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Natural Law and Biblical Law

Jonathan Burnside*

A chapter about natural law and biblical law in a philosophy handbook has several obstacles to overcome. First, the Bible has not been a welcome guest in the halls of philosophy, for the most part. Among other reasons, it has wrongly been assumed that if we can label the Bible as a work of revelation, it can have nothing to say about philosophy.¹ Second, this mistaken view has led us to the point where we assume there is no such thing as ‘natural law’ in the Bible. So strong is this prevailing view that it has not usually been argued, but simply assumed.² A third problem has been that on the rare occasions when academic discussion on natural law in the Bible does take place, it tends to proceed without detailed examination of actual biblical texts.³ In this chapter, therefore, I want to claim that the Bible has important things to say about natural law that squarely address and inform the Western philosophical tradition. I also want to develop this argument by reference to close textual analysis of specific biblical texts. It may seem obvious to say that a discussion about natural law in the Bible should involve such discussion but, sometimes, obvious things get ignored.

As this is only a short contribution, I choose to concentrate on a single text, namely, Psalm 19. It is but one, small, vignette from dozens that could be chosen; however, the choice has several advantages. First, according to a long-standing tradition of interpretation, Psalm 19 shows the interplay between what is variously termed ‘natural’ and ‘special’ revelation, or *liber naturae* and *liber scripturae* or, to put it yet another way, ‘indirect’ and ‘direct’ revelation.⁴ This makes it a good starting-point for the sceptic who thinks there is no such thing as ‘natural law’ in the Bible. Second, whilst there are, no doubt, other ways of lining up the dense, interlocking, themes within ‘natural law’ and ‘biblical law’, one advantage of having a particular text, and a short one at that, is that the many abstract issues which might be raised can be envisaged in more concrete terms. Third, any discussion of natural law in the Bible ought to mean getting to grips with an essentially Jewish perception of reality.⁵ This is often missing. Psalm 19, with its rich allusions to creation and covenant – and all from the lips of Israel’s most famous king, to boot – provides this in spades. Finally, I have been asked by the editor to explore not simply ‘natural law in the Bible’ but ‘natural law’ in regard to ‘biblical law’. In doing so, I am well aware that I am being asked to grasp hold of two notoriously slippery terms at once. Psalm 19 has a further advantage in that it explicitly brings together what may be termed natural law and biblical law, as we shall see. This deceptively simple text has generated massive secondary discussion, so much so that it is

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¹ A view thoroughly debunked by Yoram Hazony, *The Philosophy of Hebrew Scripture* (CUP, 2012).

² As Jean Porter notes, ‘The natural law is not commonly associated with a scriptural ethic’. Jean Porter, *Natural and Divine Law* (Eerdmans, 1999) 121.

³ Although Matthew Levering’s book heralds ‘Biblical Natural Law’ and advocates ‘a dialogue between biblical exegesis, theology and philosophy’ it is all too evident that the latter get the lion’s share. See Matthew Levering, *Biblical Natural Law* (OUP, 2008). The same emphasis characterises his follow-up work, *Natural Law: A Jewish, Christian and Islamic Trialogue* (with Anver M. Emon and David Novak) (OUP, 2014).

⁴ John Calvin finds this distinction present in Romans 10:18 where the apostle Paul quotes from Psalm 19:4; *Commentary on the Book of Psalms* (James Anderson trans., Calvin Translation Society, 1845).

⁵ See, notably, David Novak, *Natural Law in Judaism* (CUP, 1998) and, most recently, *Jewish Justice* (Baylor, 2017).

‘impossible to survey all opinions expressed on this Psalm.’⁶ Despite this, and since this is a research handbook, I also want to make an original contribution to the study of this Psalm, in the context of a discussion about natural law, and to highlight some of its features that have, to the best of my knowledge, been overlooked.

At this point, the reader may be expecting a definition of what is meant by ‘natural law.’ For the purpose of this chapter, a single definition of natural law is unhelpful. I have argued elsewhere that we should think rather in terms of a Wittgensteinian ‘family’ of natural law theories, ranging from that of Cicero (the belief that morality is rooted in objective reality, independent of human knowledge of that reality) all the way across the spectrum to Finnis (complex social phenomena, including law, can only be identified using moral criteria).⁷ The thrust of this chapter is to construct Psalm 19’s own conception of natural law and to compare it with biblical law.

We begin by establishing that Psalm 19 is concerned with both natural law and biblical law and that it brings them into dialogue (see 1 below). We will then consider what implications this might have for our understanding of natural law and biblical law and the relationship between them (see 2 below). Finally, I will try to broaden out this discussion by considering how the continuity posited in Psalm 19, between natural law and biblical law, might play out in terms of other continuities we find in the biblical texts and which may be relevant to the general theme of natural law (see 3 below).

1. Psalm 19 as a case study in natural law and biblical law

Although scholars traditionally split the Psalm into two (verses 2-7 and 8-15),⁸ it is preferable to divide it into three to reflect better its changes in content. The Psalm progressively narrows in focus from the heavens (verses 1-6), to law (verses 7-11) to the human heart (verses 12-14). The Psalm is thus remarkable for its scope. Its beauty and power derive precisely from the fact that these sections – which differ substantively – are nevertheless deeply interconnected. It is precisely these linkages that enable us to claim that the Bible understands something that we might term natural law, which is related to biblical law. We will look at each section, and the connections between them, in turn.

(a) Heavenly speech (vv. 1-6) [MT vv. 2-7]

To the choirmaster. A Psalm of David. ¹ The heavens declare the glory of God, and the sky above proclaims his handiwork. ² Day to day pours out speech, and night to night reveals knowledge. ³ There is no speech, nor are there words, whose voice is not heard. ⁴ Their voice goes out through all the earth, and their words to the end of the world. In them he has set a tent for the sun, ⁵ which comes out like a bridegroom leaving his chamber, and, like a strong man, runs its course with joy. ⁶ Its rising is from the end of the heavens, and its circuit to the end of them, and there is nothing hidden from its heat.

According to the psalmist, space and time are in ceaseless communication; not only ‘the heavens’ and ‘the sky above’ but ‘day’ and ‘night’, which are also part of creation (Gen. 1:5).

⁶ A. H. van Zyl, ‘Psalm 19’ [1966] *Neotestamentica* 142, 142.

⁷ For the range of positions proposed, see Jonathan Burnside, *God, Justice and Society* (Oxford University Press, 2010) 93, Table 5.

⁸ For a thorough overview see J. H. Eaton, *Psalms and the Way of the Kingdom* (Sheffield Academic Press, 1995) 14-45.

Each day and each night addresses its own successor;⁹ thus the LXX translates verse 2: ‘One day pours forth speech to another day, and one night declares knowledge to another night.’¹⁰ Since ‘day’ and ‘night’ is a binary opposition,¹¹ and are said in verse 2 to map onto ‘speech’ and ‘knowledge’, respectively, it is plausible to suggest there is an opposition between ‘speech’ and ‘knowledge’ as well. ‘Speech’ is related to ‘openness’ (and hence ‘daylight’) whilst ‘knowledge’ is related to ‘hiddenness’ (and hence ‘darkness’).¹² On Knierim’s analysis ‘the night discloses the knowledge in hiddenness whereas the day pours it out in speech’.¹³ Although Knierim does not relate his argument to the use of binary oppositions in biblical texts, this structural opposition evokes the binary oppositional arrangement seen the story of universal creation (Gen. 1:1-2:25). Already we find that verses 1-6 evoke the creation narrative in which ‘Each day emphasises that binary pairs are the basis of the created order of the world.’¹⁴

The heavens are telling the glory of God as Creator. Some scholars insist that the heavenly communication is unintelligible to human ears.¹⁵ However, this view is implausible because the psalmist, at least, is able to discern that their message proclaims both the glory of God and the work of his hands.¹⁶ The poetic sense of verses 2-4 seems to be that although ‘the discourse of the heavens is not carried on in words; nevertheless, those with ears to hear may understand...’¹⁷ ‘Knowledge’ (*da’at*), referred to in verse 2, is elsewhere presented as the outcome of ‘the fear of the LORD’ (*yir’at YHWH*; e.g. Proverbs 1:7). We are justified in making this connection since the psalmist expressly (and unusually)¹⁸ refers to *yir’at YHWH*

⁹ Rolf P. Knierim, ‘On the Theology of Psalm 19’ in *The Task of Old Testament Theology: Essays by Rolf P. Knierim* (Eerdmans, 1995) 322, 326.

¹⁰ J. Ross Wagner, ‘From the Heavens to the Heart: The Dynamics of Psalm 19 as Prayer’ (1999) 61 *Catholic Biblical Quarterly* 245, 250.

¹¹ A binary opposition is ‘a pair of terms conventionally regarded as opposites’: Bernard S. Jackson, *Making Sense in Law* (Deborah Charles Publications, 1995) 510. For examples of their importance in biblical law, see Jonathan Burnside, *The Signs of Sin* (Continuum, 2003) 222-23 and Bernard S. Jackson, *Wisdom-Laws: A Study of the Mishpatim of Exodus 21:1–22:16* (OUP, 2006) 270.

¹² For a discussion of the interplay between revelation and hiddenness see Jonathan Burnside, ‘The Hidden Face of the Law-Giver: Revelation and Concealment in the Giving of the Law at Mount Sinai’ in Michael Avioz and Yael Shemesh (eds), *Festschrift In Honour of Joseph Fleishman* (CDL Press, forthcoming).

¹³ Knierim (n 9) 327.

¹⁴ Seth D. Kunin, *We Think What We Eat* (Bloomsbury, 2004) 97.

