

[Published by the School of Leadership Studies](#)
Regent University, Virginia Beach, VA.

Nomos: A New Testament Concept to Guide Decision-making

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This article asserts that the New Testament concept of Nomos is a three-tiered concept of ruling by edict, ruling by reason, and ruling by love. The study analyzes samples of scripture referencing each of the three levels of meaning to help the reader understand the construct. Rule by edict does not require the employee to think since the edicts control the decision or behavior. Rule by reason requires the employee to think through the decision-making situation by examining the desired outcomes, the environmental constraints, and the possible consequences of the decision. Rule by love requires that the employee follow the tenets of Agapao and make decisions that may not be logical, but represent the morally-right and employee/customer-focused outcomes. Both rule by reason and rule by love require the decision-maker to be accountable for his/her actions however, rule by edict does not require accountability since choices are not available to the employee. Nomos may be a useful concept to help guide the recruiting, selecting, training, and development of employees.

Nomos: A New Testament Concept to Guide Decision-making

How does one start a conceptual article but to say, “I think I understand something from scripture that I didn’t understand before.” As an evangelical Christian, I believe in the inerrancy of scripture and that scripture is God-given and recorded by inspired writers. Although the writers were inspired and heard from God, it is not always true that we, as readers of the Word, are inspired enough to “know” what God intended. This difficulty in interpretation is confounded by the realization that much of our English-translation Bibles represent a progression of the spoken Aramaic, referring to Hebrew concepts, recorded in the Greek, and then translated to English – by inspired translators (we hope). The difficulty in interpreting and applying scripture includes our biases and common ignorance of the socio-cultural context of the first century church, and the implications our bias and ignorance bring to the contemporary application of the scriptures and the difficulty of translating a complex language, such as Greek to the more-simplistic English. This is not to say that English is not a respectable language, but by this it is suggested that the Greek terms have a richer, fuller, more complex meaning than the English words and phrases we find in our English-translation Bibles. The difficulties in understanding and applying scripture to modern organizations may cause leaders and researchers of organizational theory to miss concepts that might lead us to higher performing organizations. This effect may have been the case with *Nomos* – the focus of this article.

During a search of the scriptures looking at the use of ‘law’ the following passages, with a common reference to ‘law,’ appeared to be contradictory:

- Matthew 5:17 "Do not think that I came to abolish the **Law** or the Prophets; I did not come to abolish but to fulfill. (NAS)
- Matthew 12: 2-5 But when the Pharisees saw this, they said to Him, "Look, Your disciples do what is not lawful to do on a Sabbath." But He said to them, "Have you not read what David did when he became hungry, he and his companions, how he entered the house of God, and they ate the consecrated bread, which was not lawful

for him to eat nor for those with him, but for the priests alone? "Or have you not read in the **Law**, that on the Sabbath the priests in the temple break the Sabbath and are innocent?

- Romans 2:23 You who boast in the **Law**, through your breaking the **Law**, do you dishonor God?

Law, in the English language, has various meanings but all the meanings have a common thread of intent –people have to obey the laws. From <http://www.duhaime.org/dictionary/dict-1.htm>, we see that “law” represents the body of statutes approved by government or that developed from the unwritten common law. In addition, from the American Heritage dictionary, fourth edition, we see that ‘law’ also includes “something, such as an order or a dictum, having absolute or unquestioned authority” (<http://dictionary.reference.com/search?q=law>). The three verses listed above appear to indicate that one could break the law and it would be acceptable, which seems contradictory to the definitions found in the two English dictionaries. This result may lead one to ponder if ‘law,’ as used in the three scriptures above, represent a single English word used for several different Greek words. We find something similar in the English word “love” that used for the Greek *Agapao*, *Eros*, *Phileo*, and *Agape*. An inner-texture analysis, according to Robbins (1996), can be used to analyze how the text uses language to communicate ideas. Using inner-texture analysis, it seems that the same word for law – *nomos* – occurred in all the verses. Deeper inner-texture analysis of the verses in the Greek complicate the matter in that the word *Nomos* is used with and without a preceding article. The word *Nomos* means either the Law of Moses from the first five books of the Old Testament or a specific law, but when used without a preceding article *Nomos* refers to the ‘law’ in general and with a preceding article. Unfortunately, in some of the English translations the word *Nomos* without a preceding article is translated and given an article, thus confusing the translation. An example of this is found in Romans 3:21 where the first use of ‘law’ (νόμου) (*Nomos*) in the Greek (shown below) lacks the article, while the second use of ‘law’ (νόμου) (*Nomos*) uses the article. In the English, however, we see the addition of the article in the first use:

Νυνὶ δὲ χωρὶς νόμου δικαιοσύνη Θεοῦ πεφανέρωται, μαρτυρουμένη ὑπὸ τοῦ νόμου καὶ τῶν προφητῶν.

