

## Where Did Gender Ideology Come From? | with Dr. Jay Richards

(October 20, 2023)

### FRANK:

Ladies and gentlemen, where did gender ideology come from? What's its history? And what can we do about it? We're here with Dr. Jay Richards, who actually has done some amazing work in so many fields. And right now, he's working with The Heritage Foundation on gender ideology. Jay, it's been a while since we've had you on. We had you on for 'Money, Greed, and God.' We had you on for 'The Price of Panic.' I mean, and you were one of the original authors of 'The Privileged Planet.' You've done so many great things in apologetics and public policy. Give people an idea of your background. I mean, you went to Princeton.

### JAY:

Absolutely. It's basically, you know, I'm a sort of mutt I suppose. It ended up in philosophy, essentially. But theology, political science, and philosophy, and especially analytic philosophy. So, you know, kind of the focus on clarity, and definitions, and arguments, which is kind of an intellectual Swiss army knife. It allows you to be a parasite on all the other disciplines. And that's sort of what I've done. So, a lot of stuff on the kind of intersection of theology, and philosophy, and natural science, and economics, and social science. And now, honestly, I'm just down in public policy, which is where ideas really have practical application.

### FRANK:

And right now, we're at Southern Evangelical Seminary's Steadfast conference here, just outside of Charlotte, North Carolina. You just gave a great presentation on gender ideology and what we can do about it. Let's start at square one. Where did this come from, Jay?

### JAY:

Gender ideology is the distillation of all the worst ideas of the 19th and the 20th century. And so, you can trace it. In a sense, it's a kind of form of cultural Marxism, which defines all of social interactions in terms of oppressors and oppressed. You've got kind of this element of post modernism in there in relativism. But you also have this kind of perennial heresy of Gnosticism, which splits apart the body and the soul. So, with gender ideology, what you really are, is this internal sense of gender, called the gender identity. And your body is just this shell. And if your body is incongruent with who you really are, your internal sense of gender, well, then the way that you fix that is by changing the body to conform to that internal sense of the self.

It's what Carl Trueman calls the merely psychological self. And then, now throw in the sexual revolution itself, which divided sex, and marriage, and childbirth, and the complementary nature of male and female. And all of that gets distilled into gender ideology. And I think that in some ways, that's an opportunity, because we can actually see where a lot of the toxic ideas of the last couple of centuries end up. And they end up in destroying the sexual function and fertility of children.



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**FRANK:**

You mentioned in the presentation (and unpack it for our audience if you can) that when sex, marriage, and childbearing were separated, it would inevitably lead to this kind of gender ideology. Why? How so?

**JAY:**

Yeah. And so, I would say it's that plus technology. So, technology amplifies. So, in that case, it's only really practical to separate sex, marriage, and childbearing once it was easy to prevent the outcome, right? Children. So, the birth control pill makes that feasible. It doesn't reduce out of wedlock births. It massively increases the number of people having promiscuous sex. And so, then what do you do? Well, you need abortion. You need an abortion regime. And so, you work your way through this. You get same-sex marriage. You get no fault divorce.

What same-sex marriage did is it said, well we've already agreed that marriage doesn't have anything to do with childbearing. So, you need a man and a woman to bear children. But if it has nothing to do with childbearing, why would it need to be a man and a woman? Why couldn't it just be two men or two women? Why would it need to be two? I mean, the whole logic of two only make sense because it takes exactly two to mate. If mating isn't what marriage is about, then you know, you don't need that. And so, Obergefell, the Supreme Court decision in 2015 sort of said legally, there should be no difference legally between natural marriage, real marriage and something we will call marriage between people of the same sex.

So, that denies the sexual binary's relevance in marriage. What's the next step? Denying the sexual binary itself, treating people as if they're sort of androgynous or interchangeable. That was already happening, the kind of denial that fathers and mothers have unique contributions as parents. They're supposedly sort of interchangeable. And so, almost immediately after Obergefell in 2015, which is about same-sex marriage, you got the so-called trans issue, gender ideology.

Even though intellectually, the foundations had already been built. So, they're already teaching it in teacher's colleges. The ideas had already worked their way. You had gender theory. You had gender studies. You had something called queer theory. All that stuff's kind of in the intellectual firmament. But the way it's worked its way practically into our schools and now into pediatric medicine, that's the kind of most extreme manifestation, most visceral manifestation of gender ideology.

**FRANK:**

Why do you think this all must be taken together? I'm thinking right now in the context of the conflict between Hamas and Israel. It seems that there are people in our country, despite the fact that Hamas says that they literally want to wipe Israel off the face of the earth...

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**JAY:**

It's in the charter.

**FRANK:**

Oh, it's in the charter. It's been going on for 1400 years in Islam. Yet, the West somehow does not seem to fathom how people could say and do this. We don't want to believe them, that they want to murder anybody who's not a Muslim. Yet there are people in this side of the pond here, Jay, that will say the Palestinians are oppressed. And so, they're part of the people that we need to support. Just like we need to support gays, and transgenders, and women, and anybody who's non-white. Why does it all have to be taken together is my question?