¹⁵ Knierim (n 9) translates v. 4 thus: ‘There is no speech, and there are no words. Not being heard is their voice’ (322). Accordingly, ‘the assumption of something like a primal form of natural revelation in the cosmos... cannot be unambiguously derived from this text’ (324-25).

¹⁶ Knierim (n 9) avoids the issue by claiming: ‘The question of whence the Psalm, or the Psalmist, has this knowledge is not at issue, neither in the text, nor in its presuppositions’ (329). But it can equally be argued that the Psalm presupposes the ability of humans to hear and respond to the cosmic message. There may also be sound poetic reasons for not expecting a clear statement of epistemology. Finally, verses 7-10 presuppose that *Torah* is YHWH’s gift of revelation, though nothing is explicitly said about that, either. The exegetical possibilities are canvassed by James Barr, ‘Do We Perceive the Speech of the Heavens?’ in Jack C. Knight and Lawrence A. Sinclair (eds), *The Psalms and Other Studies on the Old Testament* (Forward Movement Publications, 1990). Barr concludes that the heavenly declaration ‘shares in the universality of linguistic existence’ (14).

¹⁷ Wagner (n 10) 250. The idea of ‘speech but no speech’ makes John Howell (‘Psalm 19’ (2009) 113 *Theology* 243) think of the unpronounceable name YHWH. If correct, this would be an interesting link with verses 7-9 where it is mentioned six times, though Howell himself does not make this point.

¹⁸ David J. A. Clines, ‘A Martian Reads the Psalms, in Particular Psalm 19’, unpublished paper read at SBL International Meeting, 2010, 1 thinks the reference to ‘the fear of the LORD’ in verse 10 is so inconsistent with the other terms for ‘law’ that there is a strong case for emending the text. However, this overlooks the strong links between *Torah* and wisdom. See Jonathan Burnside, ‘Law and Wisdom Literature’ in Will Kynes (ed.), *Oxford Handbook of Wisdom and Wisdom Literature* (OUP, 2019). Since the ‘fear’ of YHWH also reflects ‘loyal response to the covenant’ (e.g., Deut. 6:2, 13, 24; Sheri L. Klouda, ‘The Dialectical Interplay of Seeing

in verse 9. This suggests that the global message refers to the knowledge of God as Creator that should lead to worship and obedience on the part of humanity. The heavenly message thus has substantive moral content.

The closing description of the sun encapsulates the theme of verses 1-6, namely, God's glory displayed universally in the cosmos. The sun is strongly associated with justice and order in the ancient Near East (ANE).¹⁹ As a result, biblical commentators frequently cast the psalmist's use of the sun in purely judicial terms.²⁰ Whilst I do not disagree, the association can be strengthened, in my view, to refer more specifically to kingship. Kings were, of course, responsible for administering justice in the ANE and ANE texts frequently draw a parallel between the sun and the king ruling in judgment. For example, the Prologue to the Laws of Hammurabi describes Hammurabi as 'the pious prince' who was named by the gods 'to make justice prevail in the land... [and] to rise like the sun-god Shamash over all humankind, to illuminate the land'.²¹ Here, Hammurabi's judicial activity, which evokes the sun-god, is clearly linked to sovereignty. I suggest that the sun image in Psalm 19 is a metaphor, not simply of judicial activity, but of sovereignty which includes ruling in justice. My proposal has the advantage of giving due weight to the explicit description in Genesis 1:16 of the sun being created by God to 'rule' the day. This squares with Clines' argument that the author of Psalm 19 purposefully alludes to the narrative of Genesis 1-4 at a number of points,²² though he does not make this particular connection. I shall argue that the image of sovereignty recurs in verses 7-11 and 12-14. The heavens declare God's sovereignty whilst the sun, as that part of the firmament that makes its effects known upon the earth, provides an image of sovereign power over the earth and its inhabitants. Just as the heat of the sun brings both life and death (not least in the sun-scorched Near East) so too may the rule of a sovereign be experienced both positively and negatively. It is a picture of sovereign authority that is complete and inescapable ('nothing is hidden from its heat'; verse 6).

To sum up, verses 1-6 describe a message that has substantive moral content because it reveals the character of God as Creator. As such these verses are related to discussions of natural law in the Western philosophical tradition because they are concerned with: (1) universal knowledge that can potentially be accessed by all human beings; (2) knowledge that is normative for all human beings; (3) an idea of normativity that is rooted in objective reality, independent of human knowledge of that reality; and (4) an idea of normativity based on a conception of what is required for true human flourishing (recalling the positive image of the sun).

and Hearing in Psalm 19 and its Connection to Wisdom' (2000) 10 *Bulletin for Biblical Research* 181, 184), this reference may also anticipate the covenantal language of verses 7-10.

¹⁹ See the primary ANE sources discussed in Steven G. Sager, "'Sun" and "Light" Imagery in Psalm 19' in R. A. Brauner (ed.), *Jewish Civilisation: Essays and Studies* (Reconstructionist Rabbinical College, 1979), vol. 1. Of course, I am not claiming that the Psalmist deifies the sun; instead he merely uses it as a metaphor for sovereignty.

²⁰ See, e.g., Van Zyl, 'Psalm 19' 150. Van Zyl sees the sun as 'the heavenly judge who is particularly concerned with justice and morality'. William B. Brown, *Seeing the Psalms* (Westminster John Knox Press, 2002) 81-103 summarises the heavy use of solar imagery in ANE royal iconography and its relevance for Psalm 19.

²¹ Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor* (2nd ed, Scholars Press, 1997) 76-77. Scholars dispute whether the image on the stela signifies communication of the laws from Shamash to Hammurabi or whether Hammurabi is presenting his laws to Shamash. This debate does not affect my argument here since, regardless of the source of the laws, Hammurabi's kingly function is still to do justice.

²² D. J. A. Clines, 'The Tree of Knowledge and the Law of YHWH' [1974] *Vetus Testamentum* 24, 8-14.

(b) YHWH's speech (vv. 7-11) [MT vv. 8-12]

⁷ The law of the LORD (*Torat YHWH*) is perfect, reviving the soul; the testimony of the LORD is sure, making wise the simple; ⁸ the precepts of the LORD are right, rejoicing the heart; the commandment of the LORD is pure, enlightening the eyes; ⁹ the fear of the LORD is clean, enduring forever; the rules of the LORD are true, and righteous altogether. ¹⁰ More to be desired are they than gold, even much fine gold; sweeter also than honey and drippings of the honeycomb.

¹¹ Moreover, by them is your servant warned; in keeping them there is great reward.

Whereas verses 1-4 are concerned with the words of the heavens, verses 7-11 are specifically concerned with the speech of YHWH embodied in *Torah* and the speech of YHWH to David in particular. Although the word *Torah* has the wider sense of 'teaching' or 'instruction', there are strong grounds for claiming that here it refers to the covenant between God and Israel at Mount Sinai (and reaffirmed subsequently, notably on the plains of Moab in *Deuteronomy*).²³ First, Fishbane has rightly drawn attention to the concern for speech that runs throughout the Psalm. As the heavens speak in verses 1-6, and the psalmist prays in verses 12-14, so verses 7-11 are concerned with YHWH's verbal communication of *Torah*.²⁴ This takes place, most strikingly, at Mount Sinai (e.g. Exodus 20:22ff); indeed, Sinai is the only location where YHWH is described as speaking directly to Israel (Exodus 20:1-14 and cf. also Deuteronomy 33:2). Second, as already noted, the Psalm shows a progressive narrowing in focus, from the universal revelation of the cosmos to God as Creator, to the specific revelation of the personal deity, YHWH, to Israel. It is therefore unlikely that *Torah* could here have a broad meaning, similar to the message of the heavens. Instead, the flow of the Psalm seems to be from all the inhabitants of the earth, to a specific people and thence to a single individual. And it is at Sinai that Israel is constituted as a people (Exodus 19:6). Thirdly, verses 8-10 are marked by the sixfold repetition of the name 'YHWH' (translated here as 'LORD'). This is the personal name of the God of the covenant. Finally, the editorial placing of Psalm 19 at the centre of Psalms 15-24 is significant insofar as this collection equates *Torah* with 'the word or words of Yahweh'²⁵ (e.g. Psalm 17:14 where the psalmist speaks of being guided by 'the word of your lips') and reflects a Deuteronomic theology of the king.

In contrast to the wordless speech of verses 1-6, the words of *Torah* in verses 7-11 do require speech. This is indicated by the terms 'testimony', 'precepts', 'commandment' and 'rules'. Yet as Wagner points out, words for speech and speaking are actually avoided in verses 7-11, in contrast to verses 1-6.²⁶ Although Wagner does not make this point, the effect of juxtaposing 'wordless speech' with 'speechless words' might well be to minimize the difference between the two sections and hence between the heavenly message and *Torah*. Several scholars have independently noted that verses 1-6 describe visual revelation in

²³ So Franz Delitzsch, *Biblical Commentary on the Psalms* (Francis Bolton trans., T & T Clark, 1871) 285 who claims 'no other divine revelation is meant than that given by the mediation of Moses....' Calvin, 'Psalm 19' (n 4) sees it as referring to 'the covenant by which God had distinguished that people from the rest of the world, and the whole doctrine of Moses' (318). Van Zyl (n 6) thinks there is a distinction between the five synonyms of vv. 8b-10 which 'seem to refer more to the revelation given directly to Israel at Sinai' and *Torah* in verse 7 which refers simply to 'the revelation in which God made known His will to mankind' (151). However, this analytical distinction is rather at odds with the unified poetic style of verses 7-10. For the reasons given in this section, I think Fretheim (*God and World*) is wrong to claim that the specific revelation of the covenant with Israel is excluded from these verses (144).

