

**Toward  
Christian  
Nihilism**

A Short Study in  
Contrasting Policy  
Approaches

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## **Chapter 1**

### **Understanding the Problem**

Do you sometimes have trouble making sense of what is going on in politics? Does it ever seem that our politicians act on an issue based on a particular principle and then do something on a different issue that contradicts that same principle? Does the handling of “social issues” by our politicians seem to be particularly vexing? If so, you are not alone. To make sense of what is taking place, we must, as with any complicated question, make understanding a priority.

Solomon exhorts us to do just that, “Get wisdom, get understanding: forget it not; neither decline from the words of my mouth” (Proverbs 4:5). But how do we get it?

Fortunately, Solomon also tells us what is required if we are to have wisdom and understanding, “The fear of the LORD is the beginning of wisdom: and the knowledge of the holy is understanding.” (Proverbs 9:10).

While this applies in every area of life, my present purpose is to apply the advice of Solomon to the realm of politics. To that end, I will recount, explain, and analyze the disposition of two pieces of legislation in the Tennessee General Assembly in 2022.

The first was the Marital Contract Recording Act (“MCRA”). It allowed a man and woman competent enough to make private common law-based contracts for things like goods and services to make what the common

law<sup>1</sup> called a marital contract but without having to first get permission (a license) from the state. It was offered in response to the decision of the United States Supreme Court in *Obergefell v. Hodges* (2015). The Court held that it was unconstitutional for states to limit the issuance of marriage licenses to a man and woman. The second prohibited a biological man who considers himself a woman from competing against biological women in collegiate sporting activities (the “transgender sports bill”).

The former failed and the latter passed overwhelmingly. The disparate disposition of the two bills is most interesting, because both pieces of legislation would seem to rest on the belief that man and woman are real, given, and fixed categories of human existence that the law should publicly acknowledge.

In the case of the former, the question seems to be, “How do these categories of man and woman relate to relationships in marriage?” And in the latter, the question seems to be “How do these same categories relate to relationships in athletic competition?” Why are these categories of human existence seemingly denied

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<sup>1</sup> According to the United States Supreme Court, common law is the foundation upon which the United States Constitution rests. Common law is unwritten law but is nevertheless considered law, organically developed over time, based on and drawn from long-standing experience and custom, illuminated and evaluated in light of Scripture. That law was explicated in the decisions of judges seeking to resolve disputes. However, given this understanding of common law and its development, the judge’s decision was not considered the law itself, because later experience and a better understanding of revelation might show an earlier judge was mistaken about the law’s application to the dispute.

recognition regarding the definition of marriage but not regarding the fairness of athletic competition?

It would be easy enough to say that marriage involves a different question as to the relationship between marriage and athletics to the state. But why is that so? In both cases it seems like the state is deciding who can do what. More on that in the final chapter.

What then could have been the difference in the thinking of legislators?

## **Chapter 2**

### **Applying The Wisdom of Solomon**

I will begin my analysis with this premise: Whenever we see legislation aligned with God’s truth—such as the Martial Contract Recording Act—fail, there is some lack of wisdom and understanding in relation to God. However, as we will see, we cannot assume legislation that seems aligned with God’s truth advances that truth.

I am going to demonstrate in the context of these two bills the two things that happen when the interpretative principle we apply to the world around us, including politics and public policy, does not begin where the Bible begins, with a God who has created all things and is distinct in His being from all that He created.

First, we end up with a worldview of nothingness, of meaninglessness—a view of the world, inclusive of our bodies, that has only the meaning each of us personally and individualistically ascribes to it. There is no creator God to have provided that meaning. For simplicity, I will call this a Nihilistic worldview.

Second, Christians can become so confused in their thinking that they unwittingly conform to the world in pursuing what would otherwise seem good.

On the following pages, I will try to prove the first point using the observations of a scholar in the field of law and the expert testimony offered in support of the MCRA and prove the second with excerpts from expert testimony offered by a Christian policy advocate in support of the transgender sports bill. You will readily see the difference.

## Chapter 3

### Why This Is of Practical Importance

It is important to understand that while legislative arguments resting on a Nihilistic worldview may prove persuasive in the moment—a favored piece of legislation becomes law—that political win will not stem and begin to turn back the worldview tide that brought about the need for the “corrective” legislation.

Arguing for a preferred policy using the worldview that produced the need for it is like letting your opponent make up the rules of a game you are going to play. If your opponent is smart, you will lose every time. But even if you win once, because there are no given, fixed rules independent of the players, you should expect your opponent to make up some new rule(s) and begin winning again. In other words, your one “win” will not turn into winning.