**JAY:**

Okay, so the easiest way to think of that is this phenomenon that we call woke, which is just the word that we picked. What woke really refers to is conflict theory. What is conflict theory? Conflict theory is a super simplistic sociological analysis, which just says everything that happens in society is the result of a conflict between two groups of people. There's an oppressor, and there's an oppressed. It might be the proletariat and bourgeoisie. That was traditional Marxism. It might be blacks versus whites. It might be gay versus straight. And so, you frame everything in those terms.

Now, conflict is part of social reality. But it's by no means all of it. And so, then you just constantly looking for, in this situation, who's the oppressed and who's the oppressor? Very often, it's which one is the smaller one? And so, in the case of Israel and the Palestinians, we're not looking at Israel being a tiny country surrounded by a hostile Muslim world. We're looking at just the Muslims that happen to be in the Gaza Strip. And so, in the West, if you think about it...

Because conflict theory is a form of Marxism. What do Marxists hate more than anything? Well, they hate the best parts of western civilization and our institutions. And so, this is how you can get, you know, like we had just this last weekend a woman that said queers for Palestine. So, this is a woman referring to herself. From the picture she looked like she would have been non-binary, in support of the terrorists, Hamas. It seems so counterintuitive, but it's only because it's this kind of association. Well, they have a common enemy. All of these things, all these studies, all of these kinds of manifestations of critical theory, they're not coherent philosophical worldviews. What they are is cultural wrecking balls.

The point of them is to just destroy the present order. That's the point of gender ideology. And the theorists will tell you this. So, the purpose of this is to destabilize people's categories of reality, including their categories that we use in biology. Because once we destabilize that, we can destabilize the culture. And then we can presumably get the kind of Utopia we've always hoped for. That's how in their minds they're connecting all of this. Think of it as they've all got a common enemy. Whatever it takes to destroy the present order, that's fine with us.

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**FRANK:**

So, would they consider the Jews oppressed in World War II or not?

**JAY:**

Yes, in that context, likely. But Jews went immediately from oppressed in that context to oppressor.

**FRANK:**

Are Muslims in their view ever oppressors?

**JAY:**

Well, see, this is the kind of incoherence of this. Because if you ask them, okay, so what about...? I can think of 1000 situations in which Muslims are oppressing Christian. But yes, except you've got to understand that this isn't an abstract analysis of oppressor/oppressed. It's oppressor/oppressed applied to a destruction of Western civilization. So, they're not going to be principled and universal about that distinction.

**FRANK:**

Well, we're going to unpack more of this and particularly with regard to gender ideology, right after the break. You're listening to I Don't Have Enough Faith to Be an Atheist with me, Frank Turek. My guest today, Dr. Jay Richards now working with The Heritage Foundation. Although he's also with The Discovery Institute. He's taught at many great colleges. Well, if there are any great ones left. But he's the man. And we're going to be back in just two minutes. Don't go anywhere.

If you're low on the FM dial looking for National Public Radio, go no further. We're actually going to tell you the truth here. That's our intent anyway. You're never going to hear this on NPR. We're talking to Dr. Jay Richards. We're talking about gender ideology. But right now, we're talking about it in the context of wokeism in general, and how it seems that this is not really coherent, Jay. Because there are people who they would consider oppressed, who in the real world are oppressors. Can you give us some examples of that?

**JAY:**

Muslims versus Christians and Jews is a perfect example. I mean, you know, of course, the reality is, Muslims in a predominantly Christian country live peaceable existences. Christians in predominantly Muslim countries don't. So, this idea that we're going to sort of attach the category of oppressor to all Christians and oppressed to all Muslims is just totally bizarre. But that's because we're thinking of it in literal terms, right? We think what oppressed and oppressor mean is that you're actually coercing someone, right? It's like descriptive. They think of this in ideological, and almost metaphysical terms.

And so, for instance, another category of this kind of relationship would be critical race theory in which the oppressor/oppressed is black versus white. And you might think, oh, they're talking

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about white people versus black people like based on the color of our skin. But then okay, so what about a black person who's conservative, right? They're not actually black in the appropriately critical sense. They're white because of their ideas.

And so, what they mean by black, is just the person that we define as oppressed. And white is just the person that we define as oppressor. We mentally associate it with these kinds of visible ethnic categories, but it's actually something else. And so, that's why it's sort of bizarre arguing with folks that are kind of in the throes of this because they really do think of all social dynamics in terms of this oppressed, oppressor category. And the categories don't even map accurately on to the joints of reality that we're seeing before our eyes.

**FRANK:**

Well, they don't think reason is something that can be used because it's part of oppression to them, right?

**JAY:**

Absolutely. Right.

**FRANK:**

So, how do you reason with someone who doesn't want to reason?