²⁴ Michael Fishbane, *Text and Texture* (Schocken Books, 1979) 86.

²⁵ Patrick D. Miller, 'Kingship, Torah Obedience and Prayer' in Klaus Seybold and Erick Zenger (eds), *Neue Wege Der Psalmenforschung* (Herder, 1994) 135.

²⁶ Wagner (n 10) 254.

language usually associated with hearing,²⁷ whilst verses 8-14 describe ‘the verbal revelation of Yahweh’s Torah primarily in terms of ‘seeing’’.²⁸ However, I suggest that what we have here is not simply an interplay between hearing and seeing but a deliberate confusion of the senses. This recalls the synesthesia at Mount Sinai where the Israelites who were gathered to receive *Torah* ‘saw the voice’ (Exodus 19:18; MT).²⁹ If so, it is yet another of those interesting echoes that bounce off the biblical walls, and creates another link to Mount Sinai.³⁰

There are important connections between verses 1-6 and verses 7-11. The ‘bridegroom’ and the military ‘strong man’ (verse 5) are symbols of veneration; *Torah*, too, is a source of celebration (verses 7-11).³¹ The tight grammatical parallels of verses 7-11 stress ‘the stability and discipline of the Torah, making it comparable to the cosmological order’ described in the opening stanza.³² In addition, the positive consequences of *Torah* observance are as inevitable as the sequence of night and day.³³ Emphasis is placed on the transformative power of *Torah* which revives the soul, makes wise the simple, rejoices the heart and enlightens the eyes.³⁴ The parallel structure of verses 7 and 8 suggest that ‘reviving the soul’ and ‘rejoicing the heart’ belong together and balance ‘making wise the simple’ and ‘enlightening the eyes’. More explicitly, the enlightening *Torah*, like the enlightening sun, brings light and joy (verse 8; and cf. verses 5 and 6); it endures forever (verse 9) and penetrates every part of life (including, it should go without saying, public life).³⁵ Even the reference to ‘fine gold’ and bees’ ‘honey’ recalls the colour of the sun.³⁶

The links between sun and *Torah* remind us that YHWH rules Israel through *Torah*, as suggested by my earlier proposal that the sun functions as a motif of sovereignty. I also suggest that there is a parallel between the continuous transmission of knowledge by ‘day’ and ‘night’ to their successors regarding God’s acts in creation, and the duty of parents to teach *Torah* to their children in a similarly unbroken chain of tradition (e.g. Deuteronomy

²⁷ Klouda (n 18); Johan H. Coetzee, ‘Listen to the Silent voice of the Heavens and Taste the Sweetness of Torah’ (2009) 22 *Old Testament Essays* 281 (‘the visible becomes vocal...’: 288). Notably, Coetzee seems to be unaware of Klouda’s earlier work.

²⁸ Klouda (n 18) 188. Coetzee draws on a ‘body phenomenological’ and an ‘embodied understanding’ perspective to make a similar point: Creation is ‘metaphorised as declaring God’s glory *in vocal terms*’ whereas *Torah* is ‘metaphorised in terms of *physical aspects* relating to creation and bodily experience’ (Coetzee (n 27) italics original). Klouda’s suggestion that the interplay of hearing and seeing suggests a wisdom motif could be strengthened by reference to the fact that *Proverbs* contains exhortations to ‘look’ (e.g. *Proverbs* 4:25; 29:31; 29:16) as well as to listen (*Proverbs* 5:7; 7:24; 19:20). It resonates with Mays’ claim that the literary model for this part of the Psalm comes from *Proverbs* (James Luther Mays, ‘The Place of the Torah-Psalms in the Psalter’ (1987) 106 *Journal of Biblical Literature* 3).

²⁹ For fuller discussion of the semiotics of Mount Sinai see Burnside (n 12).

³⁰ If the ‘heat’ of the sun connotes ‘violent heat’ (*per* Calvin, ‘Psalm 19’ (n 4) 316) there may be another parallel with the fiery giving of *Torah* at Mount Sinai (Exodus 19:18).

³¹ Philip Nel, ‘Psalm 19: The Unbearable Lightness of Perfection’ (2004) 30 *Journal of Northwest Semitic Languages* 103, 107.

³² Klouda (n 18) 191, drawing on Geller at n 46. Coetzee (n 27) writes: ‘The order of the path of the sun and the rhythmic order of day and night, relate to the moral order inspired by torah’ (294).

³³ H. Leo Eddleman, ‘An Exposition of Psalm 19’, *Review and Expositor* 1952, 413-424, (n 8), 418.

³⁴ The transformative power of *Torah* is also a key part of the narrative account of the giving of the law, witness its effects upon Moses’ skin (Exodus 34:29-35). For discussion see Jonathan Burnside, ‘Moses *contra* Bentham: How the Giving of the Law at Sinai Challenges Benthamite Jurisprudence’ (forthcoming).

³⁵ ‘Torah, much like a sun, “enlightens” and makes “bright” the social polity’: Fishbane (n 24) 88.

³⁶ Wagner (n 10) 255. As Terence E. Fretheim writes: ‘the law is as reliable, clear, life-giving, spirit-reviving, enlightening, joy-giving, supportive, guiding, piercing, and sure as are day and night and the workings of the heavenly bodies’; *God and World in the Old Testament: A Relational Theology of Creation* (Abingdon Press, 2005) 144.

4:10).³⁷ As above, so below; they, too, pass the story on. Again, this does not seem to be spotted by scholarship on Psalm 19. Further strength for this proposal is found in the fact that, in biblical Israel (as in the ancient world generally), ‘sun’ and ‘moon’ symbolised ‘father’ and ‘mother’, respectively (e.g. Genesis 37:9-10). Here, too, we find the theme of sovereignty, where father and mother rule the domestic sphere. If correct, it could be further evidence of the influence of Deuteronomic theology on Psalms 15-24.³⁸

To sum up, *Torah* is distinctly covenantal in Psalm 19. Yet even though it is rightly labeled as ‘specific revelation’ it can still be related to that aspect of the natural law tradition in which law is committed to human flourishing. Certainly, *Torah* in Psalm 19 ‘embodies the highest good for a human life lived in the presence of God’.³⁹ In addition, the literary connections between the words of *Torah* and the message of the heavens imply there are substantive connections between them. There is continuity between a heavenly message which is universal and a body of law (*Torah*) that is authoritative for a particular people.⁴⁰ It also indicates that *Torah* is rooted in objective reality, independent of human knowledge of that reality. Finally, it suggests that *Torah* is not confined to a particular people but is comprehensible by, and normative for, all human beings. This, too, is relevant for the natural law tradition.

(c) The psalmist’s words (vv. 12-14) [MT vv. 13-15]

¹² Who can discern his errors? Declare me innocent from hidden faults. ¹³ Keep back your servant also from presumptuous sins; let them not have dominion over me! Then I shall be blameless, and innocent of great transgression. ¹⁴ Let the words of my mouth and the meditation of my heart be acceptable in your sight, O LORD, my rock and my redeemer.

The final part of the Psalm moves from the speech of YHWH to David, embodied in *Torah*, to David’s response.⁴¹ *Torah* is thus the bridge between the words of the heavens and the words of the psalmist. Only *Torah* ‘embodies the luminous perfection of the creator of the cosmos and enables humans to share a joyful and life-giving relationship with YHWH’.⁴² Just as nothing is hidden from the searching rays of the sun, so *Torah* probes the recesses of the heart. Verses 12-13 envisage increasingly serious offences; from unwitting, to deliberate sins and thence to ‘great transgression’ (presumably idolatry). The psalmist wants to be ‘faultless’ (JPS) (‘*etam*’; verse 13 [MT verse 14]), just as *Torah* is ‘perfect’ (*teminah*; verse 7 [MT verse 8]). The desire of his heart is to ‘participate in existence as God has shaped it’.⁴³ From contemplating the heavenly words, he desires that his own words – spoken and unspoken – should join with the universe and be at one in praising God.⁴⁴ To this end, he seeks the

³⁷ Notably, this verse explicitly connects the transmission of *Torah* to the ‘fear’ of YHWH (cf. the reference to ‘the fear of YHWH’ in Psalm 19:9).

³⁸ Miller (n 25) 135.

³⁹ Wagner (n 10) 256. The language of human goods is strongly reminiscent of the work of John Finnis, *Natural Law and Natural Rights* (2nd ed, OUP, 2011) as well as the ‘new natural law theory’ generally.

⁴⁰ This way of putting things does not thereby present a *Torah* that should be understood as Thomist *determinatio*. This is because *Torah* is still presented as a divine source of authority for Israel and not as a particular application of divine authority, in general. I suggest that it would not be wrong to see *Torah* as divine *determinatio*.

⁴¹ Ibid 257.

⁴² Ibid 249.

⁴³ Jonathan T. Glass, ‘Some Observations on Psalm 19’ in Kenneth G. Hoglund et al (eds), *The Listening Heart* (Sheffield Academic Press, 1987) 155.