Romans 3:21 But now apart from the **Law** (νόμου) (*Nomos*) the righteousness of God has been manifested, being witnessed by the **Law** (νόμου) (*Nomos*) and the Prophets (NAS)

The more accurate translation of Romans 3:21 is ‘But now apart from **Law** the righteousness of God has been manifested, being witnessed by the **Law** and the Prophets.’ The use of a single Greek word with seemingly different meanings became clearer when it is understood that Strong’s Concordance implies that the full definition of *Nomos* represents a three-tiered concept of:

- Rule by edict (rules or policies)
- Rule by reason (following logic)
- Rule by love (presumes *Agapao* love)¹

¹ For more information on Nomos see Greek lexicon based on Thayer's and Smith's Bible Dictionary plus others; this is keyed to the large Kittel and the "Theological Dictionary of the New Testament." These files are public domain.

(<http://bible.crosswalk.com/Lexicons/Greek/grk.cgi?number=3551&version=nas>)

One may ask how *Nomos* differs from *Entole* (commandment) -- this comparison is worth noting as part of the presentation of the concept of *Nomos*. While *Nomos* is a law that has implications if not followed (punishments) and represents a philosophical approach of using a deontological (rules-based) or teleological (ends-based) approach to making decisions, *Entole* is a commandment that goes beyond the deontological premise in that there is no provision for not following a commandment since a commandment is not to be considered by reason or by love, but simply obeyed in all situations. The verses in Matthew – 5:19, 15:3, 19:7, 22:36, 22:38, and 22:40 seem to offer a progression of thought on *Entole* and seem to lead to a conclusion that *Nomos* is built on *Entole*, thus making *Nomos* secondary or subservient to *Entole*. Thus, this article considers *Nomos* to be a philosophical concept below the level of *Entole*. This posture of separating *Nomos* and *Entole* is evident in Mouw's (1990) work on divine commandment in which he explores the two concepts of divine commandments and virtuous decision-making (ethics). Mouw implies, in his writings, that character is the preparation for virtuous decision-making (pp 129-131), which may relate to level-2 and level-3 *Nomos* concepts.

This article presents: (a) the three-tiered concept of *Nomos* in more depth; (b) an exploration of *Agapao* love as it relates to *Nomos*; (c) an inner-textual analysis of selected verses representing each of the three levels of *Nomos*; (d) an application of the three levels of *Nomos* to organizational decision-making, (e) a personal example of *Nomos*, and (f) a suggested framework of recruiting and training employees to help them mature through the three levels of *Nomos* and how this might affect organizational leadership strategy and human resource development. The reader may find that the concept of *Nomos* represents a new stream of research and application in our modern organizations.

The Three-Tiered Concept of *Nomos*

- a) The Greek Lexicon located at <http://bible.crosswalk.com/Lexicons/Greek/grk.cgi?number=3551&version=nas> offers the following definition for *Nomos*:
- 2) anything established, anything received by usage, a custom, a law, a command
 - a) of any law whatsoever
 - i) a law or rule producing a state approved of God 1a
 - b) by the observance of which is approved of God
 - i) a precept or injunction
 - ii) the rule of action prescribed by reason
 - c) of the Mosaic law, and referring, acc. to the context. either to the volume of the law or to its contents
 - d) the Christian religion: the law demanding faith, the moral instruction given by Christ, esp. the precept concerning love
 - e) the name of the more important part (the Pentateuch), is put for the entire collection of the sacred books of the OT

The progression of meaning comes from items 1a, 1bii, and 1d in which the implication is the ruling or deciding a course of action based on edicts, reason, or love. The focus of this section is to provide an overview of these three items with item 1d given additional attention in the next section. Byrne's (2000) treatise on the use of *Nomos* in Romans points out Paul's use of *Nomos* with multiple meanings in Romans 7:21-23:

find then the principle that evil is present in me, the one who wants to do good. For I joyfully concur with the law [*Nomos*] of God in the inner man, but I see a different law [*Nomos*] in the members of my body, waging war against the law

[*Nomos*] of my mind and making me a prisoner of the law [*Nomos*] of sin which is in my members (p. 295)

Byrne's argument is that the "interpreter of Romans has to battle not only with the continuing recurrence of *Nomos* but also with its recurrence in this variety of reference and evaluation," (p. 295-296) thus helping to confirm the multiple meanings of *Nomos* as presented in this current article. It should be noted that for the implications of this research these multiple meanings are ranked as: (a) Level-1 – rule by edict, (b) Level-2 – rule by reason, and (c) Level-3 – rule by love. This ranking is based on the amount of thought and responsibility required by the organizational actor for each level.