**JAY:**

No, this is the dilemma. You think of this as cultural Marxism refracted through French postmodernism. And then what comes after French postmodernism? It's totalitarianism, because nobody's really a relativist, right? And so, it's like if there is no truth, then all you've got is power. And so, it's fine for me to exercise arbitrary power. But they know that they've got to kind of use the argument for rhetorical reasons. They don't actually believe in it. And so, that's why our job is not to persuade the woke ideologue of their confusion. It's to persuade the audience, don't listen to them because they're deeply confused.

**FRANK:**

So, would it be fair to say that as we define this kind of wokeism, that every once in a while, they inadvertently swerve into the truth?

**JAY:**

Sure.

**FRANK:**

But generally, it's ideology over reality.

**JAY:**

Absolutely. Yeah. And so, it would never work if they weren't able to weaponize our own compassion and morality against us.

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**FRANK:**

Unpack that, weaponize our own compassion.

**JAY:**

Absolutely. So, for instance, racial tension. So, if you're a white American, like I'm central casting on this. I don't like the fact that slavery existed. I don't like the fact that integration was a part of our history. I still get outraged.

**FRANK:**

Meaning that you had to integrate them.

**JAY:**

Yes, all of this is bad. And so, if there's actual racial animosity in which a person is being oppressed because of their ethnicity, I see that as unjust. And so, they know that. And so, they can appeal to that. And they're hoping that I'll just use that association. And then the last thing I want to do is be accused of racism. Why? Because I think racism is bad. I mean, if I didn't care, if I thought that's fine, it wouldn't bother me. And so, they're constantly...

That's something I think, especially Christians in particular, because I think we try to be concerned and compassionate about people and treat everyone as a creature made the image of God. The smart people on the other side know how to use that against us as a kind of jujitsu, in which they use our own morality and our own compassion against us. I mean, straight out of Alinsky's 'Rules for Radicals.' Make your enemy abide by their own set of rules.

**FRANK:**

And yeah, they're certainly doing that. How are they doing that with gender ideology?

**JAY:**

Oh, I mean, so the perfect example of this. And so, when I talk to people about this initially, they think well really what this is about is that they're just some kids that struggle and maybe they are not comfortable with their bodies, and maybe they really were a girl born in a boy's body. And so, we want to love them and have compassion for them. And so, if that means giving a girl testosterone or something that should be fine because it helps them. That's literally the frame in which I would say most kind of middle of the road Christians that have not thought about this, this is kind of where they are. And they don't realize there's a bunch of truth claims you're making here that aren't true.

First of all, it's completely bizarre to think that a person could be born in the wrong body. What does that even mean? What's actually happening when a child is having these problems? What actually causes it? And what will help it? Those are all truth claims that are going to be dependent upon the evidence and the science. But that's not the kind of question that's easily asked, because everybody's kind of been programmed to think the right way about this, the

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official way to think about this. So that if you deny it, it's not just that you think, which is what I think. Actually, there is a way to help these kids and we need to absolutely help them. And that way is not help. That's harm. That's my view, but they just see my view as well, I hate them. Or I deny that trans kids exist. That's what I've had half a dozen reporters say. Do you believe that trans kids exist?

**FRANK:**

How do you respond to that?

**JAY:**

Well, so this is one of these, I now know how to respond to it. I said, what do you mean by trans kid? They don't want to say, do you think that kids can be born in the wrong body? Because they kind of know that sounds crazy, right? What are they saying when they say, do you think a trans kid exists? Do I think kids with gender dysphoria exist? Of course. There's no debate about that. What does trans kid denote? What does it connote?

Well, it's really, are there people who might be biologically male that are really, in some sense, female? That's what trans kid is code for. But what they want me to say is something that sounds to everybody else like I'm denying the actual existence of some set of people. And so, they're already kind of playing the game. And so, I now know how to answer it. I said, what do you mean by trans kid? How do you define it?

**FRANK:**

And how did they finally respond?

**JAY:**

They'll prevaricate. So, I can tell you in one major interview, I didn't ask that. I just said, I think that there are kids that have gender dysphoria. I don't think that kids are born in the wrong body. I just sort of answered it directly. I think the better way to answer it is to force people to define the term.

**FRANK:**

Yes. That's a Greg Koukl tactic that we talk about a lot.

**JAY:**

That I know, but I always forget it. [Laughter]

**FRANK:**

Yeah. What do you mean by transphobe?

**JAY:**

Yeah, exactly. What is trans? What are you referring to?

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**FRANK:**

Has anyone discovered any genetic reason why young kids think they're the opposite sex?

**JAY:**

No, we cannot find the moment anyway, that there's a biological basis to this. There was a speculation maybe 10 years ago, that there might be a kind of brain type because we do know there are differences between male and female brains. The idea is, you'd have a boy, biologically, that says he's a girl. You do a brain scan, and he would have a typical (however you define that) female brain. We haven't found that. Besides which, there'd be a chicken in the egg problem, of course. There doesn't seem to be any obvious genetic component to it. It's clear to me that we're dealing with a social contagion in which a particular idea is being overlaid on other problems. And so, most kids now that present with symptoms of gender dysphoria have other comorbidities, psychologically.

