



THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

Covenantal nomism and the Hebrew bible

Citation for published version:

Lim, T 2016, Covenantal nomism and the Hebrew bible. in J Baden, H Najman & E Tigchelaar (eds), *Sibyls, Scriptures, and Scrolls: John Collins at Seventy*. vol. 1, Supplements to the Journal for the Study of Judaism, vol. 175, Brill, Leiden; Boston, pp. 845-856. <https://doi.org/10.1163/9789004324749>

Digital Object Identifier (DOI):

[10.1163/9789004324749](https://doi.org/10.1163/9789004324749)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Sibyls, Scriptures, and Scrolls

General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact openaccess@ed.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.



“Covenantal Nomism and the Hebrew Bible” in *Sibyls, Scriptures, and Scrolls: John Collins at Seventy* ed. Joel Baden, Hindy Najman, and Eibert Tigchelaar. Leiden: Brill, forthcoming 2016.

Covenantal Nomism and the Hebrew Bible*

Timothy H. Lim

In 1977 E. P. Sanders published his *Paul and Palestinian Judaism* in which he proposed that all the main bodies of Palestinian Jewish literature (except 4 Ezra) assume a common understanding of how a religion functions.¹ He called this “covenantal nomism” and described it as a pattern of religion of “how one gets in and stays in” (salvation). His work has been lauded and criticized, and is widely recognized by both supporters and detractors as one of the most important studies of the past generation.² One aspect yet to be discussed is the relationship between covenantal nomism and the Hebrew Bible. In the following, I will assess Sanders' recent claim that covenantal nomism is a suitable descriptor of the underlying theology of the Hebrew Bible.

* It is a great pleasure to honour an esteemed colleague and good friend on the occasion of his seventieth birthday. In this essay, I will highlight two themes that are prevalent in John J. Collins' theological reflections, natural theology and the concern for “the other”. A version of this paper was delivered as a plenary address at the *International Congress of Ethnic Chinese Biblical Scholars* in Hong Kong in August 2014. I thank Professor Choon-Leong Seow for the invitation and the comments of the audience. Thanks also to Joel Baden for comments on earlier drafts of the article.

¹ (Minneapolis, MN: Fortress Press)

² Sanders' work initiated a re-evaluation of Paul dubbed as ‘the new perspective’, see James D. G. Dunn 2005, *The New Perspective on Paul: Collected Essays* (Tübingen: Mohr-Siebeck, 2005). Appreciation of his work is found in two Festschriften: F. Udoh et al. (eds), *Redefining First-Century Jewish and Christian Identities: Essays in Honor of E. P. Sanders* (Notre Dame: University of Notre Dame Press, 2008); W. O. McCready and A. Reinhartz (eds.), *Common Judaism. Explorations in Second-Temple Judaism* (Minneapolis: Fortress Press, 2008). Critiques are most notably gathered in D. A. Carson et al. (eds), *Justification and Variegated Nomism*, 2 vols. (Grand Rapids: Baker Academic, 2001, 2004). Sanders' impact on scholarship has been recognized in Mark A. Chancey's entry “Sanders, Ed Parish” in *Dictionary of Early Judaism* ed. John J. Collins and Daniel C. Harlow (Grand Rapids, MI: Eerdmans, 2010), pp. 1191-92.

Reflecting on the impact of his work in 2009 Sanders wrote: “I wish to emphasize a point that I undervalued in *Paul and Palestinian Judaism*: covenantal nomism is clear in the Biblical narrative and could hardly have been missed by close readers of the Bible, such as the Rabbis. And they did not miss it: frequently they point out the precedence of God’s grace to requirements laid on humans. Covenantal nomism assumes the seminal importance of two figures, Abraham and Moses. The pattern of covenant and law, grace and requirement, is absolutely clear in sequence of those great events.”³

Sanders wants to show that later Jewish readers of the Bible assumed that their religion is based on a common, underlying principle of the given-ness of the election and the necessity of observing Jewish law for the maintenance of the covenant, and that the Rabbis perceived this theology in the biblical narratives that they read. By suggesting that covenantal nomism “is clear in the Biblical narratives” Sanders is also claiming that the Hebrew Bible itself reflects this theology. How useful is covenantal nomism in explaining the underlying theology of the Hebrew Bible or Old Testament?