Level-1 *Nomos* as rule by edict

Level-1 'rule by edict' refers to decisions or actions guided by a pre-determined set of policies or guidelines such that the organizational actor does not have to think or consider options except those policies or guidelines that allow multiple actions based on differing sets of conditions. Presumed in 'rule by edict' is the notion that a person or persons in a prior timeframe made informed decisions as to what is the correct orderly approach to resolving matters and behavior. 'Rule by edit' is similar to the deontological approach to ethical decision-making in that the organizational actor follows the policies and guidelines without deviation. The organizational actor operating under the Level-1 definition of *Nomos* does not have to think or reason about what to do or consider options beyond that which the creators of the edit included. This conclusion may suggest that the organizational actor is not considered as capable of thinking or reasoning or that the creators of the edict desired to not encumber the organizational actor with thinking thus, presumably, increasing the efficiency of behaviors.

Level-2 *Nomos* as Rule by Reason

Level-2 'rule by reason' refers to the decision-making process based on logic and reason. As the Level-2 rank in the three definitions, 'rule by reason' implies that 'edicts' or policies may be ignored or by-passed if there is a logical reason to behave in a different manner. For example, a manager may elect to provide transportation for an employee during a snowstorm (cab fare, for example) in order to help the employee get to work so that the work of the organization might get done even if there is a policy that says that employees have to provide their own transportation. The manager may make a decision based on the reasoning that it is better for the organization to pay for cab fare than to have the employee take a day off due to the snowstorm. Although Beach (1997) does not write about *Nomos*, he refers to the rational decision-making process of framing the problem, determining the possible and preferable alternatives, weighing the outcomes of the alternatives and then selecting the alternative with the most-desired outcome. When considering Level-2 *Nomos* the employee (maybe a manager) considers alternatives even if the alternatives are not in line with the written rules and policies.

'Rule by reason' requires that the organizational actor think and make calculated decisions weighing the probability of outcomes and the weighted-consequences of those outcomes. Care should be taken in considering this part of *Nomos* to determine if the employee is capable of reason and qualified in critical thinking. By this, it is implied that employees should be able to demonstrate critical thinking skills and demonstrate understanding of the impact on the organization of various consequences that result from the employee's decisions.

Level-3 Rule by Love

Level-1 'rule by love' implies the moral instruction given by Christ, especially the precept concerning love – from the definition subsection 1d in the prior section. It is the 'moral' application here that applies to managers and organizations. This sense of the 'moral' is supported by Lyons (1999) who describes *Nomos* as "[p]rimarily, in Greek thought, *nomos* meant

what is proper under Zeus. What is the proper way to act towards Zeus, of course, but also towards oneself, fellow citizens and the state. Indeed, Zeus assigned to each individual a particular role or task” (approximately 1/3 of the way into the WWW page). While Lyons’ focus is on the role of the Greek concept to the Greek gods (in Greek mythology, Nomos was the god of law, husband of Eusebia (Morality) and father of Dike (Justice) and sometimes identified with Zeus). While it is reasonable to find ‘moral edicts,’ the focus of the definition here is that ‘moral’ refers to doing the right thing for the right reason. Lyons makes a profound comparison of *Nomos* with law (I believe this is really a comparison of Level-3 *Nomos* with Level-1 *Nomos* when Lyons states that the law (Level-1 *Nomos*) proscribes, is done in the name of God, is formal/rigid, and becomes legalistic; whereas *Nomos* (Level-3 *Nomos*) prescribes, is done in conjunction with God, is functional, flexible, and emphasizes the spiritual. The next section shows how *Agapao* may be related to Level-3 *Nomos*.

Agapao* Love as it Relates to *Nomos

Agapao, while sometimes confused with *Agape*, is a different concept than *Agape* and has particular application to *Nomos*. *Agapao* is a concept of love that refers to acting in morally right ways. This definition is in contrast to *Agape* that refers to a self-sacrificial love. While it is logical that the morally correct behavior in a given situation may require an altruistic approach, in most organizational settings there is no need for the intensity of *Agape*. Rather, the level of altruism found in most leadership situations can be fully explained by *Agapao*. According to <http://ntwords.com/love.htm>, *Agapao* refers to caring for others. The webpage asserts that Luke 10:30-30 says “that *agapao* for a neighbor includes both having compassion for him and caring for him by providing his needs” (second paragraph of the page). To demonstrate *Agapao* love for someone is to care deeply about him/her as implied in the second beatitude – Blessed are those who mourn (Winston, 2002). *Agapao* love is applicable in decision on provisions for others as well in the discipline of others as implied in the beatitude – Blessed are the meek (Winston, 2002).