So, they may be on the autism spectrum. They may be depressed. They may be socially isolated. It's things like that. And so, then they have this kind of interpretive category from social media, maybe from their teachers that, oh, you're struggling with the way your body feels? You feel like an outcast? There's a way to fix that. It just requires these drugs, and then later surgery, and then you'll be your true self. And so, it's a sort of diagnosis and a solution for something, a real problem. But rather than dealing with the real problem, they sort of end up going down this transition pathway. And we're already seeing the effects of this in detransitioners. These are kids that go some ways down that pathway and then realize it was a terrible mistake.

**FRANK:**

Like Chloe Cole.

**JAY:**

Chloe Cole. Yeah, that's probably the best known example. But of course, there are dozens of detransitioners like Chloe. And unlike Chloe, who's very articulate and sort of telegenic, a lot of detransitioners, when you meet them, you would say she was the awkward girl in her school and got preyed upon by this ideology. And that's exactly how I feel about this because this is a child that needed help, needed love, and needed compassion in a relationship. They should be allowed to go through natural puberty and then see what happens there. And instead, they get sent on this pathway toward transition. And once they start on the pathway, it's hard to get them to go the other way.

**FRANK:**

Yeah. You mentioned in the presentation the point about sterilization. Can you drive that home here?

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**JAY:**

Absolutely. It starts with social transition, which is a psychosocial intervention. If the child is young enough, they'll go to puberty blockers to stop what would otherwise be natural puberty. Then you put them on cross-sex hormones to do what the puberty of the other sex would do to some degree. Now, you're not going to actually grow testes for a girl, obviously. But you can lengthen the vocal cords, and change your body composition, facial hair, and stuff like that. If you're a female and you're taking heavy doses of testosterone, that's going to atrophy your uterus, your vagina. It's going to do a serious number on your ovaries. And so, you can be close to sterilization just from the drugs.

Now what happens when you actually remove those organs? I mean, ultimately, that's complete sterilization. But you're already on the way there when you're taking cross-sex hormones. And so, people thought the sexual revolution was about elevating sex and the pleasures of sex. Well, you might have thought that's what it was because that was the branding. What it actually is, is we're sterilizing kids. And, oh, I didn't mention, destroying their sexual function overall.

**FRANK:**

So, they might not have any sexual function. Not only will they be sterile, they will not experience any sexual pleasure.

**JAY:**

That's right. In-orgasmic. In fact, pretty much so far as we can tell, any child that gets put on puberty blockers early and then goes through that pathway, they're not even going to be able to experience orgasm. So, it's not that they just won't have kids. They could never have the kind of relationship that sex enables in a marriage.

**FRANK:**

This is what the left is about today, ladies and gentlemen. And if you don't understand this, your compassion might be weaponized against you as Dr. Jay Richards has just mentioned. Jay, you've pointed out that 80, maybe more than that, maybe 90% of kids who have gender dysphoria grow out of it by the time they're 18. But what about the ones that start the transitioning? Did they go back to their biological...?

**JAY:**

They don't. And so, we know this for the earlier DSM. That the large majority (depending on the study of kids) allowed to go through puberty naturally, those symptoms will resolve. If kids are even socially transitioned, they're very likely to go on to puberty blockers or cross-sex hormones. And if they do that, they're very likely to keep going. And so, this basically, it's iatrogenic is the word (in which there's actually an effect from the medical intervention). The medical intervention itself locks kids into that pathway that would otherwise resolve itself. And so, it's not just that you're harming kids by doing this. You're actually preventing the best known way of resolving the problem.

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**FRANK:**

There are also other side effects that come from this. Osteoporosis is one, heart issues. There are all sorts of different side effects that come from trying to get your body to go in a direction it was never meant to go. And we're going to cover more of that after the break. We're here with Dr. Jay Richards. We're talking about gender ideology today. Jay is working in policy on this issue from The Heritage Foundation in Washington, D.C., a conservative think tank that does some very practical things. We'll talk more about that after the break. You're listening to I Don't Have Enough Faith to Be an Atheist on the American Family Radio Network. We're back in just two minutes. Don't go anywhere.

Welcome back to I Don't Have Enough Faith to Be an Atheist. Ladies and gentlemen, next week, we'll be at three universities. We've got a couple in Northwestern Missouri. They're all on our website. And then on the 26th, we'll be at Auburn University doing I Don't Have Enough Faith to Be an Atheist. They've had some spiritual activity out there. Baptisms have occurred, including the coach. Hugh Freeze was actually baptizing students, the coach of the football team at Auburn, Go War Eagle there. So, we're going to be out there on the 26th. It's open to anybody. You don't have to be a student. You can just be from the community and come. So, check all that out on our website. Then University of Cincinnati on November 2. And then right after that, I'm going to be with Alisa Childers and Natasha Crain doing our Unshaken conference near Nashville, Tennessee that weekend. Go to [CrossExamined.org](http://CrossExamined.org) for all the details. Hope to see you out on the road.