For example, at a state level, we need look no further than to the fact that over thirty states adopted amendments to their state constitutions defining marriage as one man and one woman, but in none of those states is their “supreme law” being enforced. At a federal level, we can look at the Tea Party movement. Many Christians were involved in that movement, and new people did get elected to Congress. But nothing changed in the long run, and not even much in the short run.

The intention of those involved in both efforts was good, but their work, in the words of 1 Corinthians 3:5 was tested by culture and “burned up.” With respect to the

marriage effort, I know from personal experience the Christian policy movement simply moved on after the United States Supreme Court's marriage decision in 2015 without a moment's reflection on why the successful political effort to adopt state marriage amendments did not change the direction of things. I know, too, that some of them, along with many of the Tea Party folks, even moved away from politics altogether. Too many soured on politics, thinking it pointless before doing the hard and sustained work of getting wisdom by asking why their efforts had been frustrated.

Though I will confine my specific observations to the marriage and transgender legislation, I think the answer to why those political wins turned into defeats is the same: attempts to change the *direction* of things in politics will prove futile when you don't understand, then confront and try to change the fundamental worldview principle underlying the problem you are trying to address.

Worse yet, when Christians adopt in support of their legislative solution the same worldview framework that created the problem, the legislation will either not make sense to those who must vote on it, or it will not make sense later to those who initially voted for it but may now be changing their minds, or worse, to opponents it will be perceived as nothing more than an arbitrary power play.

When politics is nothing but a power play, which is how politics is perceived by numbers of Christians, it is easy to become discouraged and give up when one is overpowered.



## Chapter 4

### Understanding the Nihilistic Worldview

Moral philosopher Michael Hanby has written a compelling article entitled, *American Revolution and Total Revolution: Del Noce and the American Experiment*. Hanby attributed to Del Noce, a 20<sup>th</sup> century Italian philosopher and political thinker, this assertion, “[T]he root of the political crisis in the West is not itself political but metaphysical and religious. At its core is the elevation of becoming over being.”

What Del Noce and Hanby are talking about is the belief of many that there is nothing beyond (meta) the matter or “stuff” we can observe (physics). This is the denial of creation and an associated belief in an eternal Being distinct<sup>2</sup> from all other beings from which they receive being, i.e., the God of the Bible. That belief is replaced with the belief that persons are only beings in the *process* of *becoming* something other than what they now are, presumably better and more human. There is nothing “meta”—beyond—the mere physical to which the nature of human beings, including man and woman, conform.

Being human is thus a moving target guided by nothing fixed. All is malleable, and we cannot know what we are becoming until we get to the next stage. In other words, we are (a “being” word!) nothing now, and we don’t know what we will next become. This is evolutionary

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<sup>2</sup> Pantheism posits a God, but its God is not distinct from creation; pantheism is a religion of becoming and, in that sense, it is no different from what Del Noce described—it converts being into becoming.

thinking, and it explains why new U.S. Supreme Court Justice Ketanji Brown-Jackson could not define a woman.

Hanby then said one of Del Noce’s greatest insights was this: If we “annihilate all but the barest ‘biologicistic’ conception of human nature,” nature “is simply whatever can be observed, which means anything is just as natural—or unnatural—as anything else. The family must be dissolved; only then can the ‘*meta*-empirical order of truth’ finally be abolished. The fundamental realities of human nature—man, woman, mother, father, child—must be perpetually redefined.” (emphasis added).

Under this philosophy, the only “meta” is data that can be empirically measured and evaluated, which means any “meta” other than our physical existence must be dissolved. In other words, there is no given or fixed human nature that could lead to any meaningful categories of human existence into which our physical matter “fits” such as man, woman, mother, father, parent and child. Of course, this means marriage and the family are not real, given, or fixed types of social institutions. All we have is biology—data that can be scientifically measured and compared—and the new “order of truth” is simply us—one of us, some of us, or all of us—deciding how to organize the data and giving it the meaning we want.

Jeff Shafer, director of the Hale Institute at New St. Andrews College, put it this way during an exchange with one of the hosts for the CrossPolitic podcast aired April, 2022 on the Fight, Love, Feast Network:

Host: If your Christian faith is not grounded in history; not grounded in the created reality, this

world; Jesus had a body that he rose from the dead in; and that God created this world and has fixed realities, then what stops somebody from saying inside my body -- despite what my body looks like, I feel like a woman, even though I have a biological male body?

Shafer: Let me suggest something that perhaps would be helpful in filling some of this out.

