

EPILOGUE

Confession, Repentance, and Request for Forgiveness

THE WORDS OF THE PROPHET ISAIAH TO ME

Isaiah 64:6

*“But we are all like an unclean thing, and all our righteousnesses
are like filthy rags.”*

In recent years, God, in His great mercy, began to “shine in my heart the knowledge of the glory of God *in the face of Christ*” (2 Corinthians 4:6, emphasis added). As that searing light continued to rise and penetrate my heart (my affections), the more I began to see, believe, and then apprehend more of those perfections of the eternal, infinite Creator of all things described, in sum, as the glory of God.

In other words, I began to appreciate what the Psalmist said, “In your light we see light” (Psalm 36:9). Without it, I was walking in deep darkness (Isaiah 9:2, 59:9).

In God’s perfect light, all things become exposed (Isaiah 47; Ezekiel 16). One stands, as it were, naked before Him.

One of the things exposed about me was that most of my work in politics, at least in public, and that some might consider “righteous deeds,” were nothing but “filthy rags” in God’s sight (Isaiah 64:6).

THE FUTILITY OF MY POLITICAL WORK BEFORE GOD.

I have come to believe that much of what I have done politically was futile *in God's sight* (a type of filthy rag) because the way I argued for various public policies did not honor God as God or glorify God as God.

WHY MY EFFORTS WERE FUTILE BEFORE GOD.

At bottom, I did not yet understand the full import of the Apostle Paul's assertion that "no one can lay a foundation other than the one which is laid, which is Jesus Christ" (1 Corinthians 3:11).

I wrongly limited the meaning of that verse to matters of salvation and did not apply it to everything. I did so because I had no true understanding of the height, depth, width, and breadth of the glory of God revealed in Jesus Christ. I did not understand that in the "knowledge of the mystery of God, both of the Father and of Christ," are "hidden *all* the treasures of wisdom and knowledge" (Colossians 2:2-3, emphasis added).

Had I been able to grasp the full import of what Paul said about the only true foundation in 1 Corinthians 3:11 and its relevance to true wisdom and knowledge, I would have better understood that if what I was working on was not rightly built on that foundation then that "work is burned up" (1 Corinthians 3:15, NASB) either in this life or on judgment day.

As I considered and prayed over those verses in recent years, I thought about the two "signature" achievements of my political engagement, the marriage amendment to the Tennessee Constitution and the "Equal Access to Intrastate Commerce Act", Public Chapter 278, 107th General Assembly. Both have been largely swept away, the former by Justices Anthony Kennedy in *Obergefell v. Hodges* and the latter by Justice Neil Gorsuch in *Bostock v. Clayton County, Georgia* (2020).

As best I can tell, the enduring political value of those legislative efforts is no greater than those of my larger, nationally known, and more "glorious" predecessors in Christian public policy, Jerry's Falwell's Moral Majority²⁶ and Pat Robertson's Christian Coalition, and for what I believe to be the same reason.

Thankfully, having come to some understanding of the glory of God, I also know for a certainty that God is greater than my failures. He has and will continue to direct them to His own good purposes and ends (Romans 11:36), even as He did with those who crucified Jesus (Acts 4:27-28). My only consolation about past work is found in God, not what I have done.

MY OFFENSE AGAINST OTHERS.

Another thing I must confess is a particular terrible effect of my past political work. Had that work been built rightly on that one true foundation, I would not have offended and wronged so many in my political endeavors *by the odiousness of my filthy rags*. I still would have offended many and made enemies, but at least it would have been because the gospel itself is an offense (Mark 6:3, 1 Peter 2:7-8).

THE FILTHY RAGS I WORE.

The “filthy rags” with which I covered much of my public political life consisted of making my case for public policy based on an assumption the Bible says is false. I made my case on the assumption that all human beings are fully capable, without *God having* “shone in [their] hearts to *give* the light of the knowledge of the glory of God in the face of Christ” (2 Corinthians 4:6), to evaluate various facts and interpret them as God intended. I worked on the premise that if I presented the facts in a logical and compelling manner, then others, as a matter of logical reasoning, would agree with my interpretation of them.