I'm here with my friend, Dr. Jay Richards. We're talking about all this gender ideology. Where did it come from? What can we do about it? Where is it ultimately going to wind up? Jay, in the presentation you're giving here at the Steadfast conference. You just gave it. I think you may have quoted a pope when you said something about defending the faith and reason. Can you unpack that?

**JAY:**

Yeah, it's from an encyclical that Pope John Paul II wrote called, 'Faith and Reason', in which he said that faith and reason are the two wings that lift us up to the contemplation of truth. So, it's not like, okay, well if you're a Christian, you don't believe in reason. You don't believe in the natural world, right? All you have is special revelation. He said, no, you've actually got both of these things. God's created a world. He's created our reason, a human mind to be able to comprehend the world. It's His world. It's this alien world. And then He's also revealed Himself and expects us to have faith and trust in Him. Those things go together like wings. You can't fly unless you've got both wings to lift you up. And so, that's the idea.

And the reason I mentioned that is because, first of all, I think that's kind of the general task of apologetics itself is that you help people using reason where they are to bring them into the fullness of the faith. But also with gender ideology, we have the bitter ends of a particular ideology that ultimately denies reason and reality itself. And I referred to the next pope after John Paul was Benedict XVI, who talked about the dictatorship of relativism, and predicted a

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time in which the Church, when Christians would be the bulwark of defense of reason itself. And I think that's where we are.

People deny basic biological reality. That's what gender ideology does. It's like, what you think of as sex that's observed, that you can see, that's a real thing in the world, no, that's not what is real. What's real is an internal sense of gender called gender identity. And then sex is just stereotypes called sex assigned at birth. So, you get a purely psychological state independent of the body and a social construct or convention. And you don't get to have the reality that every culture and every time and place previously had thought was just sort of obvious to the evidence of the senses.

**FRANK:**

But Jay, if that's the case, if those two are unrelated, if sex (which what we mean by sex is biology) and gender (what they mean by that is their mental state), why are they always then trying to align the two? If I'm a man, and I think I'm a woman, and my gender and my sex are different, why do they suggest that I try and align my body with my gender then?

**JAY:**

There's actually a debate among the ideologues on this very point. Because some say, well actually, if what you really are is this internal sense, the outsides don't matter. But they use the category of sex assigned at birth. So, what they say is in principle, that's true. But because you have had imposed upon you the stereotypes and expectations of a particular sex, you feel discordant. And so, the way to resolve that discordance would be to conform your body to whatever those stereotypes are. And then you'll feel natural. So, in principle, you wouldn't have to do it.

But if you're a woman that feels a particular way, like a man (the associated stereotypes of a man), the way to resolve the symptoms is to just sort of conform to the stereotype. So, that's why those two categories are important. According to them, gender dysphoria, is that your gender identity doesn't conform to your sex assigned at birth. And so, what you want to do is just conform the stuff on the outside to the real thing, which is on the inside. I mean, that's the best you're going to get. I'm trying to steal man the argument.

The reality is that it's a complete mess, because once you detach it from sex, what is gender exactly? And that's why they very quickly realize, it actually doesn't have to be male or female. It doesn't have to even be both. It can be some unrelated thing that's sort of orthogonal to those categories. Two-spirit is a gender identity. There's no limiting principle once you detach it from these bodily realities.

**FRANK:**

Well, sex assigned at birth, of course, is ridiculous. It's discovered at birth. And most of the time, long before that with modern technology. And you know, when somebody is born, the doctor doesn't go, "Hey, nurse, what do you think?"

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**JAY:**

Yeah. What's the convention on this? Cultures at every time and place, levels of literacy, scientific knowledge, religious and metaphysical views, all have the category of male and female and know exactly what it is. And so, if anything is the deliverance of reason, it's this. And so somehow, we're treating this kind of bizarre amalgam of weird European philosophy as settled, but not these categories that are absolutely universal in all time and place throughout human history. I mean, give me a break.

**FRANK:**

What you said there where Benedict said that Christians are called not just to defend the faith, but to defend reason itself. Folks, you need to marinate on that thought because that's where we are now. We're not just defending the faith. We're defending reason itself. And by the way, faith and reason are not opposites. The opposite of reason is irrationality. It's not faith. In fact, the opposite of faith is to distrust. So, it's ironic that these people who claim to be all about well, the left has long claimed to be all about reason and all about science are the very ones denying reason and denying science, Jay.

**JAY:**

No, absolutely. And that's what's different about this issue. And that's what is in some ways, kind of [unintelligible] about being involved in this, is that it's a very diverse coalition of people. So, I'll give you an example. Richard Dawkins, uber-atheist, Darwinist, Richard Dawkins. He's on the right side on this issue. I retweet Richard Dawkins because he just says this is ridiculous. We know what sex is. It's a real thing. I don't know what this gender identity stuff is. And it's just because he thinks there's this kind of obvious truth in biology. And that's the case.