Host: Yes.

Shafer: There is a change – and this goes back quite a few centuries, but it kind of picks up speed through time—and that is conceiving of the human person, the body, [and] creation more broadly, not in terms of givenness and created meaning being present, but rather in terms of pure materiality. That is to say the person is understood as a composite of measurable functionality. So, we can't say what a person is on this new account. We can only say what it does and what we can do with it.

We just see people as a compilation of parts with no particular meaning associated with them. They just serve functions. You can pull pieces, you -  
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Hose: Plug and play.

Shafer: -- fragment the individual.

Once we see human beings as a compilation of parts, the parts can be monkeyed with. Transgenderism is nothing but a new form of eugenics implemented not by some

persons against other persons—the strong on the less desirables in society (e.g. Black people according to Margaret Sanger), but against our own selves—removing what is undesirable about our bodies to leave what we think is desirable.

This is the fruit of the Nihilistic Worldview—each of us is nothing but a blank canvas on which we draw pictures of our feeling (emotive) selves. There is nothing objective, nothing real, nothing fixed, nothing given about us. We are nothing.

Unless this worldview is rejected and a creational worldview is adopted *and* applied, then marriage—as represented in the MCRA—is not a real thing but only what we say it is. And we currently say it is nothing without a state license.

The testimony offered in support of the MCRA intentionally rejected the Nihilistic worldview and was supported by testimony that rested on a God-of-creation interpretative worldview. Testifying in relation to state government’s authority (actually, obligation in God’s sight) to honor marriage defined expressly in terms of man and woman as husband and wife, the Christian legal expert said:

*Obergefell* [did not] require or authorize the idea that States need abandon the common law recognition that the husband-wife union represents *a pre-political reality* and is unique and central to the *preexisting* family order that state domestic relations law thereafter *approaches and reinforces*.

Further, the Court in *Obergefell* did not rule against the venerable legal principle that kinship bonds between a child and his mother and father are of *primal* human significance and *call for* the law's deference and protection, as these bonds together represent a family relationship of a *normative* type.

That is to say: *Obergefell* did not purport to eliminate a state's prerogative to continue to acknowledge in its legal standards *the natural family*.

The appeal to legislators was to acknowledge a reality that goes beyond mere biology to a given and fixed law of human nature that informs and defines a type of relationship not derived from politics, but one that politics “approaches” and “reinforces” by “deference and protection.”

Whatever those in the legislature who had an opportunity to vote for the MCRA may want to say was their reason for voting against or not actively pushing for a vote MCRA, at bottom, it was a practical and as-applied denial of the fundamental importance of creation and, by extension, of God to law.

How, though, could such an assertion be true if the legislator voted in favor of transgender sports bill? By that vote isn't the legislator acknowledging and affirming the man and woman categories of human meaning?

Good question, but to get understanding, the better question is how can differing positions on the importance of the MCRA and the transgender sports bill be reconciled. I will now begin to explore that.

## Chapter 5

### A Nihilistic Argument Against Nihilism

In answer to the previous question, let me begin with this proposition, the truth of which I think will become clear: The stated and avowed purpose of the sports bill was to “save women’s sports,” not save women as a creational-given and fixed category of persons distinct from men having a public meaning (as opposed to private, individualized meaning <sup>3</sup>) that all enacted law must acknowledge and to which it must conform. It was about fairness in athletic competitions. The testimony of a different Christian policy expert in favor of the Bill proceeded accordingly. Here is a transcription of two of the key points made.

Policy Witness: This body must act to set a clear, fair, and *scientifically based* policy to guide schools and colleges and to guarantee *equal opportunities* for female athletes.

Policy Witness: Every student should have the opportunity to play sports, but the question is, what is the most fair way to organize them? The solution is HBXXX, which ensures that all female athletes have *a level playing field to compete and win*.

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<sup>3</sup> Notice that what starts as private and individualized meaning will eventually be given public meaning because individuals are also relational beings who live in community. If a public meaning is not given or supplied by a God who made us and defines who we are, then it will be supplied and forced on us by those with the power of the sword. More on this point is in the last Chapter.

Notice first that the issue is fair sports competition. It is about competition *and* winning.

Second, notice that science is the field of knowledge to which legislators were urged to look (not metaphysical categories) to create fair competition. Since science cannot provide meaning, the competition fairness problem can only be solved scientifically by means of biological data empirically measured and tested to which human authorities, here legislators, assign a meaning. *That* scientific method will produce fairness. The Christian is speaking the language of the Nihilist, playing by the Nihilist's rules of how persons are to be understood and defined, a "meta-empirical order of truth."