Some may not see the error in that, but I now see that my assumption was “out of whack” in relation to the glory of God and human poverty in all regards, including my own. Specifically, it was wrong in God’s sight for me to think and to insist that others think my thoughts were *truly* right without regard to what the Word of God says about who God is and how our *natural* way of thinking is hostile to God and foolish in His sight. (Romans 3:9-18, 1 Corinthians 1:21, 2:14). I *said* I believed the Word of God, but then I *acted*—presented *my* case, not God’s case—as though I did not.

WHY THIS WAS ODIOS.

Because I was operating in the policy realm on a wrong assumption about the power of human reason and thinking apart from God's revelation, I can now understand why that kind of argument would seem hateful. I was agreeing with the assumption of non-Christians that human beings can reason for themselves to true conclusions about facts without reference to God or His Word and His merciful work in their hearts and minds. Then, I was insisting that they reason to my conclusion.

Those who reached a different conclusion had every right to be put off and offended. The way I was going about things I was really asserting what could only be a preference, and matters of mere preference, like chocolate or vanilla, are not compelling.

Divorced from who God is, my argument was *purely* a moralistic preference, and surely it came off that way to those who do not believe in the God of the Bible. Certainly, no sense of the gospel good news—that God has made Himself known to us and the importance of that knowledge—was even remotely associated with what I said or how I reasoned. Better to be hated for the latter gospel approach than the moralistic one.

Moreover, based on my assumption, I had no right to be angry and condemn anyone who did not agree with *my* preferred conclusion. That attitude came across far too often.

But it was more than anger. God exposed the fact that my anger was often a cloak for covering deep-down unbelief in the God I said I believed in. From God's perspective, my anger meant I did not believe He was good and did not know what He was doing because He did not use His superintending authority over all things to direct the results of my work to the ends *I had envisioned*.

Holy passion is a good thing; when it cloaks unbelief and self-righteousness that is quite another. By virtue of my natural temperament, I constantly must ask God to help me be content in Him and trust Him in *all* His works. I need to ask His help more often than I already do.

Having confessed this to God, I now confess it to all those I offended, and I ask for your forgiveness. Public wrongs require public confession.

AN ANALOGY—PETER LIVES CONTRARY TO THE GOSPEL.

What I have said about the way I made my case for public policies came home to me recently when I re-read the Apostle Paul's condemnation of the Apostle Peter in the book of Galatians. When Peter, after previously eating with the Gentiles, separated from them after his fellow Jews showed up, Paul stood in front of *everyone* and said:

But when I saw that they were not straightforward about the truth of the gospel, I said to Peter before them all, "If you, being a Jew, live in the manner of Gentiles and not as the Jews, why do you compel Gentiles to live as Jews? (Galatians 2:14)

The gospel was at stake because Peter was giving in to the old way of Jewish thinking—to be holy in God's sight, the old distinctions between Jew and Gentile had to be maintained.

Why, Paul was saying, are you being inconsistent Peter? Get your "preaching" and your "living" in line with one another and stop making other people live contrary to the gospel you are preaching.

Similarly, I was "preaching" public policy like a non-Christian but expecting everyone to be Christian in their conclusions and actions. Here is my paraphrase of what Paul said to Peter:

David, if you, being a Christian, are going to agree to think and reason "in the manner of" the non-Christian—reasoning from facts isolated from any concrete absolute truth about Me in my Word and then drawing conclusions—then why do you want to "compel" them to think and to live as a Christian? You are not being straightforward.

I was saying to non-Christians I would *think* with them about public policy according to the principle of autonomous human reasoning, but then saying they had to *live* according to what the Bible says.

AM I CRAZY?

Some may think I am crazy for admitting these things publicly, because, if nothing else, it might undermine any effort to have the Marital Contract Recording Act enacted into law or put a case before the Supreme Court in which each justice will have to decide what God, if any, he or she believes in.