To further support the use of *Agapao* it is important to note the use of ‘moral’ behavior in the Level-3 definition of *Nomos* in the preceding section. This rationale supports the use of *Agapao* rather than *Eros* (a sexually-directed love), or *Phileo* (a brotherly-directed love) or *Agape* (a self-sacrificial love). In addition to the use of *Agapao* to help explain and apply the Beatitudes to leadership, Winston (2003, 2004), Bryant (2003), Dilman (2003), Patterson (2003), and Nelson (2003) have used *Agapao* in servant leadership research. One may ask why *Phileo* could not be used in place of *Agapao* since brotherly love is supposed to be morally grounded. An appropriate response is that *Phileo* is a higher-order love compared to *Agapao*. A full exegetical treatment of *Phileo* and *Agapao* is beyond the scope of this paper, but it may help the reader to consider the John 21:15-16 passage in which Jesus restores Simon (Jesus no longer refers to him as ‘Peter’). During the exchange between Jesus and Simon, Jesus asks Simon if Simon *Agapao* Jesus. Simon replies that he *Phileo* Jesus. This same *Agapao* – *Phileo* relationship is repeated in the second round but in the third round, Jesus raises the level by asking Simon if he *Phileo* Jesus. To help clarify this, the WWW site www.biblebelievers.org.au/strat010.htm implies that *Agapao* is love by faith, whereas *Phileo* is human love by affection through intellect. The next section provides an inner-texture analysis of *Nomos*.

While the scholarly literature is deficient on the idea of using love as a base for decision-making in organizations there is hope of new literature building on the use of emotion in decision-making - Klein’s (2002) work is notable for a theoretical treatment of both rational and emotional decision-making. *Phileo* could be paralleled to emotional decision-making based largely upon Klein’s comments that Aristotelian virtues are in effect when a moral person acts

(decides) that he/she makes choices that reflect emotions (p. 351) based on experience (thus the intellect portion of *Phileo*, but *Agapao* bases its outcomes on faith which goes a step beyond experience. Avolio and Locke (2002) present a conceptual treatise on the role of altruism and egoism in the decision-making of leaders. While the concept of altruism is, in part, related to Level-3 love, it is not an exact match. There is much work that needs to be addressed in the scholarly literature to clarify the similarities and differences of Level-3 *Nomos* and emotion as well as altruism.

An Inner-textual Analysis of Verses Representing Each of the Three Levels of *Nomos*

This section provides a review of purposively selected verses in the New Testament that use *Nomos*. The focus of this selection is to offer a sense of definition, use, and clarity of the three levels. It is beyond the scope of this article to review all 156 verses since a full review of all 156 verses would be an exegetical article of its own. Inner-texture analysis, as defined by Robbins (1996), includes (but is not limited to) the analysis of how the text uses language to communicate ideas.

Verses that relate to Level-1 *Nomos*

The verses that follow all refer to written ‘edicts’ (*Nomos*) that carry with it a sense of proscribed mandates that everyone in a society is to follow as exemplified in John 19:17 where organizational actors do not need to think or consider options but, rather, just follow the edict.

- Matthew 22:36 "Teacher, which is the great commandment in the **Law**?"
- John 1:17 For the **Law** was given through Moses; grace and truth were realized through Jesus Christ.
- John 19:7 The Jews answered him, "We have a **law**, and by that **law** He ought to die because He made Himself out to be the Son of God."
- Romans 7:2-3 For the married woman is bound by **law** to her husband while he is living; but if her husband dies, she is released from the **law** concerning the husband. So then if, while her husband is living, she is joined to another man, she shall be called an adulteress; but if her husband dies, she is free from the law, so that she is not an adulteress, though she is joined to another man.
- Ephesians 2:15 by abolishing in His flesh the enmity, which is the **Law** of commandments contained in ordinances, that in Himself He might make the two into one new man, thus establishing peace,
- Hebrews 7:5 And those indeed of the sons of Levi who receive the priest's office have commandment in the **Law** to collect a tenth from the people, that is, from their brethren, although these are descended from Abraham.

Verses that relate to Level-2 *Nomos*

The verses that follow all carry with them a sense of thinking or discovery of what happened and why. This seeking of logic and reason supports the Level-2 concept of *Nomos*. 1Corinthians 9:9 is of particular interest in that it raises a question concerning the law (*Nomos*) and asks the participant to reason as to the intent and meaning. This notion of using reason is in contrast to the Level-1 concept of *Nomos* in John 19:7 mentioned in the prior section where thinking is not solicited or desired.

- Matthew 12:5 "Or have you not read in the **Law**, that on the Sabbath the priests in the temple break the Sabbath, and are innocent?"
- John 7:51 "Our **Law** does not judge a man, unless it first hears from him and knows what he is doing, does it?"

- Romans 2:15 in that they show the work of the **Law** written in their hearts, their conscience bearing witness, and their thoughts alternately accusing or else defending them,
- Romans 2:20 a corrector of the foolish, a teacher of the immature, having in the **Law** the embodiment of knowledge and of the truth,
- 1Corinthians 9:9 For it is written in the **Law** of Moses, "You shall not muzzle the ox while he is threshing." God is not concerned about oxen, is He?
- Hebrew 7:12 For when the priesthood is changed, of necessity there takes place a change of **law** also.