Given the Christian expert's adoption of the Nihilist's worldview, the specifics of the testimony to support the legislation conformed to that worldview. It did so by arguing in terms of the empirical data by which fair competition should be understood:

Policy Witness: When we look at sports, there's a long history of recognizing physical differences and categorizing sports. As you mentioned, we do it with age, we don't let the 20 year old compete against a 12 year old. As [the female athlete witness] brings up, we do it in wrestling. We don't allow the 250 pounder wrestler to go against the 130 pound[er] because we recognize the differences. And the same reason we do so based on biological sex because as [the female athlete



witness] pointed out, there is study after study after study demonstrating those biological differences.<sup>4</sup>

Of course, no one would dispute the existence of biological differences between humans with different reproductive organs, but that is beside the point according to the Nihilistic worldview. The question is what meaning should be given to those differences?

And who decides that?

Given to whom the appeal was made, presumably this authority is the civil government. It is to the implications of that assumption I now turn.

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<sup>4</sup> This example is not exhaustive of the application of a Nihilistic worldview by Christians to policy issues. A Nihilistic worldview argument was also made by Christians in opposition to the U.S. Supreme Court's decisions in *Roe v. Wade* (1973) and *Casey v. Planned Parenthood* (1992). With respect to the Mississippi law prohibiting doctors from performing abortions at 15 weeks described in *Dobbs v. Jackson Women's Health Organization*, (2022), one noted Christian organization proffered the following reason for upholding the law, "At 15 weeks, unborn babies have a heartbeat, can move around and kick, sense and respond to physical stimulation, taste what mom eats, open and close their fingers, and hiccup. They can also likely sense pain—which is undoubtedly what an abortion inflicts when it requires the unborn baby to be crushed and torn apart. That's barbaric and has no place in a civilized society." It is barbaric, but do those considerations have any ultimate meaning when compared to an individual woman's understanding of her own meaning? Who decides that? God or civil government? The organization's name is not important because the same kind of argument was made by others. It was explicitly set forth in the abortion law adopted by the Tennessee General Assembly in 2020.

## Chapter 6

### A Concession to Totalitarianism

It should be apparent the argument made in support of the MCRA is fundamentally different from the one made in support of the transgender sports bill. The whole concept underlying the MCRA along with the associated testimony pointed to marriage as a pre-existing reality defined in terms of male and female who bear given and fixed distinctions as man and woman suited to their God-ordained functions as husband and wife (and perhaps later, as mother and father). The problem with obliterating or obscuring the givenness of these two categories of persons and their God-ordained functions as husband and wife by reducing them to *mere* biological data is well stated by Michael Hanby, “If all truth claims are merely the expression of class interest, bigotry, or psychosis, *if ‘only what is subject to empirical observation and can be empirically “represented” . . . “is,”*” then there is no possibility of argument; there is only rhetorical persuasion and manipulation.” (emphasis supplied)

In sum, the Nihilist worldview says all we have is data we can measure, and the data just is what it is until one side can persuade or manipulate the other into thinking about that data the way it does. Notice how this kind of argumentation played out in the opening portion of the Christian policy expert’s argument for the transgender sports bill.

Policy Witness: Pennsylvania swimmer, Lia Thomas, a male who identifies as a female, has been breaking women's records since the fall and

just a few weeks ago captured a national championship in women's swimming. HBXXX would help to prevent stories like these from happening in Tennessee.

The thrust of the argument is this: We don't like this, and we hope you will not want to be reading or hearing in the news about this happening in Tennessee under your watch. There was never any appeal to any truth about women as a given category of persons, though perhaps there was a subtle attempt at manipulation—How is this going to look Mr. Legislator? What is this going to say about you, Mrs. Legislator, if this bill fails?

The argument *was* a “political win” for Christians, but will that type argument stop the next “bad thing” that comes along that some Christians and biological women will consider unfair? I don't know; however, I do know the argument made in favor of the sports bill did not encourage anyone to reconsider the worldview that produced the situation that generated the bill.

Therefore, Christians (and biological women) will again be dependent on what the majority in the legislature (or the U.S. Supreme Court) thinks will be “fair”—not a legal concept like justice—considering the empirical measurables *they* think *relevant to that situation*. Maybe in his *becoming*, a biological male can at some point evolve into a woman for other purposes—like women's shelters and lodging during criminal confinement.

When civil government can accept or reject creational realities, and when it thinks it can create realities apart from

God and even against given creational realities, then that is totalitarianism.

