

some respects of first importance—comes the detailed study of the historical topography and toponymy of Palestine, which makes correct evaluation of the numerous bodies of hitherto useless source-material in the Old Testament one of the most promising objectives of scholarship today. With so much new evidence at our disposal, it is hardly likely that we shall be content to accept the results obtained by Wellhausen or any other scholar without renewed testing. Volz, Rudolph, and others are now leading a revolt against the very foundations of the documentary theory—a revolt which the reviewer is not prepared to follow, however much one may deprecate the excessive refinement of dissection in the hands of Holzinger, Eissfeldt, and many others in the past two generations. It is very significant that Eissfeldt no longer undertakes critical dissection of documents, though he has not yet abandoned his defense of the method. More promising than the Volz-Rudolph reaction is the effort by Alt and members of his school to penetrate into the obscurity behind the documents, by careful analysis of the latter in the light of new external criteria.

Anton Jirku was the first scholar to attack the problem of the legal sources underlying the Pentateuchal documents in his book, *Das weltliche Recht im Alten Testament* (1927), where he distinguished no fewer than ten formulations of law, each of which he thought existed independently before being incorporated in fragmentary form into the documents. Useful though his study is in some respects, it is too hairsplitting in its analysis of form, and not incisive enough in its analysis of content and purpose. He considered both the *mišpātim* and the *devārīm* as Hebrew. Jepsen's contemporary study, *Untersuchungen zum Bundesbuch*, stops far short of Jirku's thoroughness in distinguishing between different formulations, but goes beyond him in trying to separate laws of originally Canaanite origin from those of Hebrew origin. These works are both superseded by Alt's treatment, though Jirku's arrangement of material still has some value.

Alt's fundamental contention is that the older laws of Israel are partly of Canaanite and partly of Israelite origin. The Canaanite laws may generally be recognized at once by their stereotyped juristic formulation with *ki*, "when," in the major protasis and with *im*, "if," in subordinated clauses. This formulation he calls "casuistic," i. e., it belongs to a body of jurisprudence built up from court decisions, like the English common law. The resemblance of this law, Heb. *mišpā*, to Babylonian, Assyrian, and Hittite law-codes is so striking, both in formulation, in content, and in juristic approach, that a common origin, or