⁴⁴ Nel (n. 31) helpfully contrasts the ‘two perfect revelatory entities’ of the heavens and *Torah* with the human being who is ‘not only incapable of bring a revelatory organ, but also with no claim to being a perfect

transformative power of *Torah*, which was the focus of the previous section. The psalmist knows that only *Torah* can move him from a disordered to an ordered life. This way of putting things underlines the fact that the movement from chaos to order is the story of God's sovereign actions in creation. In verse 13 the psalmist prays for self-control, using the standard verb for 'rule' ('let them [i.e. presumptuous sins or persons] not have dominion over me').⁴⁵ Ultimately, he wants to be under YHWH's rule, not that of deliberate sin.⁴⁶ The theme of sovereignty, which I have argued is present in the previous two sections, is carried through to the final section as well. It also seems to be carried through to the Psalm's final editorial setting. Psalm 19 is redactionally placed to emphasise the theme of kingship. Miller has shown that the focus of Psalms 15-24 is YHWH's *Torah* and obedience to its divine instruction.⁴⁷ He further suggests that this collection may have the purpose of defining 'proper kingship at the beginning of the Psalter'.⁴⁸ Psalm 19 stands at the heart of this group and is itself a royal Psalm that places *Torah* at its centre. The term 'servant' in verses 11 and 13 is associated in Psalms 15-24 with 'the ruler and the torah lover' both of which, in Psalm 19, merge into one.⁴⁹ Finally, whereas Psalm 19 concludes with the prayer of the king, Psalms 20 and 21 offer prayers on the king's behalf.⁵⁰

To sum up, *Torah* is the bridge between the universal revelation described in verses 1-6 and the psalmist. This alone is capable of bringing the psalmist into relationship with YHWH whom he describes as his 'rock' and 'redeemer' (verse 14).

2. Some implications of Psalm 19 for natural law and biblical law

We have seen that the Psalm moves effortlessly from the heavenly message, to the words of *Torah*, to the prayer of the psalmist. However, the precise connection between the first two sections – cosmos and law – is not spelt out. Others have gone so far as to claim that this shows the psalmist is not interested in the question.⁵¹ This seems unlikely, however. The juxtaposition of the universal message and *Torah*, not to mention the literary connections between them, clearly shows that the psalmist not only thought they were related but, that their relationship was important. Some scholars suppose that the lack of explanation is the point; the Psalm is gnomic. I certainly agree that the Psalm preserves mystery between what we may call universal and specific revelation. This is what we should expect from meditative work of literature. However, that is not the same as saying the Psalm is composed as a riddle. It is perfectly possible that the psalmist did not spell out the connections because, to him, they were obvious. One way, it seems to me; of reading the Psalm, is to call the mind the foundational biblical narrative in which the God, who is Creator of the heavens and the earth, is also the deity who calls Israel into covenant relationship with himself. The shift from

communicative instrument of God's glory' (115). Hence the request that the Psalmist's speech, in the form of a prayer may, possibly, be pleasing and acceptable (115).

⁴⁵ Clines (n 22) 13-14 and Fishbane (n 24) 88 see this as recalling God's words to Cain in Genesis 4:7.

⁴⁶ The Psalmist seeks YHWH's rule rather than that of *Torah*. This may seem a hair-splitting distinction, but I am here following the logic of the Psalm. Since appeal is made directly to YHWH, something more must be required than the servant's own obedience to *Torah* (Knierim (n 9) 334).

⁴⁷ P. Miller, 'The Beginning of the Psalter' in J. Clinton McCann, Jr. (ed.), *The Shape and Shaping of the Psalter* JSOT SS 159 (Sheffield Academic Press, 1993) 92.

⁴⁸ Miller (n 25) 140.

⁴⁹ Ibid 128.

⁵⁰ Ibid 132.

⁵¹ See, e.g., Knierim (n 9) 349: 'Whether or not, and in what sense, these two foci [the cosmic and the human] are formally and substantively complementary or rest on a common denominator seems to be beyond the psalm's present concern'.

verses 1-6 to 7-11 can be explained in terms of a movement from the creation story to Israel's salvation-history. This is reflected in the change from the "'international' character"⁵² of the name 'El'⁵³ in verse 1 (which denotes 'God as generally known Creator')⁵⁴ to the personal YHWH of Israel's salvation history in verses 7-9. Verses 1-11 retell this story, with broad poetic strokes. Scholars have tried to find an abstract point of connection, or lowest common denominator that joins both parts of the Psalm.⁵⁵ Whilst hardly denying thematic links and points of correspondence, I maintain that the through-line is narrative.

How, then, should we understand the relationship between the heavenly message and *Torah* in Psalm 19? In this section, I argue that although *Torah* is grounded in creation (see (a), below), creation and *Torah* are distinct (see (b), below). This means that they are not equivalent forms of revelation (see (c), below). The result is that there is both continuity and discontinuity between 'cosmos' and 'law'. This presents specific challenges in terms of how we understand biblical law (see (d), below), its relationship to the philosophical subject of natural law (see (e), below) and how we might go about bringing the two into conversation (see (f), below).

(a) The 'creation-horizon' and *Torah*

First, the psalmist follows the grand biblical narrative, in which the story of creation is followed by the call of Abraham and the giving of *Torah* to his descendants. This has the effect of placing 'biblical law within the broader divine purpose for ordered human society',⁵⁶ as McConville notes in a different context. Psalm 19 is thus consistent with the idea that a 'creation-horizon' provides 'the ultimate theological basis for an understanding of law'.⁵⁷ So although, as we have argued, *Torah* in verses 7-11 is distinctly covenantal, putting it in an overtly creational framework has the effect of universalising its message. Thus Fishbane, who clearly identifies the *Torah* of Psalm 19 with 'the instructions of God to Israel',⁵⁸ nevertheless claims that the Psalm presents God as 'both Creator... and teacher of *mankind* through His Torah' (italics added).⁵⁹ This seems to me to be right, and part of the point the psalmist is making. A unique message that is also, in some sense, universalisable, seems a contradiction in terms. However, this tension between unique calling and universal relevance has always lain at the heart of the covenant with Abraham (Genesis 17:1-8) and Israel's vocation (Exodus 19:6). In any case, if *Torah* is to 'revive the soul' and 'enlighten the eyes' it must go with the grain of the created order.⁶⁰ The reverse is also true; as Mays notes: 'the world is organized around *Torah*. *Torah* applies to everything'.⁶¹ The critics will be swift to

⁵² Martin Rose, 'Names of God in the OT' in David Noel Freedman (ed.), *Anchor Bible Dictionary* (Doubleday, 1992) 1004.

⁵³ 'El' is such a common Semitic appellative name for divinity that it normally requires more concrete expression to refer to the God of the Bible (e.g., 'El-Elyon': Gen. 14:22). See *ibid*.

⁵⁴ Eaton (n 8) 15.

⁵⁵ For e.g., Jon Levenson, 'The Theologies of Commandment in Biblical Israel' (1980) 73 *Harvard Theological Review* 17 proposes themes of 'enlightenment' and 'penetration' (29). Knierim (n 9) suggests two points of correspondence; (1) praise (the praise of the cosmos and the Psalmist's praise of Torah and (2) completeness (the completeness of the life of the cosmos before God and the completeness of the psalmist's life under YHWH's guidance) (342-343). Apart from anything else, this strikes me as rather narrow.

⁵⁶ Gordon McConville, 'Biblical Law and Human Formation' (2013) 14 *Political Theology* 628, 630.

⁵⁷ *Ibid*, though McConville is not referring to Psalm 19.

⁵⁸ Fishbane (n 24) 86.

⁵⁹ *Ibid*.

⁶⁰ Eaton (n 8) attributes to Sigmund Mowinckel the view that: 'The cosmic law – life's own law – and God's *tora* are, at the deepest, one and the same' (37).

⁶¹ Mays (n 28) 8.

accuse me of viewing the Sinai covenant through the lens of the primeval history, in order to advance a contemporary Christian agenda (I've had that one) or as saying that the law given at Sinai is dispensable (I've had that one too). What I am doing is taking seriously how the texts themselves locate *Torah* within an overtly creational framework, as Psalm 19 does.⁶² Much more can, of course, be said about all this. Suffice it to say that Psalm 19's juxtaposition of cosmos and *Torah* makes very good sense of passages such as Deuteronomy 4:5-8, which assume not only that *Torah* is intelligible and communicable to the surrounding nations but that it can, in principle, be welcomed by them as wisdom. Indeed, such texts assume 'some standard by which YHWH's laws can be measured, which must logically be prior to those laws'.⁶³ Similarly, Hazony draws attention to several passages that have been quietly ignored but which speak of *Torah* as being as relevant to the nations as they are to Israel.⁶⁴ Various rabbinic interpretations have extended this line of thought still further, arguing that the reason why *Torah* was given in the liminal land of the wilderness of Sinai was so that all nations could accept it as their own.⁶⁵ A further aspect of the relationship between creation and *Torah* is the way in which Israel herself is presented as being a work of new creation (e.g. Exodus 19:6 and cf. the rabbinic parallel between the ten words by which the world was created and the words of the Ten Commandments or 'Utterances').⁶⁶

For Kelsen, this strong connection between creation and law amounts to a failure to recognise the distinction between 'is' and 'ought' and the modalities appropriate to each (i.e., causality and imputation). Although Kelsen does not mention Psalm 19 specifically, it is one of many biblical texts that, in his view, assert a world 'where cause and effect are connected by the will of a divine creator'.⁶⁷ Creation is conceived not in terms of causality but rather imputation (i.e., 'the laws of nature describe *norms* that express the divine will ...').⁶⁸ From Kelsen's perspective this is 'an elementary conceptual mistake: creation of the world by divine command'⁶⁹; a mistake he saw as typical of pre-modern thought.

From a modern mindset this bringing together of physics and ethics is completely misconceived – but not in the view of the Psalmist. The presupposition that it is possible to project any moral viewpoint onto the physical universe is denied in Psalm 19. It is also a denial of natural law theory which presupposes that nature and ethics speak to and respond to each other. In reconnecting nature and ethics, Psalm 19 is making a point that is foundational to the very idea of natural law. *Torah* asserts the very philosophical foundation of natural law theory, namely, a relationship of harmony between the natural and the ethical.

