

Re-Judging the Judgment of Solomon

Jeremy Schiffres, Yale University

1 Kings 3 includes two vignettes at the beginning of the reign of one of Israel's most famous kings, King Solomon. In this chapter, Solomon receives both wisdom and wealth from the hands of God as a reward and then is shown adjudicating the claims of two women seeking ownership of a child, an event referred to today as the Judgment of Solomon. At first glance, both parts of the chapter seem straightforward: Solomon is given unique skills by God to rule effectively over God's chosen people, and then Solomon proceeds to perform his job by using these skills. Considering the context and manner in which the trial regarding ownership of the child takes place, however, a larger significance reveals itself. Taking both elements together, the Judgment of Solomon is, in fact, as much about who gets the child as it is about Solomon cementing himself and his new legal philosophy into his recently inherited position of king of the Israelites.

Before considering the trial itself, it is necessary first to place it in its narrative context by examining the events that immediately precede it. The death of King David left in his place a succession conflict among his sons. Though Solomon was technically anointed by David to be his successor, backroom politicking was involved, and not all of Solomon's brothers approved of Solomon's claim to the throne (1 Kings 2.5-2.10). To secure his position, Solomon mercilessly struck down each of his brothers who posed a threat to him; Solomon's liberal use of the sword to pursue his ends placed his actions on par with those taken by previous kings (1 Kings 2.25-46). It is here, in the midst of spilt blood, that the narrative takes a decisive turn.

The juxtaposition of the scene that opens 1 Kings 3 with the immediately following trial, over which Solomon presides, alerts readers to the significance of the Judgment of Solomon. 1 Kings 3 opens with Solomon traveling to Gibeon to make sacrifices to God “at the high places” (1 Kings 3.3). As a result, God comes to Solomon in a dream, and after Solomon admits that his reign has thus far been plagued by immaturity, God provides Solomon with two gifts to make him a better king. First, Solomon receives “a wise and discerning mind” such that “no one like [him had] been before and no one like [him] shall arise after.” Second, Solomon receives “riches and honor [for] all [his] life” (1 Kings 3.11-14). This incident and Solomon’s unique gifts reveal a number of things about the new king. That Solomon goes to pray in the “high places” outside of Jerusalem, as opposed to a local place of worship, suggests that from the start of his reign, he is detached from his people; these elitist overtones might make him an unpopular leader, especially since the exceptional wealth and prestige given to him by God make him seem even more distant from his subjects. God’s gift of a unique caliber of wisdom also suggests something about the coming reign of Solomon because God does not give gifts randomly. Solomon’s newly acquired wisdom indicates that under him, Judea will be different from what it was like under previous kings: it will be governed by wisdom.

This background information about Solomon is needed when considering his Judgment because Solomon’s court does not function like a modern courtroom: Solomon simultaneously plays almost every role that we are familiar with in the modern courtroom; that is, he acts as the judge, jury, and lawyers. This background is needed also to look at the remaining two roles in the case that Solomon does not assume: the plaintiff and the defendant. These roles are filled by two prostitutes who come before Solomon seeking justice. Both claim motherhood of

a child, and both make the same claim against the other: that though they each gave birth to a child around the same time, the other's son died in the night when it was smothered by accident, and in a moment of deceit, the dead son's mother switched the babies (1 Kings 3.16-22). The issue before Solomon is simple to state yet devilishly complicated to solve: to whom should the living child go?

That Solomon should be the one to decide this question is not unusual; one of the tasks of the king of Israel was to administer justice throughout his territory (*Cf.* 2 Sam 8.15). One element that does require an explanation, however, is why a custody case involving two prostitutes, a mundane case brought forward by some of the lowest members of society, would be a trial that Solomon would even bother hearing and, further, the only trial during his reign that the Book of Kings recounts.