Verses that relate to Level-3 *Nomos*

The verses that follow all carry with them a sense of moral actions or *Agapao*. It is helpful to note in Matthew 7:12 that there is a sense of 'right' actions toward others. Also, note in Matthew 23:23 the inclusion of mercy and faithfulness applied to behavior. Romans 13:10 is of particular value, as well as concern, to this concept in that it states that love (*Agape*) is the fulfillment of the law (*Nomos*). In Romans 13:10, Paul uses *Agape* rather than *Agapao*, which seems to contradict the idea of *Agapao* as the most likely form of love relative to the Level-3 concept. However, this is where inner-textual analysis is beneficial. *Agape* has a range of meanings from affection and benevolence to self-sacrifice. Leading up to the Romans 13:10 verse Paul uses *Agapao* in verses 13:8 and 13:9 with reference to keeping the commandments, which Paul indicates are summed up by loving (*Agapao*) your neighbor. Paul then concludes his comment in verse 10 by raising the intensity of *Agapao* to the point that it becomes *Agape*:

- Romans 3:27 Where then is boasting? It is excluded. By what kind of **law**? Of works? No, but by a **law** of faith.
- Matthew 7:12 "Therefore, however you want people to treat you, so treat them, for this is the **Law** and the Prophets.
- Matthew 23:23 "Woe to you, scribes and Pharisees, hypocrites! For you tithe mint and dill and cumin, and have neglected the weightier provisions of the **law**: justice and mercy and faithfulness; but these are the things you should have done without neglecting the others.
- Acts 21:20 And when they heard it they began glorifying God; and they said to him, "You see, brother, how many thousands there are among the Jews of those who have believed, and they are all zealous for the **Law**;
- Romans 7:22-23 For I joyfully concur with the law of God in the inner man, but I see a different **law** in the members of my body, waging war against the **law** [Level-2 *Nomos*] of my mind, and making me a prisoner of the **law** of sin which is in my members.
- Romans 13:10 Love does no wrong to a neighbor; love therefore is the fulfillment of the **law**.
- Galatians 2:19 "For through the **Law** I died to the Law [Level-1 *Nomos*], that I might live to God.
- Galatians 6:2 Bear one another's burdens, and thus fulfill the **law** of Christ.
- James 1:25 But one who looks intently at the perfect **law**, the **law** of liberty, and abides by it, not having become a forgetful hearer but an effectual doer, this man shall be blessed in what he does.
- James 2:8 If, however, you are fulfilling the royal **law**, according to the Scripture, "You shall love your neighbor as yourself," you are doing well.

To summarize this section consider the interesting exchange between Jesus and the Pharisee in Mt 22:34-40:

But when the Pharisees heard that Jesus had silenced the Sadducees, they gathered themselves together. One of them, a lawyer, asked Him a question, testing Him, "Teacher, which is the great commandment in the Law? [Level-1]" And He said to him, "You shall love [Agapao] the Lord your God with all your heart, and with all your soul, and with all your mind. This is the great and foremost commandment. The second is like it, you shall love [Agapao] your neighbor as yourself. On these two commandments depend the whole [Holos-meaning 'completely or entirely'] law [Level-3 *Nomos*] and the Prophets." [bracketed items added for clarification and reference to the concepts presented in this paper.]

It appears that a person operating at a Level-1 understanding cannot comprehend a person operating at a Level-3 understanding of *Nomos*. This difference in understanding has specific application when considering how the concept of *Nomos* might be applied in organizational decision-making in that the level of *Nomos* each person is operating at should be clarified so as to avoid or reduce conflict. This is not to say that an organizational actor can only be at one level of *Nomos* for all decisions. It is quite possible that an organizational actor may lack sufficient maturity to move beyond level-1 but in a different situation he/she may be mature enough to operate at levels 2 or 3. The personal example of *Nomos* section that occurs later in this article gives examples of organizational actors working at different levels of *Nomos*.

An Application of the Three Levels of *Nomos* to Decision-making

Nomos may be a useful concept for the establishment and development of the decision-making process in our organizations. Most organizations have written policies and rules that are meant to guide behavior and decision-making and are useful to help give order and process to the organization. Problems do arise, though, when the written rules and policies seem to hinder the development of the organization or are punitive to individuals. If Level-2 *Nomos* can override Level-1 *Nomos* and if Level-3 *Nomos* can override Level-2 *Nomos*, there may be a hierarchy of decision-making processes that might benefit organizations.

Since Level-1 *Nomos* does not require organizational actors to think but rather to just obey the written edicts, Level-1 *Nomos* may be useful for new employees or for those employees who lack sufficient critical thinking (Level-2) or *Agapao*-thinking (Level-3). By this it is not intended to imply that all employees are irresponsible or un-loving but, rather, that employees may need to demonstrate their capability and capacity for the appropriate level of critical thinking and *Agapao*-thinking. Certainly it can be suggested that some employees with sufficiently low levels of critical thinking skills may never move above Level-1 *Nomos*, but it is suggested that this is a very low percent of the U.S. employee pool.