⁶² Other biblical texts make explicit the parallel between creation and *Torah*. For e.g., Psalm 111:7 parallels 'the work of [God's] hands' with God's 'precepts'. Other texts make it explicit that the cosmos functions as witness to *Torah* (understood broadly) (e.g., Deuteronomy 4:32; 28:23-24; Job 20:27; Psalms 50:6, 89:6, 119:89; Jeremiah 2:12).

⁶³ John Barton, *Ethics and the Old Testament* (SCM Press, 1998) 73.

⁶⁴ Hazony (n 1) 346-47, discussing Deuteronomy 33:2-3; Ezekiel 33:15 and Isaiah 56:1-8.

⁶⁵ 'Why was the *Torah* not given in the land of Israel? So as not to give the nations of the world the chance to say that they only reject the *Torah* because it was not offered to them on their land ... Three things are associated with the giving of the *Torah* [at Sinai]: Desert, fire, and water. We learn that just as these are available freely to all mankind, so too is the *Torah* a gift to all mankind' (*Mechilta* 20:2). I owe this reference to Hazony (ibid).

⁶⁶ *Ethics of the Fathers [Pirkei Avot]*, ch. 5, para. 1.

⁶⁷ H. Kelsen, *Pure Theory of Law* (trans. M. Knight, University of California Press, 1967) 77 (italics original).

⁶⁸ Ibid 76-85 (ss. 18-20), 77.

⁶⁹ Bernard S. Jackson, 'Some Preliminary Observations on Truth and Argumentation in the Jewish Legal Tradition' in Bjarne Melkeveik (ed.), *Standing Tall: Hommages à Csaba Varga* (Pázmány Press, 2012) 199-207.

(b) Creation and *Torah* are distinct

We have argued so far that there is some correspondence, if not actual harmony, between cosmos and *Torah*. This is unavoidable because the same God is both the topic of the heavens and the speaker of *Torah*.⁷⁰ At the same time, we must insist that the two are nevertheless distinct. This, too, is clear from the literary presentation of verses 1-6 and 7-11, which are clearly distinguished by subject and metre. In fact, the differences are so stark that many critical scholars have assumed that Psalm 19 originally consisted of two independent Psalms that were (inexpertly and unconvincingly) joined together.⁷¹ Even if we are prepared to assume, as I do, unity of composition by a single author, due weight must be given to the ‘genuinely distinct existential conditions in which the cosmos of God on the one hand and Yahweh and his servants on the other are related’.⁷² In that sense, Psalm 19 attests to a difference between natural law and biblical law. This may be hard to define; it may even be impossible especially if, as suggested in some parts of the Wisdom literature (e.g. *Ecclesiastes*, *Job*), the very subject of creation-order is inherently indeterminable. There is certainly an element of mystery to verses 1-6 (e.g. the epistemological process by which the inhabitants of earth know the glory of God). In my view, the soundest claim to make is that creation and *Torah* are as distinct from each other as the two names of God used in the Psalm; ‘El’ and ‘YHWH.’

(c) Creation and *Torah* are related but not equivalent

Third, Psalm 19 shows that although there are deep connections between cosmos and *Torah*, they are not equivalent forms of communication. Weiser is thus mistaken to collapse the distinction between verses 1-6 and 7-11 when he claims: ‘The heavens are the book from which the whole world can derive its knowledge of God!’⁷³ This cannot be correct because it does not explain the psalmist’s praise of *Torah*. The psalmist is not suggesting that those who do not have *Torah* can know God as well as those who have been given the gift of YHWH’s teaching. Instead, the psalmist presents the revelation of *Torah* as superior to whatever may be discerned through observation of nature and human reason. Wagner puts it well: ‘the dialogue of the heavens was *about* God; [but] *Torah* embodies YHWH’s own speech....’ (italics original).⁷⁴ For Klouda, *Torah* ‘expands and interprets’ the revelation of ‘Yahweh’s self-disclosure in creation’.⁷⁵ The fact that the deity is only mentioned once in verses 1-6 as opposed to six times in verses 8-10 is another pointer to the superiority of *Torah*, at least from a human point of view.⁷⁶ God is known more accurately and intimately through *Torah* than the natural world.⁷⁷

Since *Torah* is superior revelation, it can challenge reductive and flawed interpretations of the reality to which creation bears witness. For this reason, I do not agree with McConville when he claims that my recognition of some version of natural law in the Bible ‘seems to

⁷⁰ Wagner (n 10) 254.

⁷¹ Eaton (n 8) 14-45.

⁷² Knierim (n 9) 344.

⁷³ A. Weiser, *The Psalms* (Westminster, 1962) 109.

⁷⁴ Wagner (n 10) 255 (italics original). The superiority of *Torah* is explicit in other parts of the Psalter (e.g., Psalm 119:97-99 where *Torah* provides greater wisdom than any human teachers).

⁷⁵ Klouda (n 18) 192.

⁷⁶ Coetzee (n 27) denies that there is any ‘hierarchical distinction’ (282) between creation and *Torah*. This may well be true at the level of ‘God’s revelation of himself’ (282) but there is clearly a difference in terms of how it is seen from a human perspective.

⁷⁷ As Eddleman (n 33) writes: ‘the glory of Yahweh in moral law transcends the glory of God in nature’ (416).

understate the radical and subversive potential of biblical law in its world'.⁷⁸ (It can be wryly noted that my overall argument in *God, Justice and Society* for the application of *Torah* in public life was swiftly denounced by the critics for being too radical by half, so the fact that I am here accused of understating its subversive qualities means I must be doing something right.) I specifically claim in *God, Justice and Society* that the revelation at Sinai speaks of God's requirements 'with greater clarity, precision, and detail'.⁷⁹ This means that *Torah* can and should serve as the basis of challenge, not least to conclusions drawn from an inferior source. As Levering writes, affirming the existence of natural law in the Bible 'does not... adduce universal norms that make the biblical narrative unnecessary'.⁸⁰ I certainly agree with McConville that the grounding of *Torah* in creation 'does not mean that it is bound to have a universally benign character' nor does it 'take us out of the reality of sharp disagreements about what is right'.⁸¹ This much is clear from the reference to Deuteronomy 4:5-8 in the previous section. Yes, *Torah* has a message that can be commended to the nations. But it is still a counter-cultural message. Even more challengingly, it is addressed to nations some of whom are in conflict with Israel herself.

(d) The definition of biblical law

Psalm 19 asserts that there is continuity and discontinuity between the language of the heavens and *Torah*. This has implications for how we should understand biblical law. On the one hand, Psalm 19 suggests that the covenant at Sinai has its own distinct identity; on the other that it has a correspondence with creation that goes beyond the metaphorical. This means that although we can identify a biblical genre called 'law', it is not easy to separate this out from other genres. McConville points out that a wide range of texts 'share a fundamental belief in a comprehensive ordering of reality'⁸² including '[c]reation, law and wisdom texts, as well as narratives and hymns of praise dealing with the world-ordering responsibilities of kings'.⁸³ This being so, to speak of the subject of biblical law must mean drawing on a range of literary genres. Perhaps it is only as we hold them together, rather than drive them apart, that we are able to talk meaningfully about 'a created order that embraces law, nature and politics'.⁸⁴ It is for this reason I have defined biblical law, elsewhere, as an integration of instructional genres which together express a vision of a society ultimately accountable to God.⁸⁵

It is safe to say that many scholars have yet to be convinced by this definition. Predictably, it has not found favour among those who take a narrow reading of *Torah* influenced, whether consciously or not, by legal positivism. Even McConville thinks my claim that theologians have exaggerated 'the distinction between law as God's revealed will and as that which may naturally be perceived to be right... sits uncomfortably'⁸⁶ with my 'recognition of the importance of covenant in biblical law'.⁸⁷ But my position is no more awkward than that of Psalm 19. We should take our cue from the psalmist who insists on holding together both creation (in verses 1-6) and the distinctiveness of the covenant (in verses 7-11) In doing so,

⁷⁸ McConville (n 56) 636.

⁷⁹ Burnside (n 7) 83.

⁸⁰ Levering (n 3) 68.

⁸¹ McConville (n 54) 638.

⁸² Ibid 630.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Burnside (n 7) xxxii.

⁸⁶ McConville (n 56) 636-37.

⁸⁷ Ibid 637.

perhaps we should also take a steer from the way in which this psalmist integrates different literary styles in the course of one short *Torah*-Psalm. Against critics such as Sagovsky, who objects to what he sees as my ‘catch-all term ‘biblical law’’,⁸⁸ perhaps Psalm 19 shows we need an integration of different literary genres to be able to say what *Torah* is?

(e) The challenge of natural law in the Bible

Psalm 19 presents a harmonised vision in which God’s rule over Creation is displayed not only in physical terms (the intelligibility of the natural universe) but also in moral terms (the rule over our minds). As such, it presents several challenges to modern readings of natural law.

First, it challenges the way in which much natural law thinking has become caught up in an assumed dualism between nature and revelation. Psalm 19 suggests that the dichotomy between reason and revelation needs to be conjoined. Reason and revelation interact and are mutually reinforcing. This paves the way for a spirituality of law. Second, it challenges the tendency among legal philosophers to distinguish physical laws of nature (such as the law of gravity) – which are really predictive statements based on observation – from ‘ought’ norms (such as ‘you should not kill’). Kant, of course, famously contended that norms are in a separate universe to cause and effect (creation) (e.g., ‘In nature, everything *is*: the question of *ought* does not arise there’).⁸⁹ Again, the Bible rejects the duality of secular modernism. According to the creation narrative in *Genesis*, which is assumed in Psalm 19, the word of God has physical and moral effects. It is because God says, ‘Let there be. . .’ (e.g., *Genesis* 1:3) that existence itself is a good. Natural law, as presented in Psalm 19, breaks down the philosophical distinction between ‘fact’ and ‘value’ – a distinction that, of course, only arises because nature is assumed to be nonnormative.

