

THE GUILTY PARTY IN 1 KINGS III 16-28¹

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Ellen van Wolde's recent article on the story of Solomon's judgment in the case of the two prostitutes (1 Kgs. iii 16-28) provides the scholar of biblical narrative with much fodder on how to read biblical texts, both this episode in particular and narrative prose in general.² Without entering into the pros and cons of her treatment as a whole, the present short article is intended to advance the discussion on one small yet crucial point, on which I believe van Wolde is incorrect. Van Wolde wrote as follows: "There is a turning point in the story at the moment that the narrator for the first time identifies one of the two women as 'the mother of the living child' (v. 26a) in a direct narrator's text. The readers do not yet know whether the first or the second woman is this mother, and they never will".³ Van Wolde is not alone in this stance. Meir Sternberg, for example, has stated similarly, "we never find out for sure which of the harlots ('the one' or 'the other') is the mother",⁴ and indeed most commentators on this story would agree, whether they say so explicitly or not.

I disagree, however. Rather, I believe that the author of this pericope has provided for the careful reader the means by which to discern which of the two women was the guilty party.

¹ I am indebted to Louis H. Feldman of Yeshiva University for his assistance on reading the Josephus passage discussed below; to Samuel Morell of the State University of New York at Binghamton for his help on the Radbaz passage cited below; and to Adele Berlin of the University of Maryland for her perceptive comments on an earlier version of this article. Special thanks is rendered to my colleague Harry Shaw of the Department of English at Cornell University for his insights into the narrative aspects of this episode, and to my able graduate student Yiyi Chen whose contribution to this study is noted below.

² E. van Wolde, "Who Guides Whom? Embeddedness and Perspective in Biblical Hebrew and in 1 Kings 3:16-28", *JBL* 114 (1995), pp. 623-42.

³ *Ibid.*, p. 638. In note 30 on the same page she added: "Still, most readers will be inclined simply to identify the first speaking woman as the mother of the living child". As we shall see below, this reading strategy yields the wrong conclusion.

⁴ M. Sternberg, *The Poetics of Biblical Narrative: Ideological Literature and the Drama of Reading* (Bloomington, Ind., 1985), p. 169.

Before arriving at my own reading on this point, I first wish to note the approach of E. and G. Leibowitz, who noticed that the first woman's account is filled with inconsistencies, and that Solomon easily could have discerned from this information that she was mother of the dead child.⁵ Van Wolde cited this article and discussed these inconsistencies. In her own words, "the one woman is so sure that the other woman lay on her son in the night, while she herself was firmly asleep. So firmly asleep that she did not even perceive that her own son was taken from her side!"⁶ Yet van Wolde rejected this as an appropriate approach because "we cannot be sure that the king actually noticed this inconsistency; the text does not mention it".⁷ One might counter that it would be atypical of biblical narrative style to make such a remark, especially given the typical demands that biblical authors place on their readers to involve themselves in the story.

Still, van Wolde is correct to reject the Leibowitzes' reading. First, it places the reader in the peculiar position of out-Solomoning Solomon, that is, by utilizing the same information that the wise king and judge had at his disposal to solve the case, and that certainly cannot be the author's intent. Quite the contrary, the story's intent is to show the singularity of Solomon's wisdom. Solomon, and the reader with him, cannot possibly solve the story based merely on the words of the first woman's account.⁸ Secondly, it removes all the punch from Solomon's famous words *קָרוּ לִי הָדָב*, "bring me a sword" (*v.* 24) and *נָתַן אֵת הַיָּלֶד וְחָתַדוּ*, "cut the child" (*v.* 25), and this too cannot have been the author's intent. Accordingly, we must reject this reading.⁹

While I do not believe that the author wished for his readers to out-Solomon Solomon, nevertheless I do believe that he wished for them to play "Perry Mason" or "Miss Marple" *alongside* Solomon.

⁵ E. and G. Leibowitz, "Solomon's Judgment", *Beth Mikra* 35 (1989-90), pp. 242-44. However, this article focuses only on how *Solomon* could have discerned which mother was which. It does not enter into a discussion of how the *reader* could have done so, though naturally in this instance the information is the same, for both Solomon and the reader.