To answer the second question first, it is necessary to remember that the Book of Kings is not a comprehensive account of every moment of King Solomon's life; it is an account selectively written down by individuals alive during Solomon's reign and preserved subsequently by individuals who lived afterwards. Given that there is no indication of this trial being private, it is not unreasonable to believe that anyone in Israel could have been a spectator, though likely it was mostly local Jerusalem denizens; after the trial, at least, Kings notes that "all Israel heard of the judgment that the king had rendered," so the tale of the Judgment is likely an amalgamation of many witnesses' accounts (1 Kings 3.28). That the Judgment has continued to be included in Kings suggests a general consensus as to this maternity trial being significant. That this case is significant helps to answer the first question of why Solomon chooses to hear the case of two prostitutes at all. It was expected that the

king would judge his subjects' cases, but during previous Biblical kingships, like the reign of David, it is suggested that not every case had to be heard by the king (2 Sam 15.2 n.1). It is likely that because these prostitutes were some of the lowest members of society, not in spite of it, that Solomon decides to take this case, and also why it is so well remembered to this day. By choosing to hear their case, Solomon shows his concern for the plight of all his subjects, regardless of profession, and demonstrates that the laws and traditions that his administration was about to establish would apply to all the people of Israel, regardless of their social position.

Nevertheless, perhaps the most important aspect of the trial is the manner in which Solomon renders his judgment, a decision which consequently becomes the new standard of justice in the land. First, unlike lawyers or judges in courtrooms today, Solomon does not engage in asking any questions of the two women. Although he does succinctly summarize the case before him, perhaps realizing the frivolity of direct inquiry in a he-said, she-said scenario, Solomon proceeds to change the parameters of the debate: instead of debating maternity, Solomon threatens to kill the baby by dividing him in half, one half for each woman (1 Kings 3.25). Suddenly, the focus of inquiry shifts to the relationship between the true mother and her child--to which woman had "compassion for her son burn[ing] within her"--instead of being about which woman was the spiteful former mother (1 Kings 3.26). When only one woman shows genuine concern for the life of the child, the true mother becomes obvious. There are no hints in the narrative that Solomon employs this trick on a whim; his resolve when calling for his sword supports the view that he is perfectly aware of his actions. The effectiveness of his ploy not only solves the problem at hand but also provides solid evidence for Solomon's claim to being God's chosen leader of the Israelites, for the Israelites are reported to have seen "that

the wisdom of God was in [Solomon], to execute justice" (1 Kings 3.28). Just as there were doubters among his brothers, so too were there likely doubters among the people of Israel as to whether Solomon ought to succeed David. Solomon's judgment in this trial helps quell such talk.

The selection of the sword is also a critical element in Solomon's decision as it provides further evidence of Solomon's dedication to a conception of justice governed by wisdom, not strength alone. There are a number of ways Solomon could have used the same trick to achieve the same effect: he could have threatened to burn the child, to rip the child in two, or to cut the child in two using an axe. Instead, Solomon chooses the sword, a choice reminiscent of his bloody rise to power in the not-so distant past. In fact, the reason for his sword's employment on both occasions could not be starker. The earlier "justice" for which Solomon used his sword was the merciless and arguably unjust executions of his political opponents. Now, armed with the wisdom of God, Solomon uses his sword similarly to achieve justice, but this time without bloodshed and guided by ingenuity. At the start of his reign, Solomon makes a break from his past by using the same tools in the toolbox but now in a positive new way.

The story of Solomon judging the maternity of a child between two prostitutes--at first glance a simple, domestic affair--survives to this day as much for Solomon's remarkable display of wisdom in settling the dispute as for what the case represents. The Judgment of Solomon is a turning point in Solomon's reign and the history of the Israeli people: it demonstrates that while God's chosen leader would continue to lead by the sword, that sword and its wielder would be guided by God's wisdom, not man's thirst for blood. In this instance, at least, a trial

does as much for settling past feuds as it does for charting new directions in governance and jurisprudence.

Work Cited

Coogan, Michael David., Marc Zvi. Brettler, Carol A. Newsom, and Pheme Perkins. *The New Oxford Annotated Bible with the Apocryphal/Deuterocanonical Books: New Revised Standard Version*. New York: Oxford UP, 2007.