And I can tell you that many of the best books, and the best articles, and the best work being done on this, are by people that aren't necessarily believers, but they're really clear on mammalian biology, for instance. And so, they're just actually really good in this. And so, there's this kind of disconnect. Because even materialists that are in the natural sciences are still more likely grounded in reality than people that have gotten into this really bizarre [unintelligible].

**FRANK:**

Well, they're modernists and the other people are postmodernists. So, this is what frustrates me. I've said it on this program before, Jay. When I think about the people who are most vocal against transgender ideology, they're not Christians. It's Bill Maher. It's Dave Rubin, who identifies as gay himself but realizes this is crazy. It's Douglas Murray, who also identifies as gay. It's Richard Dawkins. Where are the Christian leaders, Jay?

**JAY:**

So, this is the thing. Christians are really involved in it. They're not identifiable as Christian leaders. They're working at think tanks or they're academics as opposed to being pastors and priests. And I think a lot of it is this weaponization of compassion. And so, it's been framed

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culturally that there's a side that you can be on and be nice. And there's a side you can be on and be mean. And you don't want to be mean. And if that's your kind of primary motivating category, you're going to avoid dealing with it. And you're going to always feel like it's really a pastoral issue. That sort of means don't speak clearly or something.

That's what's frustrating. I mean, there are some really good books theologically. Nancy Pearcey's 'Love Thy Body,' for instance, is a terrific book. But some of the very best books...there's a book called 'Material Girls' by Kathleen Stock. She was an analytic philosopher that was at the University of Sussex, is left wing, and identifies as a lesbian. It is the tightest, kind of analytic, philosophical treatment of this topic today.

**FRANK:**

What's the name of the book again?

**JAY:**

It's called 'Material Girls.'

**FRANK:**

I also think of James Lindsay.

**JAY:**

James Lindsay, absolutely the best. If people want to say, I really want somebody to excavate the kind of intellectual foundations, I say you just go to New Discourses and read James Lindsay's stuff. He's got it down.

**FRANK:**

James Lindsay, atheist, probably more agnostic now. We're trying to bring him along.

**JAY:**

Yeah, that's right. But all his friends are Christians. [Laughter]

**FRANK:**

That's right. And now the work you're doing. How did you get involved in Heritage?

**JAY:**

Believe it or not, I was teaching at Catholic University. My friend, Ryan Anderson, who was the William Simon Fellow at Heritage was working on this when it was him and five other people. Nobody was really working on it. He wrote 'When Harry Became Sally.' I read it. I thought, man, this is so important. And then I read Abigail Shrier's book in 2020, 'Irreversible Damage,' about what was happening to girls primarily in California. And just something snapped. And I told Ryan, I said, you know, if you leave Heritage, I think maybe I'll apply for your job so I can fight this, half joking. My daughter remembered it.

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Well, Ryan then got a job to become the president of the Ethics and Public Policy Center, another think tank in D.C. And my daughter reminded me, remember what you said? I was perfectly happy at Catholic. But I thought, okay, I really need to pray about it. Thought, I do need to do that. I applied. I said, this is what I want to do. I want to fight this stuff. Heritage hired me and it's been amazing. I mean, Heritage is a very large, robust, conservative think tank that is just designed like a battleship to move policy.

And so, to have Heritage behind this was really, really important. But in some ways, I think it's important because Heritage is a convening organization, which means we don't see this as like, this is our issue. What we want to do is see the movement as a whole, other organizations and individuals all working together and rowing in the same direction. And so, that's been an opportunity. But I'm literally there because of gender ideology.

**FRANK:**

And so, this is your field now at Heritage. This is your primary focus?

**JAY:**

It is. I'm the director of the DeVos Center. And so, the DeVos Center is all the social issues: life, marriage, religious liberty, gender ideology, and family. But this is obviously kind of a family issue. But what's actually happened at Heritage over the last couple of years is it now transcends the department. So, you've got the legal Meese Center people working on it, health and welfare people, education, policy people. It's in some ways a concern across the organization for a reason.

If you're concerned about conservative policy, what is the foundation of civilization? It's the family. The family is the cell of society. And so, you can't say well, I really want to kind of improve the business climate, and the regulatory climate, and tax climate, and stuff like that. But let's just kind of ignore the foundation of civilization. You can't do that. And so, there's a reason. We realize that if you lose this battle, you're going to lose everything else.

**FRANK:**

That's right. Well, some blue blood rhino Republicans have tried to ignore the family and it can't be done because as you mentioned, it's the foundation of society. Now, when we come back from the break, Jay, you're going to reveal to us what is being done on this issue right now. Heritage has had a lot to do with it. There are some laws that are being passed and being worked on right now. Can you give us some advice when we come back on what individuals can do on this issue?

**JAY:**

Absolutely.