It is in Nihilistic totalitarianism that we find a rational explanation for why man and woman did not matter in the MCRA but did matter in athletic competition. Recall that I said this in Chapter 1:

It would be easy enough to say that marriage involves a different question as to the relationship between marriage and athletics to the state. But why is that so? In both cases it seems like the state is deciding who can do what.

The rejection of the MCRA and the adoption of the sports bill is best explained on the basis that, in both instances, civil government was playing the role of God. With respect to sports, men and women, empirically considered, matter. With respect to the definition of marriage, they don't. Man and woman as constitutive of marriage do not represent a reality independent of civil government. Marriage, like "fair" sports, is now a creation of civil government. A government permit is required. Civil government decides when the, categories of man and woman, now empty of real meaning, are relevant, which, as was demonstrated, depends on the issue and the political circumstances.

There is no longer any external restraint on civil government, nothing real, given, or fixed to which it must bow in its decisions. This puts us at the mercy of the arbitrary whims of the civil government. This is totalitarianism, and it is the logical consequence of a Nihilistic worldview.

When we proceed in conformity with a Nihilistic worldview, we are building a public policy house on shifting sand. That is trouble. When the tide from the prevailing Nihilistic worldview next rises too high for us to tolerate, we all, Christians included, will have to persuade, or manipulate our new savior—civil government—to act and apply its powers to protect us.

We may wish we had been building an ark.

## Epilogue

The argument in support of the transgender sports bill seems to concede that men and women should be reduced to “the barest ‘biologistic’ conception of human nature.” I see two Christians worldview problems with this concession.

First, making a biological-only argument begs the question of whether that is the only way man and woman can be defined. By begging the question, one must be presuming people cannot really know anything true about man and woman, despite what creation screams at them every day (compare to the argument made by Paul in Romans 1:18 and following).

When the “biology only” argument is made, the categories of man and woman are reduced to nothing but matter, a purely materialistic worldview that denies all categories of being beyond mere matter. This means all metaphysical categories (justice and love, for example) are eliminated from consideration. We are left with “fair” at best.

However, meaningful ethics depends on what something is and if metaphysical categories are excluded by the Nihilistic worldview, and they are, what is wrong with changing or rearranging that matter—our bodies? Nothing. The Christian’s only answer is, “It’s not fair”, which begs the question, “What makes it unfair?” Fair is a non-objective, standardless substitute for the metaphysical question, “What makes for just competition in the field of athletic endeavor?”

Of course, the fact that the “transgendered person” still speaks of categories—men and women—and seeks to move from one category to another (e.g., man to woman) demonstrates that the “transgendered person” knows those categories have real meaning. The transgendered person’s argument is self-refuting. If there is nothing real about those categories, there is no reason to transition from one to the other. To war against God and created realities is to lack understanding and wisdom and, in the final analysis, futile, which should encourage Christians to press their case for the sake of those living futile lives (Psalm 94:11, Romans 1:21).

That these kinds of points seem “off the table” in public discourse demonstrates the level of rot that exists in our national thinking. That so many Christians are unwilling to broach the subject, *even as an adjunct to their Nihilistic worldview argument*, demonstrates conformity to the thinking of the world.

Had the Apostle Paul approached the worldviews of his day at Mars Hill the way some Christians approach the transgendered worldview being manifested in sports, he would have never asserted that it is in God we live and move and have our being (Acts 17:28). The worldview discussion that was needed would never have occurred.

Christians today need to be as discerning and courageous as the Apostle Paul. Paul was not trying to “win an argument,” but point people to the God of creation as their true point of reference, which leads to my second point.

Resorting to a Nihilistic worldview argument instead of challenging that worldview in any way seems to make passing the legislation the object of the Christian, not the glory of God. It pushes Christians toward focusing on what argument will “win” *in the moment* to stop what we do not like.

Impeding the direction in which the Nihilistic worldview is headed has value, but there is not much of an impediment and certainly no change in direction when the argument for the hoped-for legislative impediment reinforces that worldview.

A total change of direction, a complete about-face to the God of creation, is really needed if a Christian foundation for law is to be restored. It can start in the context of marriage or sports competition. But it will not start if the nature of argument employed is the same as that which led to *Obergefell* or transgendered men winning female athletic contests, respectively.

The Christian’s goal is the glory of God. To do that, we must define our terms according to God’s objective truth. It is highly unlikely that using worldview tools from the Devil’s toolshed to fight God’s battles will glorify God.

Worldviews matter. Words and their definitions matter. And glorifying God in *all* things, even in how we understand our bodies (1 Corinthians 6:20), matters.



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