However, I have come to believe that pitting political success (whatever God thinks that is) against publically bearing witness to how the God in whom I believe connects to a particular public policy is a form of dualism. I do not think it has to be an either/or proposition if I am not deciding for God what “political success” is. I can easily be deceived into substituting a political or legal outcome for bearing witness to the glory of God that He, in pure mercy, chose to reveal to me and why it is relevant to all things.

To “keep God out of it” also raises the question why “conservative” Christians even preach from the Bible. If non-Christians are not going to believe the Bible and cannot be influenced by the Bible’s teaching in the public square, then I don’t see why it becomes more powerful than a two-edged sword (Hebrews 4:12) when used in a church building.

Finally, I believe what lies behind this kind of thinking is a belief that God is powerless to overcome what I do, that His will is at all times subject to me. That doesn’t mean I am not responsible to God for what I do and that discernment, wisdom, and prudence are irrelevant, but simply means that God is greater than what I do (Acts 4:27-28).

In sum, I now believe the truth that follows, and I am doing that which I think best demonstrates that truth:

Let no one deceive himself. *If anyone among you seems to be wise in this age, let him become a fool that he may become wise.* For the wisdom of this world is foolishness with God. For it is written, “He catches the wise in their own craftiness;” and again, “The Lord knows the thoughts of the wise, that they are futile.” Therefore let no one boast in men.

1 Corinthians 3:18-21 (emphasis added)

END NOTES

1 As with all contracts, a marital contract is only valid if the parties are capable of or competent to give informed consent and the consent was mutual and voluntary. These same common law concepts regarding contracts are found in T.C.A. 36-3-106, - 108, and- 109. This is consistent with the principle laid down in *Munn* that statutes either reflect or correct defects in the pre-existing common law.

2 Herman Bavinck, *Reformed Dogmatics*, Vol. 2, “God and Creation,” chapter 8. Cf Isaiah 28:23-29; Jeremiah 8:7, Acts 14:17

3 For an excellent analysis of this proposition, read *Pantheism’s Destruction of Boundaries* by Abraham Kuyper.

4 If you think defining the marital relationship as any two human beings instead of only male and female did not abolish the Biblical definition of marriage, then let me ask: What do you call a triangle when its definition is “expanded” to include the possibility of more than three sides?” Whatever it is, we all know it is no longer a triangle. Triangles as we have known them—defined exclusively and exhaustively as a geometric figure with only three sides—no longer exist.

5 See William Blackstone, *Commentaries on the Laws of England* (“[E]very man now finds . . . that his reason is corrupt, and his understanding full of ignorance and error. This has given manifold occasion for the benign interposition of divine providence; which, in compassion to the frailty, the imperfection, and the blindness of human reason, hath been pleased, at sundry times and in divers manners, to discover and enforce its laws by an immediate and direct revelation. The doctrines thus delivered we call the revealed or divine law, and they are to be found only in the holy scriptures.”)

6 Atheists also assume what they cannot *prove*—the universal negative of the non-existence of God. To prove a universal negative, one would have to have knowledge of all things (be omniscient) and be everywhere simultaneously that God might be found (be omnipresent). In other words, the atheist must *be* the God

of the Bible to *prove* absolutely there is no God. Probabilities in their presumed world of chance are meaningless; probability only means one could be wrong. Therefore, atheists make their own assumption about transcendence. For them to call believers in the God of the Bible fools for believing in what they cannot prove is nothing more than the pot calling the kettle black. The God of the Bible calls them fools (Psalm 14:1, 53:1, 92).

7 1 William Blackstone, *Commentaries on the Laws of England*.