⁶ van Wolde, "Who Guides Whom?" pp. 629-30.

⁷ *Ibid.*, p. 630, n. 30.

⁸ There is one possible exception, however. If there is anything in the first woman's words in *vv.* 17-21 that suggests that she is lying, it is not the story itself that she relates, but rather the repetition of the word *וַיִּבְרַח*, "and behold", in *v.* 21. For a parallel example, see A. Berlin, *Poetics and Interpretation of Biblical Narrative* (Sheffield, 1983), pp. 80-81.

⁹ Even though, as we shall see below, we arrive at the same conclusion as to the identity of the guilty party.

Sternberg is correct that the story has all the markings of a detective story,¹⁰ and he is also correct that the basic “fair-play rule, whereby the reader must be given the same data to make inferences from as the detective himself”¹¹ is operative as well. But this does not preclude the author from utilizing a wholly independent means of providing his readers with clues to solve the case. Such a technique, I hope to demonstrate, is present in our story. It revolves not on the internal features of the story, that is, the same information that is available to Solomon; but on external features of the story, that is, it is based solely on the manner in which the author narrates the story.

The first woman, called by the narrator *האשה האחת*, “the one woman”, and whom we shall call “Woman A”, begins with a relatively long speech describing the events as she recreated them (*vv.* 17-21). The second woman, called by the narrator *האשה האחרת*, “the other woman”, and whom we shall call “Woman B”, then responds with the short phrase *לא כי בני חיי ובניך המת*, “No! my son is the living one, and your son is the dead one” (*v.* 22a). The narrator then states *והאשה זאת אומרת לא כי בניך המת ובני חיי*, “And this one says: No! your son is the dead one, and my son is the living one” (*v.* 22b¹²).¹³ The key expression here is the phrase *והאשה זאת אומרת*, “and this one says”, to refer to Woman A. These two words are used in the next verse to refer to Woman A, and still later to refer to the woman who is not the mother of the living child. Thus, by paying close attention to the threefold use of the phrase *והאשה זאת אומרת*, “and this one says”, the reader is able to determine that it is Woman A who is the mother of the dead child (what I refer to herein as “the guilty party”).¹⁴

¹⁰ Sternberg, *The Poetics of Biblical Narrative*, pp. 167-68.

¹¹ *Ibid.*, p. 167.

¹² I recognize that both *v.* 22a and 22b appear before the *’atnah*. I would refer to the last three words of the verse as *v.* 22c.

¹³ Or perhaps the beginning of this clause should be rendered “While this one says”, Grammatically, these words are a circumstantial clause, one of whose functions is to indicate synchronicity. The effect would be to indicate that the two women are speaking at the same time, that while Woman B says her single line of six words, Woman A responds with her retort of six words (perhaps in a boisterous manner). This would be the case again in *v.* 26. On this technique in biblical storytelling, see Berlin, *Poetics and Interpretation of Biblical Narrative*, p. 63.

¹⁴ Note that the LXX omits the entire phrase in *v.* 22b, and that some scholars have emended MT accordingly; thus, e.g., B. Stade and F. Schwally, *The Books of Kings: Critical Edition of the Hebrew Text* (Leipzig, 1904), pp. 5, 74; and O. Eissfeldt, “Die Bücher der Könige”, in E. Kautzsch and A. Bertholet (eds.), *Die Heilige Schrift des Alten Testaments*, 4th ed. (Tübingen, 1922), vol. 1, p. 501. Naturally there is no gain in such an approach,

In the next verse, when Solomon recapitulates what he has just heard, he states: **זאת אומרת זה בני החי ובנך המת ותאת אומרת לא כי בנך החי ותאת אומרת**, “This one says: ‘This is my son, the living one, and your son is the dead one’. And this one says: ‘No! your son is the dead one, and my son is the living one’” (v. 23). Note how the words **זאת אומרת**, “this one says”, are used to refer to Woman B, and how the words **ותאת אומרת**, “and this one says”, differing only by the addition of a conjunctive *waw*, refer to Woman A. This is a very small difference indeed, but such small differences are inherent in the biblical narrative tradition which demands the reader’s attention to such detail.