The Pattern of Religion

Sanders wrote his *magnum opus* as a reaction to the Protestant, and in particular Lutheran, characterization of Judaism as “a religion of works” and “legalism”. “I had become focused on ‘legalism’,” he reminisced years later, “which was the

³ “Covenantal Nomism Revisited” *JSQ* 16: 34-35.

rubric under which I had first read about first-century Jews.”⁴ He questioned the categorization as misleading and argued that Jews believed in the covenant which presupposes election. For reasons that remain unexplained, God chose the Jews as his people, and this divine act is an act of grace, since it is not gained by prior effort. Jews did not work themselves into salvation; rather their salvation is a precondition of legal observance to maintain the covenant. Sanders compares this to the concept of “prevenient grace” (*gratia praeveniens*).⁵ Jews are saved by an act of divine grace, but they have to maintain the covenantal relationship by doing the works of the law.⁶ Thus, according to Sanders, the pattern of religion is more neutrally and better described by “covenantal nomism”, where the term of legal observance is derived from the transliterated Greek word for law (*nomos*), which is further qualified by the adjective of covenant (*berit, diatheke*).

The concept of covenantal nomism was forged by Sanders in controversy against the then prevalent Protestant view of Judaism. Later, he would count this concept as the underlying theology of his reconstruction of a common form of religion shared by most Jews. In a study of Jewish practices and beliefs, published in 1992, Sanders described what he termed “common Judaism”, the form of religion shared by the majority of the Jews.⁷ He eschewed the Neusnerian insistence on discrete Judaisms as reflected in individual documents and proposed that Palestinian Jewish literature between 200 BCE and 200 CE

⁴ “Covenantal Nomism Revisited”, p. 25.

⁵ “Covenantal Nomism”, p. 27.

⁶ A negative review of *Paul and Palestinian Judaism* by Jacob Neusner accused Sanders of turning the Rabbis into Protestants. Sanders himself compares the covenant to the Christian doctrine of “prevenient grace” (“Covenantal Nomism”, p. 27).

⁷ *Judaism: Practice & Belief 63 BCE—66 CE* (London: SCM Press).

shared common beliefs and practices. Covenantal nomism was the underlying principle of common Judaism and it was structured according to eight divine and human acts that establish the binding agreement. These are:

(1) God has chosen Israel; and (2) given the law. The law implies both (3) God's promise to maintain the election and (4) the requirement to obey. (5) God rewards obedience and punishes transgression. (6) The law provides for the means of atonement, and atonement results in (7) maintenance or re-establishment of the covenantal relationship. (8) All those who are maintained in the covenant by obedience, atonement and God's mercy belong to the group which will be saved.⁸

It is this pattern of religion, rather than a mistaken description of it as works-righteousness, which underlies "first-century Judaism". No passage of ancient Jewish literature explicitly describes this structure, but Sanders maintains that it can be inferred by what ancient Jews said and did.

Excluded from the pattern are topics described by Sanders as "speculative questions", such as the creation of the world, eschatology, the nature of the afterlife, and the identity of the Messiah. Rather, he argues, that covenantal nomism describes the way that the Jewish religion functions: "A pattern of religion, defined positively, is the description of how a religion is perceived by its adherents to *function*. 'Perceived to function' has the sense not of what an adherent does on a day-to-day basis, but of *how getting in and staying in are*

⁸ *Paul and Palestinian Judaism*, pp. 42-3, and more clearly set out in "Covenantal Nomism", p. 24.

understood: the way in which a religion is understood to admit and retain members is considered to be the way it ‘functions’”.⁹

The Bible of Palestinian Judaism

Nowhere in Sanders’ work, as far as I know, does he define what he means by “the Bible”. He seems to take it for granted that the traditional, twenty-four book canon of Rabbinic Judaism was also the canon of all Jews in the two hundred years before and after the turning of the era. But that is a questionable assumption.