8 Even after adoption of the Fourteenth Amendment, the Supreme Court has acknowledged the relevance of common law to the interpretation of the Constitution. See *Smith v. Alabama*, 124 U.S. 465, 478 (1888) (“The interpretation of the Constitution of the United States is necessarily influenced by the fact that its provisions are framed in the language of the English common law, and are to be read in the light of its history.”); *Minor v. Happersett*, 88 U.S. 162, 167 (1875) (saying common law was “the nomenclature of which the framers of the Constitution were familiar.”).

9 *Obergefell* (Scalia, J., dissenting). The Court’s “hubris” was not just in thinking it could redefine marriage or impose its view of marriage on the states but was the natural result of a hubris rooted in the institution’s earlier rejection of the transcendent God.

10 The answer is not the Supremacy Clause in the U.S. Constitution. If Court essays providing a rationale for its judgments are equal to the Constitution, then “separate but equal” (*Plessy v. Ferguson*, 1896) would still be constitutional law and same sex marriage would still not involve a federal question the Court could have resolved (*Baker v. Nelson*, 1972). Constitutional amendments would have been required to “change” the Constitution following those decisions, not new decisions in *Brown v. Board of Education* (1954) and *Obergefell v. Hodges* (2015), respectively. Moreover, who could in good conscience take an oath to uphold an unknown future Supreme Court essay as law no matter how preposterous its reasoning and conclusion? The idea of judicial supremacy is a modern myth created by the U.S. Supreme Court in *Cooper v. Aaron* (1958).

11 By the way, the judicial power cannot compel a legislative body to enact any statute. That would be a violation of the separation of powers and mean the branches of government are no longer equal and independent. That is why Tennessee's "male and female" requirement could not have been changed by anything in the Court's *Obergefell* decision. That Justices Roberts, Alito, and Thomas thought the Court's decision "required" states to issue marriage licenses to same-sex couples means they do not understand the separation of powers or the purpose of the division of powers between dual sovereigns; the Supreme Court makes "law" for the nation, including the states! The Court cannot require a state to license anything!

12 "Love is love" is a vacuous slogan unless we know what love is. The Bible says "God is love (1 John 4:10). *If that is true*, then not to know God as He is means we do not to know what love is. And if a Triune God doesn't exist, then God cannot be love without something else existing for God to love, which is the intellectual problem with Islam and Judaism. God had to create, otherwise love would be a vacuous word. *God is not love in Himself if He needed something outside of Himself for love to exist; how pathetic is that God!* Of course, if the Triune God doesn't exist, each of us, as little godlets, can make love mean whatever we want. It is nothing more than a matter of preference.

13 Some legal scholars fear use of the Ninth Amendment will become a new source from which the Supreme Court's justices will invent new rights and then use those rights to restrict the state and federal legislative branches. This fear is misplaced because the Ninth Amendment cannot be interpreted in isolation from the Tenth Amendment, which says jurisdiction to protect those other rights rests with the states or the people, not the federal judiciary or even the federal government. To think otherwise is to overlook the preamble to the Bill of Rights declaring that its individual provisions be construed as a whole, limiting the jurisdiction of the federal government. Moreover, fear that the Court will not apply a common law understanding of the Ninth Amendment is no worse than what the Court is now doing, making up "liberty rights" under the Fourteenth Amendment's Due Process Clause that are totally divorced from the common law meaning of "liberty."

14 Making "state's rights" arguments based *only* on the Tenth Amendment doesn't make sense to me unless the state can first explain what is under its jurisdic-

tion and why. The Bill of Rights, by its terms and according to its preamble, along with the Ninth and Tenth Amendments, puts jurisdiction to protect all common law rights in the hands of the states or the people. The Fourteenth Amendment's Due Process and Equal Protection Clauses did not change that; rather they only put protective limits on how the state went about securing common law rights.

15 Psalm 139:7-10, "Where can I go from Your Spirit? Or where can I flee from Your presence? If I ascend into heaven, You are there; If I make my bed in hell, behold, You are there. If I take the wings of the morning, and dwell in the uttermost parts of the sea, even there Your hand shall lead me, and Your right hand shall hold me."