At an apparent impasse, Solomon next issues his famous judgment to divide the living child in two and to give one half to each woman (vv. 24-25).¹⁵ At this point the narrator introduces the compassionate speech of the one woman with **והאמרה האשה אשר בנה החי**, “the woman whose son was the living one said” (v. 26a), in contrast to the second woman’s cold retort which is introduced with the key phrase **ותאת אומרת**, “and this one says” (v. 26b). Since twice earlier the author used the words **ותאת אומרת**, “and this one says” to refer to Woman A, the attentive reader will use this expression as a key to identifying the guilty party.¹⁶

In short, Woman B is the mother of the living child, and Woman A is the mother of the dead child, a fact which the reader may discern on his or her own by carefully noting the narrator’s use of the thrice repeated words **ותאת אומרת**, “and this one says”.¹⁷

especially in this instance, for only with the words **ותאת אומרת**, “and this one says”, can the reader determine that Woman A is the mother of the dead child. Interestingly, however, Stade and Schwally noted the following: “The first woman would have been designated more clearly, and introduced in a different manner, if her rejoinder was to have been given here” (p. 74). In other words, they saw the words **ותאת אומרת**, “and this one says”, as a flag; only they drew the wrong conclusion.

¹⁵ On this scene, see the remarks of P.A. Bird, “The Harlot as Heroine: Narrative Art and Social Presupposition in Three Old Testament Texts”, *Semeia* 46 (1989) = *Narrative Research on the Hebrew Bible* (Atlanta, 1989), pp. 132-33. My thanks to Professor Bird for this reference.

¹⁶ Contra van Wolde, “Who Guides Whom?” p. 630: “Since the demonstrative pronouns **זאת** and **הזאת** are markers that assume the narrator himself/herself as the point of departure, and since the reader is not present at the interview, these pointers remain indeterminate. Who exactly this **זאת** is and who that **הזאת** is remain obscure”.

¹⁷ None of the major English translations that I consulted (*KJV*, *RSV*, *NRSV*, *NAB*, *NEB*, *REB*, *JPSV*, *NJPSV*) allows the English reader to follow the story in this manner. This is unfortunate. Presumably, the approach of E. Fox, *The Five Books of Moses* (New York, 1995), with its remarkable attention to the details of the Hebrew original, would allow the English reader access to this technique.

Furthermore, as my graduate student Yiyi Chen pointed out to me, the story is structured so that the women's voices alternate, whether the reader hears them speaking directly or whether he or she hears their words through Solomon. Woman A speaks in *vv.* 17-21; Woman B speaks in *v.* 22a; Woman A speaks in *v.* 22b. When Solomon speaks in *v.* 23, he presents first the words of Woman B in *v.* 23a, and then the words of Woman A in *v.* 23b. Accordingly, in *v.* 26 when the two women speak again, if this alternating pattern continues, then the first woman to speak in *v.* 26a, that is, the one whom Solomon determines to be the mother of the living child, would be Woman B; and the second woman to speak in *v.* 26b, that is, the guilty party, would be Woman A. Or to put this pattern in chart form:¹⁸

<i>Verse</i>	<i>Woman</i>
17-21	A
22a	B
22b	A
23a (via Solomon)	B
23b (via Solomon)	A
26a	B
26b	A

At the center of this chiasmic structure is Solomon's representation of Woman B's words in *v.* 23a. Is it coincidental that he repeats Woman A's words verbatim in *v.* 23b, but that he slightly alters woman B's words in *v.* 23a? What Woman B actually said in *v.* 22a was *לֹא כִּי בְּנֵי הַחַי וּבְנֵי הַמֵּת*, "No! my son is the living one, and your son is the dead one", whereas Solomon recapitulates with *זֶה בְּנֵי הַחַי וּבְנֵי הַמֵּת*, "This is my son, the living one, and your son is the dead one", in *v.* 23a. As recent studies of repetition in the Bible have demonstrated, when the storywriter departs from verbatim repetition, it is a signal for the reader to pay utmost attention.¹⁹ There can be little doubt that the slight change in Solomon's representation of Woman B's statement is intended to alert the reader to the significance of these words. A close analysis reveals that they stand at the center of the

¹⁸ Note, once more, that if the LXX, with its deletion of *v.* 22b, is followed (see above n. 14), then this alternating pattern falls apart.