The Pharisaic canon became the canon of the sages because the majority of those who founded Rabbinic Judaism after the destruction of the Temple of Jerusalem were Pharisees. Before the first century CE, there were different collections of authoritative scriptures held by different Jewish communities. For instance, the post-exilic community of Judeans understood “the torah” that Ezra read to contain both laws and narratives, corresponding broadly to the Pentateuch and the book of Joshua. The sectarian communities reflected in the Dead Sea Scrolls had a broadly bipartite canon, which remained open and included the book of Jubilees, the Pesharim, and other writings.¹⁰

By suggesting that covenantal nomism also underlies the theology of the Hebrew Bible, Sanders leaves himself open to questions about what he means by “the Bible”. Does he mean that the Rabbinic Bible is also the Bible from the very beginning? When does he date the emergence of the Bible? This unclearness

⁹ *Paul and Palestinian Judaism*, p. 17.

¹⁰ See my *Formation of the Jewish Canon* (New Haven, CT: YUP, 2013).

makes Sanders' history of religions approach seem more like biblical theology, taking "the Bible" as a canonical entity without any reference to history.¹¹

Theology of the Hebrew Bible

Let us, for argument's sake, set aside questions of history and definition. Does covenantal nomism explain the underlying theology of the canonical Hebrew Bible or Old Testament? The short answer is that it does, but only partially so.

The Hebrew Bible is a diverse collection of writings that reflect different theologies.¹² Apart from narratives and laws, it includes prophetic oracles, psalms, proverbs and other wisdom material. In the past, scholars sought to find the centre of the Old Testament in an idea, such as the covenant or salvation history, but such attempts flounder on the manifest diversity of the canonical collection. Found among this diverse collection are works of wisdom that reflect an epistemology that derives its knowledge from reason, observation, and the natural world, a knowledge of God that bypasses the revelation of the law to Moses. Take, for instance, the words of the psalmist:

O LORD, how manifold are your works!
In wisdom you have made them all;
the earth is full of your creatures (Psalm 104:24)

James Barr defines natural theology this way:

¹¹ There is no accepted definition of "Biblical Theology". James Barr, *The Concept of Biblical Theology. An Old Testament Perspective* (London: SCM Press, 1999), p. 59, defines it as "a level of scholarship".

¹² See Erhard S. Gerstenberger, *Theologies of the Old Testament ET* (London: T & T Clark, 2002).

‘by nature’, that is, just by being human beings, men and women have a certain degree of knowledge of God and awareness of him, or at least a capacity for such an awareness; and this knowledge or awareness exists anterior to the special revelation of God made through Jesus Christ, through the Church, through the Bible.¹³

John Collins agrees, but points out that natural theology in Greek philosophy is more systematic than what is found in the Hebrew Bible: “It was a process rather than a doctrine. It was the attempt to arrive at the knowledge of God by reflection on the natural order.”¹⁴ Moreover, Collins examines the syncretistic theology of the Wisdom of Solomon and Philo, and concludes that revelation and reason are fundamentally incompatible.¹⁵

Covenantal nomism, then, with its emphasis on the revelation of God to Abraham and Moses would not account for the theology of all the books of the Old Testament. It could arguably explain the underlying theology of some of the prophetic oracles and the narratives of the former prophets, but Sanders does not deal with them.

Covenants in the Pentateuch

Instead, Sanders focuses on the two figures of Abraham and Moses, and shows that he means the biblical narratives of the Pentateuch. Covenantal nomism explains the broad sequence of grace and law in the relationship between the Abrahamic and Mosaic covenants. The covenants with Isaac and Jacob would presumably be assumed in this theological axis.

¹³ *Biblical Faith and Natural Theology* (Oxford: OUP, 1994), p. 1.

¹⁴ *Encounters with Biblical Theology* (Minneapolis, MN: Fortress Press, 2005), p. 118.

¹⁵ *Encounters*, p. 126.