An organizational employee may not be held accountable for decisions or behaviors since the employee does not act on his/her own initiative but only follows the proscriptive or prescriptive decisions of senior or historical organizational leaders, thus, moving accountability to the creator(s) of the Level-1 edicts. As a result, an audit or investigation would seek to determine if an employee followed the written edicts and if the employee followed the edicts correctly then the employee would not be held liable for any decisions or behaviors.

It may be useful for all employees to begin their tenure in the organization at Level-1 *Nomos* and then after training, or testing, or demonstrated service move on to Level-2 and then Level-3. Level-1 *Nomos* edicts have a place in the organization – especially in structured stable mechanistic organizations, such as many of the fast-food franchise operations in which all operations are standardized and adhere to written process steps. Morgan's (1996) 'mechanistic' metaphor is an appropriate example of this type of organization.

Level-2 *Nomos* may have considerable application in learning organizations in which employees make decisions based on reason and logic while taking into consideration the objectives of the organization, the environment, and weighing the possible consequences of the decisions. Level-2 *Nomos* also would be appropriate in organismic organizations (Morgan, 1996) in which the environmental instability and changing focus of the organization would make Level-1 *Nomos* difficult if not impossible.

In Level-2 *Nomos* the employee needs sufficient critical thinking skills as well as an understanding of what the organization considers ‘reasonable,’ which could be based on organization culture and values and the employee should be willing to be held accountable for his/her actions in that the employee, according to Woods and Winston (2003) should be willing to accept the responsibility for the decision, know that his/her decisions/behavior will be made public, and that he/she should be willing to justify why he/she made the decision. Level-2 *Nomos* requires that the employee’s superior have sufficient trust in the employee to empower the employee with a requisite amount of authority to make decisions.

Level-3 *Nomos* requires that a great deal of trust be given to all of the decision-makers in an organization since Level-3 *Nomos* may not be explainable using reason or logic, and certainly would not be tied to a written system of edicts. If Bryant (2003), Dilman (2003) Nelson (2003), and Patterson (2003) and my work on servant leadership (Winston, 2003, 2004) is correct, we should see Level-3 *Nomos* evident in servant-led organizations in which decisions are made based on *Agapao* rather than on rules or reason. Level-3 *Nomos*, as in Level-2 *Nomos*, would require the decision-makers to be accountable for their decisions and/or behaviors. The application of organizational culture and values would play a stronger role in Level-3 *Nomos* than in either Level-2 *Nomos* or Level-1 *Nomos* in that *Agapao* is more values-based than either reason or edicts. While accountability still is a factor in Level-3, justification (Wood & Winston, 2003) may take a different role since the justification of decisions and behaviors can only be measured by the actor’s sense of *Agapao* and how *Agapao* should be carried out given the specific situation, thus reducing or removing the ability for others to judge the decisions or behaviors.

In this section there is an implied bias toward Level-3 *Nomos* as the ideal state to which organizational leaders should aspire. This perspective is a personal bias and not tenable at the present time. While it is logical that mechanistic organizations would not want to encourage much Level-2 or Level-3 *Nomos* behavior, it seems logical that complex, adaptive organizations that have become learning organizations may want to aspire to go beyond the Level-2 *Nomos* and see what type of organization occurs when the predominate focus is on Level-3 *Nomos*. This assumption is an unproven claim at this point of the concept and might provide fodder for future research and scholarly debate.

The next section provides a personal example of *Nomos* that shows all three levels of *Nomos* in an encounter with a single organization with multiple departments and employees. The example illustrates how the decision-making examples of this section occurred in an organization, and it also sets the stage for the final section on considering *Nomos* in employee selection, training, and development.

A Personal Example of *Nomos*: A Possible Case Study for Discussion Purposes

During the spring of 2003, I traveled to Canada. On the return trip to the USA I had the opportunity to observe all three levels of *Nomos*. The day before departing Canada I injured my knee causing torn cartilage, damaged bursa sac and an over-stretched tendon in my left knee. I spent the afternoon and evening in a hotel room applying ice to my knee. I was not sure if I would be able to travel the next day and even if I could travel I knew it would not be a comfortable

journey. I already had a sciatic nerve problem in the back and legs and the now-damaged knee added to the difficulty of walking.