Kant’s preoccupations are, of course, far removed from those of the Psalmist. It was Kant’s ontological arguments that undermined the ‘argument from design’ that served as one of the philosophical proofs of the existence of God in the eighteenth century and it was Kant, *par excellence*, who located the validity of scientific and moral laws in the legislative power of the human mind. This makes his conclusion from the *Critique of Practical Reason* all the more striking: ‘Two things fill the mind with ever new and increasing admiration and reverence, the more often and more steadily one reflects on them: *the starry heavens above me and the moral law within me*.’⁹⁰ It is these words that are inscribed on his gravestone and their connection with the psalm seems obvious. The parallel is so striking it suggests a submerged memory of Psalm 19 on Kant’s part.

Whether or not this is so, Kant’s conclusion shows, remarkably, his deep response to *both* the physical *and* the moral qualities of the universe. Even though he draws a strict boundary between the two in his philosophy, as a person, they invoke in him a similar response. Kant shows a need for that kind of harmony. In that sense, his view is much closer to that of the Psalmist than his philosophy might indicate. Kant’s quotation also suggests we should not make too rigid a distinction between physics and morality. Kant does exactly this in his philosophy, but his quotation shows that they cohere for him, as a person. This, too, moves Kant closer to the position of the Psalmist.

⁸⁸ Nicholas Sagovsky, ‘Review of *God, Justice and Society*’ (2012) 14 *Ecclesiastical Law Journal* 455.

⁸⁹ Immanuel Kant, *The Conflict of the Faculties* (Mary J. Gregor trans. and int., University of Nebraska Press, 1798/1979) 129 (emphasis original).

⁹⁰ Immanuel Kant, *Critique of Practical Reason* (Mary J. Gregor ed., Cambridge University Press, 1997) 133.

(f) The relationship between biblical law and natural law

We cannot here propose even a short account of the reception history of the Bible in natural law theory nor do I wish to oversimplify complex matters. Nevertheless, it is hardly controversial to point out the tendency, especially among modern natural law theorists, to play off the categories of ‘divine law’ and ‘natural law’ against each other. This is understandable. The emphasis placed by contemporary natural lawyers on the rational and universal character of natural law has tended to create a sharp division with divine law for it is assumed that anything fully accessible to rational persons cannot thereby be linked to revealed Scripture. It is not hard to see how a text such as Psalm 19 might play into such assumptions. From this perspective, the structural differentiation within the psalm between verses 1-6 (dealing with ‘natural law’) and verses 7-11 (concerned with ‘divine law’) could be seen as upholding the view that the two categories are utterly distinct. From here it is but a short step to the claim that the Bible should only be seen as a repository of divine law and not as illuminating our understanding of natural law. Unfortunately, this latter position all too frequently sets the terms of the debate (e.g. Karl Barth’s famous dispute with Emil Brunner in 1934, takes place in the context of Barth’s assumption that the Bible cannot have a natural law theory).⁹¹

Psalm 19 presents a challenge to this conceptual neatness and absolutism since, as we have seen, it insists on holding together *liber naturae* and *liber scripturae*. In this respect, we could say that the psalmist is closer to scholastic rather than contemporary concepts of natural law. Without identifying their positions with those of the psalmist, Augustine, Ambrose, Ambrosiaster, Origen, and Jerome all find continuity between divine law (whilst drawing on different parts of Scripture) and natural law. Gratian even claims that ‘the natural law is that which is contained in the law and the Gospel....’⁹² This may strike modern philosophers and theologians as confused but the scholastics have no difficulty finding close connections between divine and natural law where later expressions of the natural law tradition would drive them apart.⁹³

Given the sophistication of Aquinas’s handling of Scripture in the context of his theory of natural law the question is raised how my account of Psalm 19 compares with his conception of divine law and its relationship to natural law. It should be said at once that the relationship between natural and divine law in Aquinas’ thought is a tricky question, let alone how Aquinas’s theory of law relates to Psalm 19. As is well known, Aquinas distinguished between ‘eternal’, ‘natural’ and ‘divine’ laws (among others). The eternal law is identified as the rational principle by which God governs the entire universe⁹⁴ and functions as a normative standard insofar as it is the ultimate source for goal-directed action by purposive creatures. Natural law is ‘participation in the eternal law by rational creatures...’⁹⁵ and, as such, is properly identified, as Porter puts it, with ‘a capacity or a principle, that is to say, a foundational norm, for moral judgement, rather than a set of specific divine or rational precepts.’⁹⁶ By contrast, divine law (which includes Mosaic law) is received, not by way of

⁹¹ Emil Brunner and Karl Barth, *Natural Theology* (Peter Fraenkel trans., Geoffrey Bles, 1946) and see the discussion on its implications for scholastic natural law theory by Porter (n 2) 169-77.

⁹² Translation by Porter (n 2) 129.

⁹³ For a wide ranging discussion of scholastic handling of Scripture and natural law see Porter (n 2) 121-85.

⁹⁴ Thomas Aquinas, *Treatise on Law* (Richard J. Regan trans., Hackett, 2000) q91 a1 o3.

⁹⁵ Ibid q91 a2 o3.

⁹⁶ Jean Porter, ‘The Natural Law’ in *Aquinas’s Summa Theologiae: A Critical Guide* (Jeffrey Hause ed., Cambridge University Press, 2018) 174.

reason, but by revelation. Despite this distinction, reason and revelation are not played off against each other in Aquinas's thought. Indeed, Aquinas emphasises that the giving of *Torah* was delayed so humanity would learn that human reasons and natural law alone are not sufficient to overcome human hardness of heart and pride.⁹⁷ Indeed, what Aquinas calls the Old Law is said by him to have been given to humanity to assist where reason is not sufficient and where it is impeded by human sinfulness. Moreover, conceptually, although natural law and divine law differ from each other regarding their mode of knowledge, both are ultimately concerned with the same body of law (that is, the 'eternal' law). In that sense, too, reason and revelation are related. At this level of abstraction, the claim to continuity between natural and divine law has some resonance with Psalm 19.

At the same time, though, matters are not quite so straightforward for although Aquinas saw the Decalogue as 'the epitome of the natural law, broadly understood'⁹⁸ its precepts, at different points, both are, and are not, self-evident to all.⁹⁹ For Porter, 'Aquinas affirms the claim that the precepts of the Decalogue are precepts of the natural law while at the same time denying that they are strictly speaking self-evident to all persons, or foundational for all moral reasoning.'¹⁰⁰ Space forbids unpacking the nuances of Aquinas's position here; suffice it to say there are a series of questions regarding Aquinas and biblical law that need further exploration. Porter's suggestion of 'an integral, dynamic relation between these [divine] precepts and the rational agent who grasps and implements them'¹⁰¹ sets up a potentially fascinating conversation between Aquinas and the psalmist, which I hope to pursue in subsequent work. Similarly, my argument here regarding continuity between biblical law and natural law raises the problem, at least from a natural law perspective, of communicating the contents of such a belief. This means revisiting Aquinas's connection between *lex aeterna* and *lex humana* through *lex naturalis* and *lex divina*. I hope to address these and other questions in future. The overall issue is that the natural law tradition has tended to read *Torah* in terms that are too abstract; here, and in future work, I seek to re-establish a dialogue.

3. Recasting the discussion of natural law in the Bible

We have seen that Psalm 19 opens up a number of questions regarding the relationship between natural law and biblical law.¹⁰² Here we see the benefit of close study of a short text which shows far better than an abstract discussion the complexity of talking about natural law

⁹⁷ Aquinas (n 94) q98 a6 o3.

⁹⁸ Porter (n 96) 182.

⁹⁹ Aquinas (n 94) q100 a1 o3 and q100 a3.

¹⁰⁰ Porter (n 96) 183.

¹⁰¹ Ibid 184.

¹⁰² Hilary Marlow, 'Law and the "Ruining of the Land"' (2013) 14 *Political Theology* 650, misunderstands me when she wonders 'whether the biblical authors would have differentiated between the approaches to natural law taken, say, by Thomas Aquinas and William of Ockham in the thirteenth and early fourteenth centuries' (659). Of course they would not have done so, which is precisely my point: Burnside (n 7) 94-95. She gets the wrong end of the stick again when she argues that 'Hosea and Jeremiah would probably not have recognized the category distinction inherent in the question of 'whether divine law is a matter of pure command ... [or] something written into the structure of the universe'' (659) quoting from (n 7) 93-94. I have no doubt they would not have done so. My clearly stated position is that biblical law represents an integration of different horizons of the meaning of the word *Torah* and cannot be reduced to a simple either/or (e.g., (n 7) xxx-xxxii). Marlow presents her conclusion ('God's law is commanded at Sinai *and* written into the fabric of creation', 660) as being at odds with my own. In fact, it is the position I contend for at multiple points in *God, Justice and Society*. To give but one example, I note that although the Sabbath commandments are specifically given to Israel at Sinai (Exod. 20:8-11), the Sabbath is also held out as God's gift to humanity as a whole (Genesis 2:2-4). See (n 7) 71-72.

in the Bible and its relationship to biblical law.¹⁰³ Since Psalm 19 does not say everything we might want to say about natural law in the Bible, what other texts might be relevant, and why, and what might they suggest regarding the relationship between natural law and the Bible? In this section, I summarise my own proposal (developed elsewhere)¹⁰⁴ for furthering the discussion. This is only a sketch of a roadmap, but I still hope it provides some routes through difficult terrain.