Among the post-diluvian families God chooses one son of Noah, Shem rather than Ham or Japheth. Of the Shemites God promises Abraham, rather than Nahor his brother, to become the father of many nations without any prior effort on the patriarch's part. Election is an act of grace, because it is un-merited and arbitrary.¹⁶ Some, but not all, of the descendants of Abraham are accorded this status. Isaac and his descendants are elected, but not Ishmael or the five other sons of Abraham by Keturah (Gen 25:1-4). They are what Joel Kaminsky would categorize as the non-elect.¹⁷ Israel as a nation emerges in the exodus from Egypt and during their wanderings in the wilderness Yhwh leads them to Mount Sinai where he reveals the Decalogue and other laws to Moses. All Israelites are, then, enjoined to observe the divine commandments that maintain the agreement between them and Yhwh. In this pattern of religion, grace precedes the requirement of the law.

Covenantal nomism is only one possible interpretation of the purported theology of the Pentateuch.¹⁸ It is explicit in Paul's letter to the Galatians where Abraham is accorded righteousness because he believed God despite the absence of supporting evidence (Gal. 3:6-7). It is a covenant, ratified by God, that is not annulled by the law which came four hundred and thirty years later (Gal. 3:17-18).

¹⁶ Today, one might describe divine election as an act of 'favouritism', but such a description would imply preferential treatment of the elect whose role is to serve God.

¹⁷ Joel Kaminsky, *Yet I Loved Jacob. Reclaiming the Biblical Concept of Election* (Nashville, TN: Abingdon, 2007), distinguishes between the elect, non-elect and the anti-elect. Cf. Jon Levenson, "Chosenness and its Enemies", *Commentary Magazine* December 2008 (<http://www.commentarymagazine.com/article/chosenness-and-its-enemies/>).

¹⁸ David J. A. Clines, *The Theme of the Pentateuch* 2nd ed (Sheffield: JSOT Press, 1997), argues that the theme is a partially fulfilled promise. Martin Noth, *A History of Pentateuchal Traditions ET* (Englewood Cliffs: Prentice Hall, 1972), highlights five themes in the Pentateuch: the promise to the patriarchs, deliverance from Egypt, journey through the wilderness, giving of the law on Mt. Sinai, and conquest and settlement in Canaan.

Sanders' concern over how Judaism is characterized in the history of the interpretation of the Pauline letters led him to a re-interpretation of the intervening verses in Gal 3. In particular, he argues that Paul's gloss on Hab 2:4 in Gal 3:11, "now it is evident that no one is justified before God by the law", is not a theological statement of Jewish works-righteousness (similarly Gal 2:16). Rather, it expresses the futility of humans in general as they stand before God.

For Sanders, the various cognates and conjugations of the verb, 'to justify' (δικαιόω), are best expressed by resurrecting the obsolete Old English verb 'to righteous'. Paul's main proposition, according to Sanders, is found in Gal 3:8 where God righteouses the Gentiles by faith. This is supported by the prooftext of Gen 18:18 which states that in Abraham the Gentiles will be blessed. Gal 3:10-13 are subsidiary to verse 8 and consist of a series of Pauline assertions supported by biblical prooftexts. For Sanders, the verb and noun, 'to righteous' and 'righteousness', do not describe how Jews are saved; they are transfer-terminology rather than theological statements.¹⁹

There are different covenants in the Pentateuch that must not be harmonized into one undifferentiated concept. The concept of covenant (ברית) is essentially one of agreement, a bilateral relationship. As Walter Eichrodt states it: "for even though the burden is most unequally distributed between the two contradicting parties, this makes no difference to the fact that the relationship is still essentially two-sided."²⁰ This agreement (German *Bund*) may be made between humans, social groups, kings and political states, often including a

¹⁹ *Paul and Palestinian Judaism*, pp. 463-71; and *Paul, the Law, and the Jewish People*, pp. 22-23.

²⁰ *Theology of the Old Testament* vol. 1 (Philadelphia: Westminster Press, 1961), p. 37.

promissory oath that binds one or both parties to the fulfillment of the conditions of the obligations.