I decided to take the flight the next day and, upon arriving at the airport of entry to the USA (names and places are withheld) I found myself staring down a very long corridor that led to customs and immigration. After hobbling my way down the corridor I made it through the customs checkpoint and secured my suitcase. I was headed toward a door marked ‘connecting flights’ when a Customs Agent checked my customs form and advised me that I had to go down another corridor to the agriculture inspection area. Since I wasn’t carrying any agricultural items, and my knee and back were throbbing, I asked to be allowed to go on to the connecting flights. *Nomos* – Level 1 was evident in the agent’s response that there was no choice in the matter. I could not fault the agent since he was just doing his job and following the ‘rule by edict’ portion of *Nomos*.

I barely made it to the agriculture inspection station. I think I caught the young lady behind the desk off guard when I said through clenched teeth that “I injured my knee and I have a bad back and I am about to fall so I want to sit in that chair behind you.” She stared at me with a perplexed look so I repeated my statement with a bit more intensity in my voice, and the young lady allowed me to come around the counter and sit down. I am not sure if the young lady was operating out of *Nomos*-Level 3 and making her decision based on *Agapao* or if she was operating out of *Nomos*-Level 2 in which she reasoned that it would be better to give me the chair than to have to pick me up off the floor. Her assistant, though, operated on *Nomos* – Level 1 when she took my suitcase and computer case and put them on the conveyor belt to go through the screening machine since my bags were next in line. I watched my bags fall off the conveyor on the other end and listened to the two customs inspectors at the other end of the conveyor ask who belonged to the now-cascading bags.

After resting my throbbing knee and aching back I managed to get up, fetch my bags and move on to the next stage of my re-entry into the USA. After a short walk down yet another hall I came to the baggage depository for connecting flights. The lady ahead of me was bringing a bicycle into the USA in a large case that would not fit through yet another screening device. The employee responsible for accepting the bags was diligently and politely working with the traveler to get the case unlocked and wrestle the large container down to an area at the opposite side of the room for manual inspection. As the employee shuffled the big case away from the roped-off area where I was standing, I found myself hanging on to my suitcase with no idea of what to do next. I caught the attention of another employee and asked him if I could leave my suitcase in the line with the other bags that had been accepted ahead of me. The employee answered with *Nomos* – Level 1 flair – “Sorry Sir, all bags must be taken by a security employee.” *Nomos* – Level 2 reason was lacking in that there was no longer an employee there to take the suitcase. However, to give some credit to the employee, he shifted to *Nomos*-Level 2 and decided to walk over to me. He took the suitcase by the handle and moved it six inches closer to the other bags and waived me on. *Nomos* – Level 2 overrode *Nomos* – Level 1 in that it was not the employee’s role to take my bags but he reasoned that if there was no one else to do the job that he might as well do it. The task of taking control of a suitcase and moving it six inches did not require special training or supervision, thus the consequence of the behavior had minimal risk.

The pain in my knee and back prompted me to want to sit down again and I was hoping to go through the doors next to the baggage area and find myself back in the gate area where I was certain I would find a chair. But, to my dismay, the doorway through which I walked took me out into the main part of the airport and I had to go through security all over again. I managed to make it to the escalator and at the top of the escalator I saw the long serpentine line queuing people to go through one of several screening stations but, unfortunately, no chairs. I was certain that I would collapse in the line before reaching the inspection station but decided that I didn’t have much choice in the matter. As I approached the roped off queuing area the security

employee noted my obvious limp and grimace. After confirming my ID and my boarding pass, opened all the ropes and escorted me to the head of the line. Since I had not asked for help or indicated a problem, as I did with the Agriculture employee, I believed that I saw *Nomos* – Level 3 at work.

I had enough strength left to lift my carry-on computer case, to the table and then I looked at the inspection employee and said “I injured my knee and I have problems with the nerves in my back and legs -- I will need your help to get the computer out.” I unzipped the case and the employee took the computer out and placed it in the transport tray. The employee then asked for my cane, which meant to me that I might not make it through the metal detectors since I was relying on the cane to walk. The employee asked me if I could walk far enough to get through the detector and then advised me that all passengers were supposed to take off their shoes. I was sure that *Nomos*- Level 1 would be my downfall yet. I told him that I could not take off my shoes and I was not sure if I could make it through the metal detector but that I was willing to try the metal detector but that I would not take my shoes off.

The employee, to my pleasant surprise, turned to the next security employee standing on the other side of the metal detector and said, “this gentlemen is coming through and he needs your help. Also, he is not taking his shoes off for obvious reasons. Please help him.” As I staggered and swayed through the metal detector, being careful not to touch the sides, the next security employee put his arm out to me and asked me to take hold of it, which I gratefully accepted. He escorted me to a chair and then he put my computer back in the case and placed the case next to me. He then manually checked my shoes and advised me to sit in the chair as long as necessary. In this case there may have been a combination of *Nomos* – Level 2 and Level 3 at work since it may have been by ‘reason’ that the security employee decided to not make me take off my shoes but, I am convinced that it is was *Nomos* – Level 3 for the second security employee to offer me his arm and to help put my computer back in my case. I’m sure that one or more employees violated one or more ‘edicts’ that day but I am glad that some of these employees saw fit to operate by *Nomos* – Levels 2 and 3. My personal experience gave me food for thought on the domestic part of my travel back home to wonder if organizations could and should train customer service employees using the three levels of *Nomos*.