My starting point is the assumption that, when we are talking about natural law in the Bible, we could be talking about a range of different things. This is the steer given by Psalm 19 but it is also suggested by the philosophical tradition of natural law itself.¹⁰⁵ To my mind, this shows one of the ways in which a dialogue between biblical exegesis and philosophy (as well as theology) can enrich our understanding of natural law in the Bible.¹⁰⁶ If this assumption is correct then it means that, in our pre-interpretative stage of asking whether there is natural law in the Bible, we cannot assume that it all boils down to a single idea (e.g. ‘law according to nature’ or ‘universal law’) and then ask whether this idea is present in the biblical materials. This may not do justice to the complexity of the task.

Instead, one way of thinking about natural law is to see it as asserting continuity between, on the one hand, acts of human lawmaking and legal judgment and, on the other, that which is required of human beings (either by virtue of their nature, or the world in which they exist, or ‘things as they are’, including God). This takes account of the different emphases it has had across the centuries. It also recognises a diverse range of expressions of natural law theory, ranging from the belief that morality is rooted in objective reality, independent of human knowledge of that reality all the way through to the belief that complex social phenomena, including law, can only be identified using moral criteria.¹⁰⁷

This means that if we wanted to think about various ways in which natural law might exist in the Bible and to incorporate – potentially – a wide range of related phenomena, we might start by looking for a connection between divine activity and human activity in the realm of normativity. This could be one way in which we might bring the biblical material into dialogue with the philosophical tradition of natural law.¹⁰⁸ It certainly opens up a range of

¹⁰³ Marlow (n 102) is concerned that the concepts that scholars, including myself, have termed natural law and biblical law are ‘so closely intertwined and interdependent, both theologically and in literary tradition, that any attempt to disentangle them must proceed with great caution’ (660). This is certainly true. But before her warning that we can barely put a piece of cigarette paper between ‘natural law’ and ‘biblical law’ we should at least pause to acknowledge the pointed fact that the Bible, and biblical law, have not traditionally been seen as having anything to do with natural law. On the contrary, as I have argued elsewhere, biblical law has often been read in terms of legal positivism. This is not the moment for refuting Marlow’s point; merely for noting the irony.

¹⁰⁴ Burnside (n 7) 67-101.

¹⁰⁵ Not to mention the secondary literature regarding natural law in the Bible. Approaches that I have found particularly helpful include John Barton, *Ethics and the Old Testament* (SCM, 1998); Markus Bockmuehl, *Jewish Law in Gentile Churches* (Baker Academic, 2000) and James K. Bruckner, *Implied Law in the Abraham Narrative* (Sheffield Academic Press, 2001).

¹⁰⁶ The method favoured by Levering (n 3) 1, with which I broadly agree.

¹⁰⁷ For the full range of positions suggested see Burnside (n 7) 93, Table 5.

¹⁰⁸ Marlow (n 102) accuses me of drawing ‘too direct a comparison with the biblical material that reflects a very different worldview’ given the ‘indebtedness’ of the Western philosophical tradition of natural law to Greek ideas...’ (659). In fact, I purposefully sought to avoid ‘too direct’ a comparison. Marlow may have missed my discussion of the differences between the biblical materials and the Western natural law position and how the former presents challenges to the latter (e.g., (n 7) 72, 97-100). Marlow herself draws comparisons between biblical materials and philosophy in her own work (H. Marlow, *Biblical Prophets and Contemporary Environmental Ethics*, OUP, 2009). I am sure that the biblical texts there employed reflect ‘a very different

possibilities for exploring the relationship between natural law and the Bible. It also means that we can, potentially, move beyond the ‘usual suspects’ of relevant texts (e.g. the opening chapters of *Genesis*) and identify a much wider range of potentially relevant biblical materials. Thus, I suggest we could be looking for a number of different things, including the following: (a) continuity between the divine and creation; (b) continuity between the created world and human behaviour; (c) universal knowledge of certain norms; (d) continuity between different forms of revelation; and (e) continuity between divine and human acts of judgment.¹⁰⁹ These themes can all be seen as different manifestations of natural law in the Bible,¹¹⁰ some of which receive different emphases at different times.¹¹¹ I have expounded these elsewhere and so can be brief.

worldview’, at various points, to contemporary environmental ethics. Certainly, the comparison between the biblical texts and natural law is there to be made, otherwise we all risk falling into the trap, identified by Levering, of ‘biblical scholars who treat the topic of ethics in the Bible ... without reference to “natural law”’: (n 3) 1. Bringing the biblical texts into dialogue with the natural law tradition is thus inherently worthwhile. It reflects far more than the need (as Marlow sees it) to address a ‘target readership’ of law students (652).

¹⁰⁹ Marlow (n 102) 652 notes that my account ‘relies heavily on the notion of continuity’. This is somewhat misleading. It is not grounded in the concept of continuity *per se* but the evidence in the biblical texts for continuity of different kinds. It is this which brings consideration of natural law in the Bible into dialogue with natural law in the Western philosophical tradition. McConville (n 56) 636 thinks that my approach seems ‘potentially to segregate the moral order from the character and person of God.’ Whilst there is always ‘potential’ for things to go awry, one would have thought that stressing continuity between different elements was a good way of actually avoiding segregation.

¹¹⁰ See Burnside (n 7) 67-101. Marlow (n 102) objects that ‘Burnside’s account of natural law in the Bible... begs the question whether the relationship between natural law and biblical law, as Burnside construe them, is so close and intertwined as to make any distinction meaningless’ (652). As previously stated, my argument is merely that ‘there are a number of different ways in which natural law could be said to exist in the Bible’ ((n 7) 68), an argument aimed at those who deny the possibility of any connection between natural law and biblical law. If Marlow thinks the two are very tightly connected, then perhaps I can be said to have succeeded. If I were invited to express a view as to whether there is, in fact, a difference between ‘natural law in the Bible’ and ‘biblical law’ I would certainly note, as a prelude to discussion, that Psalm 19 thinks there is a difference. Others think so too. Fisher and Van Utt note that, for the psalmist’s life to be whole and fruitful he must live in harmony with *torah* as well as with natural law, implying that they at least find some difference (G. W. Fisher and G. Van Utt, ‘Science, Religious Naturalism and Biblical Theology’ (2007) 42 *Zygon* 929, 933). Marlow proposes that ‘[i]nstead of continuity between separate categories, should we instead posit that in the Old Testament biblical law is part of natural order and natural order is part of biblical law?’ (652-653). At this point we have to turn Marlow’s criticism upon itself. If she objects that my account of natural law and biblical law is ‘so close as to make any distinction meaningless’ (a problem of her own making) I do not see how claiming ‘biblical law is part of natural order and natural order is part of biblical law’ makes for a better distinction.

¹¹¹ Marlow (n 102) doubts whether the biblical authors would recognise the categories I use to describe natural law in the Bible and suspects that this may, instead, be ‘a case of a modern author trying to impose something onto the text that is not intrinsically part of its world view’ (652). Every modern reading of a text – any text – brings certain categories to it in order to understand it, yet none of the categories I use (the divine; the creation; the created world; human behaviour; universal knowledge; different forms of revelation; divine acts of judgement and human acts of judgment) are foreign to an Israelite worldview. On the contrary, each is integral to the text discussed though not, of course, put in that particular way. We can object that the biblical texts were not organised by their authors with these specific themes in mind, but this is trivially true; of course they weren’t. But this does not prevent our using these themes to talk about concerns within the text. Stepping between the emic and the etic is what all interpreters have to do. Marlow does this herself, for example, when she draws explicitly on Wright’s ‘creation triangle’ for her own work and seeks to undertake her ‘close reading of the texts *through the lens of this relational matrix*’: (n 108) 110 (*italics added*). Marlow is quick to say that this is ‘not a formal grid that will be applied over the texts’ and that ‘it is important to let texts speak for themselves’ (111). Quite right too. There are dangers in applying inappropriate categories. It is thus slightly unfortunate, in view of her warnings, that it is her own work that provides a cautionary tale, with one reviewer concluding that her ‘ecological triangle for reading’ seems to be ‘too blunt an instrument for the detailed interpretation in which she engages’ (Rosalind Selby, ‘Review of Biblical Prophets and Contemporary Environmental Ethics’ (2012) 65 *Scottish Journal of Theology*, 117, 118). I want to emphasise, however, that

(a) Continuity between the divine and creation

Continuity between the divine and creation, which includes humanity, is one way in which we might find a connection between divine activity and human activity in the realm of normativity. The story of universal creation (Genesis 1:1-2:3) is a good example. The Bible's understanding of human nature is radically teleological because it presumes the existence of created human natural inclinations toward the goods of human flourishing (e.g. Gen. 1-2 and Gen. 1:28). As Levering puts it: 'In Genesis 1-2 God's commands and actions do not set up extrinsic norms, but rather indicate... the intrinsic norms that express the goods constitutive of human flourishing'.¹¹² The so-called 'nature Psalms' (e.g. Psalms 19, 119 and 147) confirm that *Torah* is intimately connected with God's activity in creation, whilst the commandments to keep the Sabbath invite and permit Israel to imitate God's activity in creation (e.g. Exodus 21:8-11; cf. Genesis 2:2-4). Similarly, the mandate to 'be fertile and increase' (Genesis 1:28) enjoins the imitation of God's activity in creation.