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**FRANK:**

Okay. So, you don't want to go away, ladies and gentlemen, because we've got another segment with Dr. Jay Richards. He's with The Heritage Foundation. He's also with The Discovery Institute, same place as Stephen Meyer. Had Steve on the program many times. Steve is out there in Seattle. And Jay has some great books as well. There's probably no better book on economics that you can get than 'Money, Greed and God.' We talked about that book twice on this program. You need to go back in the archives and see it. But a lot more on the gender ideology right after the break. You're listening to I Don't Have Enough Faith to Be an Atheist. Back in two minutes.

The Book of Galatians verse by verse. We're about to go through it, a new online course. I'll be your instructor. Go to [CrossExamined.org](http://CrossExamined.org). Click on Online Courses. It starts next week. And if you hear this after next week, you can probably still join the premium version. We're going to be together for six live Zoom Q&A sessions. So, go to [CrossExamined.org](http://CrossExamined.org). Click on Online Courses. You'll see it there. We have many other online courses as well. It is a way we can interact and go a lot deeper than we can, even in a podcast. We go a lot deeper in these courses. So, check out the book of Galatians on the Online Courses.

I'm here with my friend, Dr. Jay Richards. We've been talking about gender ideology. Jay, you know, one thing that really needs to be defined and too often it's not defined. It seems so self-evident we don't even know how to define it. When we think about it, what is a woman, as Matt Walsh asks? What is a man? How do we define the sexes?

**JAY:**

Okay, so here's the trap to avoid, because I know what's in everyone. All the listeners have this in their heads that the female is XX chromosome, and the male is XY chromosome. And we know that has something to do with it. But that's usually what people will go to. That's not the definition of sex. That's not how you define male and female. First of all, did people not know what sex was until a [unintelligible] ago? Did nobody know what a woman was until we discovered the XX chromosome? That can't be right. But the other thing is that, okay, that's normally the way that sex is determined.

And so, in 99.98% of cases, it will be XX with females and XY with males. There are exceptions. There are all sorts of so-called disorders of sexual development in which chromosomal arrangements are different. You can even be an XX male, believe it or not, if the SRY gene, if the three gene gets transposed over onto an X chromosome, those kinds of things. So, you know it's something else. But the other thing is, sex is a category that transcends humans. It transcends mammals. In fact, it applies to virtually every organism in the animal and the plant kingdom.

And so, the particular type of sex that humans have, has to do with the fusion of two gametes, a large immobile gamete called an ovum and egg and the sperm, which is the small mobile gamete. That's the category that is the same across all of these different organisms. So, that's

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what sex is. But of course, the gamete itself isn't sex. It's the organization of the body plan, right? Oriented toward the proper end of which under normal development, is the production, and the utilization, and the use for production of one or the other gametes.

So, when people say is sex a spectrum or is sex binary? It's binary. Why is it binary? It's binary because they're exactly two gametes. They are no transition gametes. There's no sperg or erm or anything, right? It's just the two. And so, that's why it's binary. And so, the male is under normal development, of course, the individual at some point in his life cycle will produce and use sperm, and has the body structure, and chromosomal or hormonal arrangement conducive to that. And the female is the other one with the large gamete. Now, defining it for law is kind of tricky because you have to refer to these gametes in the body organization around it while accounting for the disorders.

And so, what you basically are going to end up saying is that the male is the individual that either will, did, is, or would have, but for a disorder or a historical accident at some point in his lifecycle, produce and utilized a particular gamete. And so, that's just the nature of biology. Because what biology is, is defined in terms of what it does. And it does things in a particular stage in its development. And see it's complicated enough that even though everybody kind of knows what it is, it's sort of hard to nail down and define. And if you're going to do it in law, you want to define it correctly.

**FRANK:**

Why does it need to be defined in law, practically?

**JAY:**

Yeah, this is why. So, Title IX, for instance, is a federal law from 1972, designed to guarantee that women would have basically equal opportunities to sports and college degrees that men have in federally funded or institutions like colleges. So, it's designed to make sure that women, that females have these things. So, it has the word sex in it. It has female. It has women. It never defines them. And so, now what happens under the force of gender ideology? Well, the federal government under President Biden is currently just about to finalize a rule that redefines sex in Title IX to mean gender identity and sexual orientation.

**FRANK:**

How does he have the authority to do that without Congress?

**JAY:**

Everything that's really done in Washington, D.C. is done in the regulatory state, not in Congress. And so, this is a little known fact. It's depressing. I'm going to let everybody in on this. But Congress passes general laws that then empower agencies over on the executive side to write rules that are interpretations of the bills.

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**FRANK:**

Is there going to be a lawsuit if this comes down [unintelligible]?

**JAY:**

Oh, yeah. Absolutely, there's going to be a lawsuit. Because if they do that, they're basically saying, oh, we know what sex is, and it's gender identity (which isn't what it is). But it won't conflict with anything if states haven't even defined what sex, male and female, are. This is the problem because everybody was assuming that we knew what this was. And so, states hadn't bothered to define what a male is and what a female is. And so, my hope is that in court, the battle will be over whether biology applies to humans or not. But that's only going to happen if that's what is contested. Judges can only consider what's presented before them.

