in the Senate, each state would have two senators. This was known as the Great Compromise, and it also included a decision on a contentious issue that still has ramifications today: slavery.

Because representatives in the House would be apportioned based on population, the delegates needed to decide whether slaves would count as people. Of course, the South wanted slaves to be counted as people for representation purposes, but this also meant that the Southern states' taxes would be higher because taxes were also calculated by population.<sup>17</sup>

Founding Father James Wilson suggested that the delegates adopt a rule that became known as the Three-Fifths Compromise. Under this rule, representation would be according to the whole number of white and free citizens, but all others (except Indians not paying taxes) would be counted as three-fifths of a person.

The Three-Fifths Compromise haunts the integrity of the founders and the Constitution to this day. While the principles that influenced the Constitution are timeless, the document is not infallible.

But we need to understand our history in order to learn from it. That means we must understand that just because the Founding Fathers didn't always do the right thing doesn't mean that they didn't know what was right. This is one of the reasons that CRT ideology is so problematic. You cannot learn the truth from lies. Thus, we should commit to teaching students the full picture of America's founding, including its Christian roots. It should be a regular exercise in pedagogical methods for students to evaluate whether the country's leaders and citizens are living up to those basic Christian principles.

While we know that the motivations for slavery were greed and pride, it is necessary to acknowledge the motivations for its ultimate abolition too. As an article published in *National Affairs* noted:

The point of axioms, however, is that their truth doesn't depend on whether we acknowledge or respect them. They are statements about the nature of reality. And the Declaration recurs to the language of natural law: A "Supreme Judge of the world" stands as the final governor of humanity. His divine edifice contains fixed truths that men can ascertain even when their observance (as with the slaveholding founders) falls short. Laws given by men should, accordingly, conform to those given by nature and nature's God.<sup>18</sup>

### **ALWAYS RELEVANT**

Many people's eyes glaze over when someone starts talking about the Constitution. And I want everyone to realize how dangerous that is. It's not that the document should be part of our everyday conversation, but we need to know it. We need to understand it. We cannot protect it if we don't. It's also true that those who criticize government must have a thorough understanding of how it works in order to present workable solutions towards its perfection.

The Constitution is a contract that specifies how much power the government is allowed to exercise over us. That means we feel its impact every day. We should aim to understand a document that so persistently impacts our lives. But we often take it for granted because we cannot perceive losing the freedom that the Constitution promises. The next chapter will show us what happens when the government doesn't make or keep those promises.