In the Pentateuch, God establishes several covenants other than the one that he made with Abraham and Moses. He cuts or establishes a covenant with Noah, Isaac (Gen 17:19), Jacob (Gen 32:22-31) and Phinehas (Num 25:10-12). The first covenant that God establishes in the book of Genesis is with Noah in the flood narrative as it appears in the Masoretic Text (Gen 6:5-9:17).²¹ In Gen 6:13-17, God commands Noah to build an Ark and states his plans to destroy all flesh on the earth by a flood of waters. But to Noah, God declares: “But I will establish my covenant (בריתי) with you” (6:18a). Despite using the term *berit*, the nature of the relationship in this verse seems unilateral, since God sets up the covenant without any explicit condition.²² Claus Westermann describes it as a “promise of salvation to Noah” rather than “a special act by which the covenant is sealed.”²³ He goes on to suggest that 6:18a could be struck out of the narrative without losing anything.

James Barr, however, points out that Noah's favour in the eyes of the Lord (6:8), his righteousness in the generation (7:1), and his walking with God (6:9) are possible pre-conditions of the covenant. To him, the suggestion of excising 6:18a from the narrative is drastic and that the exegesis has been influenced by

²¹ I very much doubt that Sanders would have had in mind the source critical considerations of Pentateuchal composition, according to which the P-strand embedded within 6:5-9:17 contains only one mention of covenant before the flood (6:18a) and seven references to covenant in the post-diluvian narrative (9:9-17).

²² James Barr, “Reflections on the Covenant with Noah” in *Covenant as Context: Essays in Honour of E.W. Nicholson* ed. A. D. H. Mayes and R. B. Salters (Oxford: OUP, 2003), p. 14.

²³ *Genesis 1-11. A Continental Commentary* ET John J. Scullion (Minneapolis: Fortress Press, 1994), p. 422.

Westermann's unreserved acceptance of E. Kutsch's view that "covenant" *always* means obligation.²⁴

This covenant with Noah takes place prior to Abraham's descendants, the emergence of the people of Israel, and the giving of the law to Moses on Mt. Sinai, and it stipulates the requirement to refrain from eating flesh with blood and from murder, and to be fruitful and multiply and fill the earth (Gen 9:1-17). It is not a particularistic covenant established with Noah and his family. Rather, it is a universalistic covenant that God has established with "every living creature" (כל נפש החיה, Gen 9:10).

In Jewish tradition, these laws were applied to the righteous gentiles (Jub 7:20-28), and expanded to prohibit idolatry, blasphemy, murder, incest, stealing, and the consumption of the flesh of a living creature, and to establish justice (*t.Avodah Zara* 8:4; *b.Sanh.* 52b; *Gen. Rab.* 16.6). The Noachic covenant and its requirements constitute a kind of legal minimum, and any non-Jewish gentile (*ger toshav*) who accepts the moral imperatives of these laws will be assured a place in the world-to-come.

The Noachic covenant stands behind the decree of the apostolic council that requires gentiles turning to God to refrain from things polluted by idols, fornication, and from whatever has been strangled, and from blood (Acts 15:19-21, 28; 21:25).²⁵ Covenantal nomism, therefore, is an unsuitable description of Noah's covenant, or how it was understood subsequently.

²⁴ "Reflections", pp. 14-16.

²⁵ See Gary Gilbert in *The Jewish Annotated New Testament. New Revised Standard Bible Translation* ed. Amy-Jill Levine and Marc Zvi Brettler (Oxford: OUP, 2011), p. 229.

Salvation and Deliverance

Covenantal nomism is unsuitable in another way. Its concept of salvation is a spiritual and eschatological deliverance which sees an individual, Jew or gentile, entering the kingdom of God or the kingdom of heaven through God's grace and faith in Jesus Christ.²⁶ It leaves no room for the corporate salvation of the Church and humanity in Christ.