(b) Continuity between the created world and human behaviour

Another way in which we can think of a link between divine and human activity is by means of a connection between the created world and human behaviour. This follows from the previous point. The biblical assertion of continuity between the divine and creation is consistent with the idea that there might also be a connection between the created world and human behaviour. For example, the story of the overthrow of the cities of Sodom and Gomorrah shows that unethical behaviour and environmental disaster are intertwined (Genesis 19:23-27). Similarly, Hosea's oracle (Hosea 4:1-3) can be read as 'a kind of reverse natural law argument [which] explicitly links the sins of Israel with the ecological disasters that have befallen the land'.¹¹³

The link between the created world and human behaviour is strengthened by Marlow's close analysis of the interplay between obeying *Torah* and the wellbeing of the natural world. Having criticised Marlow in several footnotes in this chapter, I am glad to be positive here. With reference to the Hosea oracle just mentioned she notes that, a couple of verses further on, in Hosea 4:6, the prophet indicts the priests for rejecting knowledge and forgetting *Torah*. It is this that leads ultimately to the desolation of the land (v. 3).¹¹⁴ She finds a similar correlation in the poetic oracles of Jeremiah which relate forsaking *Torah* with the destruction of the land (cf. Jeremiah 9:12-13 with Hosea 4:1-6).¹¹⁵ A similar link may also be found in the judgment oracle of Isaiah 24:3-6.¹¹⁶ Finally, she identifies further correlations in additional prophetic literature including Micah 6:6-15 (which uses, like Hosea, a linking

there is much in Marlow's account which is admirable and helpful and I draw attention to the strengths of her work in 3(b), below.

¹¹² Levering (n 3) 60.

¹¹³ Bockmuehl (103) 93. Marlow (n 102) thinks that 'Although Burnside may be correct that the biblical material reflects a number of different strands of "natural law," it is unwise to distinguish too closely between texts that stress direct divine agency in the world and those that do not' (660). Certainly, we should not make distinctions between texts where these differences do not exist. But if, in fact, there are some texts that stress direct divine agency in the world, and others that do not, this does seem to be a difference worth preserving. Failing to do so would mean doing the very thing she warns about elsewhere, namely, 'flattening the text by paying insufficient attention to its contours and diversity' (651).

¹¹⁴ Marlow (n 102) 656-57.

¹¹⁵ Ibid 653-656 and cf. also Jer. 12:4, 10-13 where Israel's leaders (their 'shepherds,' v. 10) are indicted for their part in the desolation of the land.

¹¹⁶ Ibid 658-59.

‘therefore’ in v. 13; cf. Hosea 4:3); Amos 4:1, 6-9 (where oppressing the poor is followed by the effects of drought and agricultural destruction on the land) and Isaiah 1:12-19 (where agricultural productivity is tied to justice and righteousness).¹¹⁷

(c) Universal knowledge of certain norms

A third way in which natural law could exist in the Bible is through universal knowledge of certain norms. Again, this is not arbitrary but follows from the previous thesis. The biblical assertion of a connection between the created world and human behaviour is consistent with a claim to universality. If behaviour towards the physical world has certain universal consequences, then this sort of knowledge can be universal and entail universal knowledge of certain norms. We know that something is wrong because it has harmful consequences.

This starting-point produces a range of epistemological questions, including: Who knows of God’s requirements? What is known? How is it known? These find focus in a number of biblical texts, including: the story of Cain (Genesis 4); the account of sexual relations between ‘the sons of God’ and the ‘daughters of men’ (Genesis 5:2) and God’s decision to destroy ‘all flesh’ on account of the way in which the earth had been ‘filled with lawlessness [or ‘violence’] (*chamas*)’ (Genesis 6:11) and the Noahide laws (Genesis 9:1-7).¹¹⁸ In the primeval history, the parties are held to account by God and punished, even though there is no indication that the offences had been specifically prohibited by God. Similarly, Amos’ oracles against the nations charge non-Israelite nations with a number of ‘war-crimes’ notwithstanding the fact that the non-Israelite nations had received any special revelation from God that their behaviour was wrong (Amos 1-2).¹¹⁹

(d) Continuity between different forms of revelation

A fourth way in which natural law could exist in the Bible is through continuity between different forms of revelation. This is another example of the interconnection between human and divine activity. The link here is between universal knowledge – which comes from being made in the image of God – and particular revelation. As such it is closely tied to the previous thesis which asserted the universal knowledge of certain norms.

There is evidence in the Bible that innate knowledge and particular revelation go hand in hand, such that the latter is never surprising or tends to be confirmatory, rendering explicit that which is implicit. As we have seen, Psalm 19 is a good example, where the particular revelation of *Torah* is closely related to universal communication, of some kind. Fretheim

¹¹⁷ Ibid 658.

¹¹⁸ David Instone-Brewer, ‘Review of *God, Justice and Society*’, misrepresents my claims concerning the Noahide laws: ‘Even in the New Testament [Burnside] looks for the Noahide laws in the Jerusalem Council of Acts 15 (p. 95-97) though admits that these originate no earlier than Jubilees and that the three unbreakable commands of rabbinic law form a more plausible basis’ (<http://www.jubilee-centre.org/god-justice-and-society-an-extended-review/>). In fact, in my discussion of the biblical Noahide laws, I claim they are ‘an example of natural law in the Bible’: (n 7) 79. I do not locate their origins in the book of *Jubilees* and do not claim that the rabbinic prohibitions are more plausible (presumably, for understanding Acts 15:29-29). Instead, I argue that Acts 15 is ‘a different matter to the Noahide laws’ and that ‘Acts 15 is really a creative New Testament application of Leviticus 17-18’: (n 7) 97.

¹¹⁹ John Barton, *Amos’ Oracles Against the Nations* (CUP, 1980). Instone-Brewer’s statement (n 118) that ‘[Burnside] says that Amos condemns the nations on the basis of internationally recognised laws – and then casts doubt on this himself (p.80)’ fails to attend to what has actually been said. What I actually claim is that, in Amos’ oracles, ‘universal norms have been made concrete in international consensus’: (n 7) 80.

puts the matter boldly when he claims that: ‘in most respects, Sinai is simply *a regiving of the law implicitly or explicitly commanded in creation*’ (italics original).¹²⁰

Attempts to play off ‘natural law’ against ‘divine commands’ – as we have seen occurred in a particular style of jurisprudence (see 2(f), above) – misunderstands the character of *Torah*. Levering appears to recognise this continuity when he writes: ‘God in giving the Decalogue connects obedience to the Decalogue with a glorious new creation in justice... What might at first seem to be merely extrinsic positive law is revealed as interior to the created order and its true flourishing’.¹²¹

(e) Continuity between divine and human acts of judgment

A final way in which ‘natural law’ could be said to exist in the Bible is in the form of continuity between divine and human acts of judgment. This is another example of the interconnection between human and divine activity in the realm of normativity.

Relevant texts here might include the dual involvement of God and humanity in the reckoning for human life (Genesis 9:5-6). The text is rather ambiguous; verse 5 states that God will hold animals and humanity accountable for human bloodshed whilst verse 6 apparently states that humankind will hold killers to account.¹²² Another example is God’s personal tutoring of Abraham in ‘the way’ of ‘righteousness and justice’ (Genesis 18) in which Abraham participates in an act of divine adjudication (Genesis 18:22, 33).¹²³ Finally, Solomon’s famous judgment concerning the disputed son (1 Kings 3:16-28) is presented as the outworking of a dream revelation at a cultic location where Solomon asks God for divine wisdom (1 Kings 3:9).

To sum up, despite the views of my critics, I persist in the view that looking for these sorts of continuities in biblical texts is a way of revitalising the topic of natural law in the Bible. The range of texts is not exhaustive, and no doubt other passages will emerge to suggest that they, too, should be included in the reckoning. I see this approach as helpful, first, because it reminds us that there are different ways of speaking specifically about natural law in the Bible and, second, because it helps identify a broader range of texts that ought to be included in the discussion.

4. Conclusion

Psalm 19 is composed of three discrete sections. The first is concerned with a heavenly message that reveals the character of God and hence has substantive moral content; the second deals with a distinctly covenantal understanding of *Torah*, whilst the third shows how *Torah* forms the bridge between the universal revelation and the psalmist. In this way, Psalm 19 addresses both what may be termed ‘natural law’ and ‘biblical law.’ The overall structure of the psalm brings the two into dialogue, whilst the detailed literary connections between the message of the heavens and the words of *Torah* indicates there are substantive connections between them. The psalmist turns from the narrative of universal creation to Israel’s

¹²⁰ Terence E. Fretheim, ‘The Reclamation of Creation’ (1991) 45 *Interpretation* 354, 363.

¹²¹ Levering (n 3) 61.

¹²² Though Jackson (n 11) 146 argues against the traditional translation of *ba’adam* in Genesis 9:6 (‘by man shall his blood be shed’) reading the Hebrew instead as a *bet pretii* (‘for man shall his blood be shed’).

¹²³ Bruckner (n 105) 132-34.

salvation-history, before culminating in his own salvation testimony to the God who is his rock and redeemer. This movement is mirrored by the transition from the use of 'El' to denote God as generally known Creator to the personal 'YHWH' of Israel's salvation history. 'Natural law' and 'biblical law' are thus as distinct from each other as these two names of God; at the same time, however, they are as closely connected. Natural law and biblical law are related but not equivalent forms of revelation, because God is known more accurately and intimately through *Torah* than the natural world. Moreover, the Bible itself provides fresh ways of thinking about natural law and its relationship with biblical law. Looking at connections between divine activity and human activity in the realm of normativity is another way in which we can bring the biblical material into dialogue with the philosophical tradition of natural law. As with Psalm 19, it enables us to glimpse a more integrated world than many in the Western philosophical tradition have envisaged and suggests there are ways of thinking about natural law in the Bible that are as complex as the Western tradition of natural law itself.