

at least a close relation in its formative period, must be assumed. The *mišpāṭm* cannot be considered as reflecting an older customary law, as has often been supposed, but belong to the casuistic jurisprudence of the Ancient Orient. It may be added that the relation between the three codes and the Hebrew code may well be compared with the relation existing between four contiguous dialects of a single language: when any dialect is compared with any other both agreements and disagreements will be found, but the nature of the latter will vary from dialect to dialect. It follows that the situation may best be explained as Alt does, by supposing that there was a common ancient oriental background of jurisprudence, where a long process of mutual influence, diffusion, divergence, and conformation had acted in such a way as to create the conditions which we find existing in the second millennium B.C. Palestine was, of course, on the periphery, so we may follow Alt in deriving its Canaanite jurisprudence from the north, with most other elements of Canaanite culture. We may also follow him when he objects to attempts like those of Waterman, Jepsen, and Caspari to localize the Canaanite elements in Hebrew law at Shechem, Gibeon, or Heshbon.

In connection with Alt's discussion of the Canaanite elements still recognizable in the corpus of the *mišpāṭm*, it is now possible to make further confirmatory observations. The use of 'elōhīm as "gods" (cf. Alt, pp. 23 f.) rather than as "judges" is now established conclusively by the close parallels cited by Gordon from Nuzian contracts of the fifteenth-fourteenth centuries B.C. (*JBL*, 1935, pp. 139-144). In the Hebrew form of our document the word naturally receives the meaning "God," which was awkward and was consequently explained differently in later times. The term *peṭṭm* (Alt, p. 16, n. 2) comes from the juristic terminology of the early second millennium in Mesopotamia-Syria, as recently pointed out by Lewy; see *Zeitschrift für Assyriologie*, XXXVIII, p. 248 and *Mitteilungen der Vorderasiatisch-ägyptischen Gesellschaft*, XXXV: 3, p. 165, n. a. The reviewer diverges from the author with regard to the development of the terms 'Ivri and ḥofsi (pp. 19-23), regarding the former as the term in civil law for a man who belonged either to the Kingdom of Judah or to that of Israel, where the use of "man of Israel," or the like, would be subject to legal misconstruction; cf. also the sound observations of Morgenstern, *The Book of the Covenant*, Part II, pp. 38-40, n. 24. Ḥofsi meant originally, the reviewer believes, "peasant bound to the soil;" see provisionally *JPOS*, VI, pp. 106 f. (there is now additional material). In the Book of the Covenant the word has received