Moreover, it is a concept of salvation that is foreign to the biblical narratives. There are intimations of an eschatological salvation in the latter prophets, the psalms and apocalyptic writings, but the concept of salvation as a spiritual deliverance is largely a later development. It is not the concept of salvation in the Pentateuch which is centred on the deliverance of the Israelites from the oppression of Pharaoh. Whether the exodus was an historical event is a much debated issue in scholarship.²⁷ In the memory of those who wrote the biblical texts, however, the exodus was understood as an event of deliverance from political and physical oppression, and not a spiritual salvation of an individual from sin. Salvation or deliverance in the Pentateuch is from a concrete and real danger or hardship.

²⁶ Sanders does not interpret Paul to be holding a "two-covenant theology" where gentiles gain their righteousness in Christ and Jews through the law. Jews, as well as gentiles, need to have faith in Christ. Despite Sanders' own misgivings, he is too good a scholar to interpret Paul in the light of modern Jewish-Christian concerns. For Sanders, the "deliverer" in Rom. 11:25 refers to both God and Christ together, rather than God apart from Christ (*Paul, the Law, and the Jewish People* [Philadelphia: Fortress Press, 1983], pp. 192-98). I have benefited from a discussion of this issue with Larry Hurtado.

²⁷ See the penetrating, critical survey of the historiographical debate in John J. Collins' published Gunning Lectures, *The Bible after Babel. Historical Criticism in a Postmodern Age* (Grand Rapids, MI: Eerdmans, 2005), pp. 27-51.

Abraham, the Sons of Israel and the Covenant

Does covenantal nomism aptly describe the sequence of grace and the requirements of the law? Broadly speaking, it does. Moses received the covenant on Mt. Sinai after Yhwh had chosen Abraham, his descendants, and the children of Israel as his elect. All Israel will be required to follow the commandments as a condition of their election and covenant with God.

The link, however, between Abraham's descendants and the Israelites with whom Yhwh made a covenant on Sinai is not unproblematic. Those who left Egypt were not all Hebrews or descendants of Abraham. The people of Israel were accompanied by a "mixed multitude" (ערב רב). The root *ereb* rarely occurs in the biblical texts meaning "mixture" and it denotes the mixing of Israel with other ethnic groups in Neh 13:3, Jer 50:37 and Ps 106:35. In Exod 12:38, the mixed group may well have included those considered aliens or foreigners living amongst Israel.

Philo disparagingly referred to them as "illegitimate" (νοθός), "a promiscuous, nondescript and menial crowd, a bastard host, so to speak, associated with the true-born" (Philo *Moses* 1.147). Among these were mixed offspring of Egyptian women and Hebrew fathers, and others who joined the Hebrews because they admired their piety and wanted to escape their own persecution. Lev 24:10 refers to other mixed offspring of Hebrew mothers and Egyptian fathers. According to Josh 8:35, the women and children, and the alien (הגר) who lived in their midst, stood with all the assembly of Israel (כל קהל ישראל) to hear that commandments of Joshua. There is no indication of what proportion of those who left Egypt belonged to this mixed multitude, but later

Hellenistic historians thought they must have been considerable (cf. Manetho in Josephus, *Apion* 1.234; and Cheremon, *Apion* 1.290).

Did “Israel” of the exodus comprise ethnic Israelites alone? Did only males count as “Israelites”?²⁸ Or did Israel also include all or a portion of the mixed multitude and emerged gradually in a process of ethnogenesis?²⁹ The issues are complex. Some would altogether deny that the concept of ethnicity was a feature of human existence in this period and see the designation of “Israel” as an interpretative and historiographical fiction.³⁰ It is a reasonable assumption to make that in this charter myth the covenant of Sinai would have been *theoretically* open to all those who left Egypt, however “Israel” is defined.³¹ Covenantal nomism could not account for this complexity in the biblical narratives about the covenant at Sinai.

Social Dimensions of the Covenant

Finally, covenantal nomism emphasizes only one dimension of the covenant, the relationship between God’s acts and human response. The covenant of Moses, however, does not focus on this relationship alone. The narratives of the biblical

²⁸ Shaye J. D. Cohen, *Why Aren't Jewish Women Circumcised? Gender and Covenant in Judaism* (Berkeley: University of California Press, 2005), discusses the status of women from rabbinic times to the present, arguing that women are not circumcised because they are not considered fully part of the covenant; they are secondary and anomalous.