A Suggested Framework of Recruiting and Training

The prior two sections, which looked at the application of *Nomos* to organizational decision-making and the personal example of *Nomos* lead to this section looking at how *Nomos* might inform and guide the recruiting and training of employees with respect to decision-making. Recruiting the right people with the right sets of gifts, skills, and abilities can be a key contribution to achieving or surpassing the desired organizational performance level. Recruiting should include a measure of values alignment between the candidate and the organization; and *Nomos* should be a part of the organizational value system. Thus, the first step in the framework is to formally add the idea of decision-making according to the three levels of *Nomos* to the organizational value system and educating all employees on the concept of *Nomos*, the three levels, and the methods by which decisions can be made. In addition, the senior leaders of the organization should help leaders determine when an employee is ready to move from Level-1 to Level-2 and/or Level-3 methods of decision-making. The presumption is that employees begin at Level-1 or are brought into the organization at Level-2 or Level-3, which implies that there must be a means of measuring the level of *Nomos* for a potential employee.

Measuring the candidate’s level of *Nomos* is difficult at present since no instrument exists, to my knowledge, to measure *Nomos*. The Watson-Glaser Critical Thinking instrument might reveal a relationship to Level-2. An instrument to measure one’s ability to function in the

three levels of *Nomos* could be one of many future research projects. There are two research projects currently underway that may allow us to measure *Agapao* and the results of those research projects may be beneficial to the use of *Nomos*. It is likely that a qualified interviewer could determine if the candidate has the requisite amount of knowledge and skills in critical thinking, logic, or *Agapao* thinking.

To facilitate the interviewer's questions and evaluation of responses necessitates the inclusion of the organization's values statement, including *Nomos*, in the recruiting literature that the candidate receives. Such information will allow the interviewer to specifically ask questions of the candidate that allows the interviewer to determine at what *Nomos*-level the candidate, if hired, might be able to operate at. Another option is to bring all new employees in at *Nomos* Level-1 then through training and employee development change the employee's status to Level-2 or Level-3.

One question which begs to be addressed is whether ethics/morals/love can be taught. This article presents the idea of maturing employees through the three levels of *Nomos*, thus teaching employees how to use logic (reason) and love (*Agapao*). The question of whether or not these concepts can be taught should certainly foster additional scholarly debate and consideration.

Training and development

If *Nomos* is a part of the organizational decision-making process, then *Nomos* should be part of the employee training and development beginning with the employee-orientation process and continuing through the employee's tenure with the organization. This training may include awareness and knowledge of the three levels of *Nomos*. In addition, the training and development should include education on logic and reasoning embodied in critical thinking skills and what the organization considers to be logical and reasonable. The employee's level of understanding and ability to work with these concepts can be measured through objective tests using traditional objective test response items and through subjective assessments including case studies and simulations. As part of the development process, employees should be evaluated on their ability to function at Level-2 and Level-3. Since Level-1 requires no thinking and only necessitates adherence to published edicts the only assessment is whether or not the employee followed the Level-1 edicts.

Nomos should be a significant factor in customer service training so that employees can make intelligent informed decisions for each customer as needed. Consider the personal example of *Nomos* presented in the preceding section and determine what my affinity to the organization would be if based solely on the first employee-encounter as compared to the last-employee encounter. All front-line employees engaging with customers have the opportunity to support or refute all the marketing information. This incident brings to mind a recent conversation with the Vice-President for a city newspaper in the Pacific Northwest: during a meeting of a local Rotary Club he commented that his newspaper spends millions and millions of dollars on marketing every year and then each day turns their product over to a 12-year-old and hopes for the best. While this is not to imply that all employees are 12-year-olds, it does support the need for customer-contact employees to be able to make decisions at the Level-2 and Level-3 levels when needed in order to help the organization perform to its desired level since all the advertising and promotion efforts in the world won't make a difference if the customer-employee encounter is not deemed 'good' by the customer.

Conclusion

This article presented the New Testament construct of *Nomos* and posits that the three-level definitions of the *Nomos* may be useful to organizational decision-making. The premise of

this article is to help practitioners and researchers alike to think about the use of the construct. Thus, the call to action is to ask the practitioners to ponder the concept of *Nomos* and see if it might have merit in modern organizations. For the researchers, it is suggested that the construct be incorporated in case studies and qualitative research. After the construct is sufficiently understood, the research stream could/should move on to empirical research. In essence, there is a great deal of research required; however, the implications contained within this manuscript may certainly further the field of inquiry and enhance the understanding of individuals in organizational decision-making positions.

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