**FRANK:**

It depends on what kind of judge. [Laughter]

**JAY:**

This is my conjecture is that 90% of judges in the federal judiciary are not going to want to assent to the claim that biology doesn't apply to human beings. And why do I think that? I think that because even the other side won't say that explicitly. The ideology, it's quite clear that's what it is. They don't want to say that. And so, that's why Judge Ketanji Brown Jackson, it's why when she was asked what a woman is, she didn't answer it, because it's sort of the horns of the dilemma.

Either I just say, well, it's an adult, human female. In which case you have now violated the gender ideology that dominates the Democratic Party. Or you say, well, a woman is anyone that just says she's a woman, right? In which case, that's going to sound crazy. So, she avoided it. What that means is that they have a crazy idea, but they also know it's not easily defensible. And saying, no, sex isn't a real thing. It's just gender identity and sex assigned at birth. There's just no one that's going to want to say that when the lights are on under oath.

**FRANK:**

She did say, I'm not a biologist, which implies that you need to know [unintelligible].

**JAY:**

Exactly. At least it's biological, right? So, it was still kind of a giveaway. But the fact that she was trying to avoid it was a sign that okay, [unintelligible] problem here, but I don't want to be caught saying it.

**FRANK:**

I'm not a veterinarian, but I know what a dog is.

**JAY:**

Yes, exactly.

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**FRANK:**

What if she were to say, well, it doesn't really matter what I think a woman is. It matters what Congress thought a woman was when they passed the law.

**JAY:**

That's right. Well, that would be the originalist guy. I'm guessing that would be the originalist take on this. And so, you'd sort of try to figure that out. And common sensically, we know perfectly well what it is. But if you don't actually have it defined, then the fact that it's not defined creates an opportunity for an agency, such as the Department of Education to write a rule saying that sex, now what this means is it includes sexual orientation, which obviously isn't sex (that's a different thing), and gender identity, which is also a different thing.

People didn't even have the category of a gender identity in 1972, except for maybe some theorists somewhere. And so, it's obvious what is being denoted and connoted when they were talking about sex. But, you know, in law, it's much better to have these things nailed down. And if it's nailed down in very precise, biological terms, then the only way to really challenge that is to challenge the biology directly. And that is a battle that they would prefer, I think, not to have to fight under the clear light of day.

**FRANK:**

March 30, 2022, Trans Visibility Day. President Biden came out and said, you're so brave if you're trans. And he quoted half a Bible verse when he said that we're all made in the image of God. He didn't quote the second half which says male and female. Then his department in HHS basically came out and said, if you do not affirm your child with gender affirming care, the government may come take your child from you.

Now, this is an implication of this kind of ideology that has made its way to the White House. Jay, what else could happen besides people knocking at your door saying, where are your children? What are the negative implications for people out there if this gender ideology is not stopped legally?

**JAY:**

I mean, that one is an obvious one, direct separation of parents from their children for not affirming this kind of ideology. Violations, if you're a business. For instance, violation of a man's civil rights for not allowing him to be in a female space because he identifies as being a woman. That's going to be one.

**FRANK:**

So, a locker room, a bathroom, changing facilities.

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**JAY:**

Yes. That's the whole point of changing the definition in Title IX is that once they do that, if a man says I identify as a woman. I want to be on the swim team and compete against girls. If the school says you can't do that, the school could be in violation of his civil rights, not the women's, his civil rights. Everything hinges on this. It seems very obscure and narrow, but it's like an arrow that is targeted right at the heart of human nature and civilization in our laws.

**FRANK:**

If you're a Christian business owner, how will this apply to you?

**JAY:**

Even your language. In fact, Rachel Levin at HHS, just this week, announced that misgendering (in other words referring to someone like you just did) could itself be a crime and a violation of a person's civil rights.

**FRANK:**

You don't even have to be a business owner. You could be anybody working.

**JAY:**

Absolutely, and certainly a teacher. And so, we're talking about compelled speech here, in which you'd be compelled to participate in and imply and say something that you in fact, think is false. And if you don't do that, you'll actually have the long arm of the law after you.

**FRANK:**

This is madness. And it's coming. And what can we do about it? We're about out of time. So, Jay, can you stay, and can we talk more about this on another segment which will be on the midweek podcast? For those of you listening on the American Family Radio Network, you will not hear this because it won't be on the American Family Radio Network, but it will be on the I Don't Have Enough Faith to Be an Atheist podcast. It'll come out Tuesday. So, wherever you get podcasts, go look for it there. Jay, before we let you go, in this radio program, where can people learn more about you? What website should they go to?

**JAY:** They can go to Heritage.org. Or actually, you could follow me on Twitter at @DrJayRichards.

**FRANK:**

@DrJayRichards. Twitter, now known as X. Is it XX or XY? We don't know. Anyway, all right, friends. Lord willing, we'll be back with you here on the midweek podcast for more with Dr. Jay Richards. God bless. See you next time.

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