²⁹ So Ann E. Killebrew, *Biblical Peoples and Ethnicity: An Archaeological Study of Egyptians, Canaanites, Philistines, and Early Israel 1300-1100 BCE* (Atlanta: SBL, 2005), pp. 149-96. Cf. William G. Dever, *Who Were the Early Israelites and Where Did They Come From?* (Grand Rapids: Eerdmans, 2003), argues that Israelites emerged from the central highlands.

³⁰ So T. L. Thompson, “Defining History and Ethnicity in the South Levant” in *Can a “History of Israel” Be Written?* ed. L. Grabbe (Sheffield: Sheffield Academic Press, 1997), p. 175.

³¹ A similar point was made recently by Michael Walzer, *In God's Shadow. Politics in the Hebrew Bible* (New Haven, CT: YUP, 2012), p. 3: “In principle, the covenant of law is open to anyone prepared to accept its burdens; hence it isn't entirely implausible to say that there is no chosen people, only people who choose.”

texts do not just reflect an interest in how one is delivered by God, but also how one behaves in the world and towards his neighbour. The concern for the other is an ethical imperative that is enshrined in biblical law, the command to care for another in a way that one would care for oneself (Lev 19:18, 34).

Who is one's neighbour, of course, is a much debated issue? Is he the one who shows mercy to another human being, regardless of ethnicity, as the Lukan Jesus understood it in the story of the good Samaritan (Luke 10:29-42; cf. Lev 19:)? Or is the neighbour a fellow Israelite? Whatever interpretative tradition one follows, it is undeniable that the command lies at the centre of the Holiness Code and requires the Israelite both to refrain from vengeance and bearing a grudge, and to love your neighbour. "It is 'the culminating point' of H (i.e. the Holiness Code)," stated Jacob Milgrom, "as well as the apex of Leviticus..., the central book of the Torah."³² In John Collins' discussion of postmodern theology, he aptly sums up the point: "The contribution of Lévinas, as I see it, is to show that there is still a place for a universal principle in ethical discussion, and that the imperative to care for others is a compelling one, not necessarily the only one."³³

Sanders's covenantal nomism is a minimalist description of the religion of early Judaism. It reduces the whole of Jewish beliefs and practices to just one issue, how one gets in and stays in. There is much that has been left out. Sanders denies that covenantal nomism is a summary statement of Jewish religion, but since he is also describing "the pattern of religion" that is a distinction without a difference. The Markan Jesus, for instance, summarises

³² *Leviticus 17-22* (New Haven, CT: YUP, 1974, 2008), p. 1656

³³ *The Bible after Babel*, p. 157.

Jewish law with the double love command to love God and neighbour (Mk 12:28-34), citing Deut 6:4-5 and Lev 19:18 (cf. John 13:34; 15:12, 17; Mt 5:44; and Lk 6:27).³⁴

Conclusions

I have discussed covenantal nomism as a principle for describing the theology of the Hebrew Bible. I have shown that as a principle it broadly explains the covenant of grace and law centred on Abraham and Moses in the Pentateuch, but it does not account for the diversity of theologies in the Hebrew Bible, not least as reflected in the wisdom literature. As it is conceived, covenantal nomism is too narrow a principle. It does not have the power to explain the complexities of ethnicity and identity of Israel. By focusing exclusively on the relationship between God and man, the principle fails to take account of the social dimensions so important to the concept of covenant.

Covenantal nomism was a principle forged in controversy over the interpretation of Paul's view of the nature of Jewish law and the characterization of Palestinian Judaism. It is more suited to that discussion than to a theology of the Hebrew Bible.

³⁴ Rabbi Hillel's articulation of the golden rule for the gentile while standing on one foot (bSabbath 31a) is often coupled with Jesus' summary of the law in scholarly discussion, but John Meier has argued that the former is not a love command as such, and it refers only to the beginning point of Torah study (*The Marginal Jew. Rethinking the Historical Jesus. Vol. 4: Law and Love* [New Haven, CT: YUP, 2009], ch. 31).