16 Ecclesiastes 3:11, "He has put eternity in the hearts."

17 In my view, Christians have acquiesced to this self-contradicting and non-historical subterfuge about the Establishment Clause long enough. Arguing that religious symbols and prayers are okay so long as they are void of any real, on-going religious meaning or that they are okay as a matter of historical tradition cannot be a long-term solution. Despite good intentions, God is not honored by erecting or protecting "altars to an unknown God" (Acts 17:23). This approach may well buy Christians some time in the culture wars, and for that we can be grateful. But it is hard for me to see how this approach honors God as God and, consequently, why He would, over the long haul, honor it. Not every tree that bears blossoms bears fruit (Isaiah 17:11).

18 Joseph Story, *Commentaries on the Constitution*, § 1871 and 1873.

19 Webster's 1828 Dictionary.

20 The United States Supreme Court began to get the meaning of the Establishment Clause wrong in 1947. That year, in *Everson v. Board of Education*, Justice Hugo Black, through his opinion, took it upon himself to change the phrase in the Constitution from "an establishment of religion" into "the establishment of religion." This dramatically altered the meaning of the clause.

21 Interestingly, one of the definitions of “establishment” in Webster’s 1828 Dictionary is “the episcopal form of religion, so called in England.”

22 From Thomas Jefferson to Benjamin Rush, 23 September 1800.

23 Saying every created thing must, in some way, reveal God’s glory may sound strange to some Christians. But if there is some aspect of creation that does not reveal God’s glory, then the non-Christian can rightly say to God, “You cannot say I fall short of the glory of God because what is known about You is evident in creation.” In other words, a non-Christian can justly claim that whatever did not reveal God’s glory was the key piece of evidence for him or her! Paul’s whole argument in Romans 1:18-32 and his conclusion in Romans 3:23 that we all fall short of the glory of God falls apart if there is some place in the universe to which we can escape and not find God. That is precisely where we will go and think we can hide ourselves from God. Psalm 139: 7-8 say that is impossible: “Where can I go from Your Spirit? Or where can I flee from Your presence? If I ascend into heaven, You are there: if I make my bed in hell, behold, You are there.”

24 I understand that in some states enacting the MCRA is currently impossible. On the other hand, simply filing it could provide a platform for talking about a Court and state government that is, at bottom, tyrannical because they think they are God. I also understand that any number of other things are “going wrong” and “we can’t do everything.” But I have identified what I believe the Bible says is at the root of them all: a people who have at every level of society and place in society have rejected God as their fundamental interpretative principle. Until the axe is laid at that root in a manner that makes clear to policy makers and onlookers the root problem, the problem one prioritizes today as more important than marriage will not be solved long-term. Today’s prevailing preferences regarding matters about which God cannot be indifferent and presented on the basis of a rootless view of reality and the power of autonomous human reason to rightly interpret “facts” will be out of fashion tomorrow. The compelling “facts” of today will be re-interpreted out of existence tomorrow.

25 It should be noted that 2 Corinthians 4:6 speaks to an act of God in re-creation like that of the initial creation that reaches the heart and the mind. “For it

is the God who commanded light to shine out of darkness, who has shone in our *hearts* to give the light of the *knowledge* of the glory of God in the face of Jesus Christ.” (emphasis added)

26 Dr. Jerry Falwell said, “Moral Majority is a political organization and *is not based on theological considerations.*” *Moral Majority Report*, Vol. I, No. 13 (Oct 15, 1980), p. 4 (emphasis added). This is outright dualism. It separates God from an aspect of His creation—ethics, law, and civil government—repudiating Psalm 24:1, “The earth is the Lord’s and all its fullness, the world and those who dwell therein.” Falwell also said, “we are mobilized, we are effective, and, we are not going away.” Interview with John Rees, *Review of the News*, Vol. 17, No. 18 (May 6, 1981), p. 2. This is the arrogance about which James wrote (James 3:13-16) and the poetical figure Ozymandias bears witness. I have been guilty as well.