¹⁹ Note the succinct statement of Berlin, *Poetics and Interpretation of Biblical Narrative*, p. 76: "Changes in repeated information can be significant". For a detailed study of changes in quoted direct speech, see G.W. Savran, *Telling and Retelling: Quotation in Biblical Narrative* (Bloomington, Ind., 1988).

arrangement depicted above and serve as an additional key to the reader for determining which woman is which.

As noted above, the manner of storytelling permits the reader to solve the case from outside the story, indeed through not just one but through two routes: by tracking the phrase **וְזֹאת אֵמְרָה**, “and this one says”, and by paying attention to the alternating women’s voices. As such, this strategy represents a noteworthy departure from the manner in which readers of modern mysteries or detective novels approach these stories. In these modern works, as Sternberg noted, readers are left with no option but to solve the crime with the same information that is available to the “Perry Mason” or “Miss Marple”, that is, from within the story. The ancient Israelite author, on the other hand, even with the typically terse and economical writing style of his writing tradition (or perhaps because of it!), was able to provide his readership with an independent means, one based not on the plot itself but on the narration thereof. By so doing, again typical of the ancient Israelite literary tradition, and to reiterate what I said above, the author invited his readers to interact with the text in a very active way. Solomon needed to solve the case in his way, alongside which the reader is able to solve the case in another way.

But there is more. The conclusion that Woman B is the mother of the living child runs counter to the way most readers, if forced to make the decision, would decide which of the two women is the guilty party. Certainly this is true of those English translations (e.g., *RSV*, *NRSV*, *NAB*, *NEB*, *REB*) which have Solomon state in *v.* 27: “Give the living child to the first woman” (thus *RSV*, the others similarly), though naturally the Hebrew text **תֵּן לָהּ אֶת הַיָּלֵד הַחַי**, “Give her the living child” discloses no such interpretation.²⁰

This is also the way that Josephus read the story. In *Antiquities* 8.32 he referred to “the woman who had demanded (*ἀπαίτουσης*) the child and was its true mother”,²¹ which can refer only to Woman A because only she speaks directly in the Josephan account and indeed she uses

²⁰ See van Wolde, “Who Guides Whom?” p. 638, n. 30. As I noted above, most commentators do not venture a decision on which woman is the guilty party. For a commentator who does judge explicitly, see Y. Keil, *Sefer Melakhim I* (Da‘at Miqra’; Jerusalem, 1989), pp 58-61, especially p. 61, where he identified the **לָהּ** of *v.* 27 as **לְאִשָּׁה הַדֹּבֵעָה**, i.e., the plaintiff, or Woman A. Keil may be guided by some of the medieval Jewish scholars, on which see below.

²¹ Translations of Josephus are from H. St. J. Thackeray and R. Marcus, *Josephus* (Loeb Classical Library; Cambridge, Mass., 1934), vol. 5, pp. 585-89.

the very words “I therefore demanded (ἀπαίτω) my son back” (8.29). Earlier Josephus referred to Woman A as “she who seemed (δοκοῦσα) to be the injured one” (8.27), but this does not imply that she was not the woman of the living child. Quite the contrary, the verb *δοκέω* has a wide range of meanings, among them “prove to be”.²² Accordingly, this phrase means “she who proved to be the injured one”, and this statement also points to the fact that Josephus understood Woman A to be the mother of the living child.²³

Similarly, various medieval Jewish scholars interpreted the story as if Woman A was the mother of the living child. Yosef Kaspi (1279-1340) glossed *וַתֵּן לָהּ*, “give her” of v. 27 succinctly: *שֵׁר לְאִשָּׁה*, “shorthand for the first one”. Later, David ben Abi Zimra, or Radbaz (1479-1573), discussed the story in one of his responsa and assumed that the plaintiff, or Woman A, was the innocent victim, and that the defendant, or Woman B, was the mother of the dead child.²⁴

How is it possible that such a wide variety of readers: Josephus in late antiquity, medieval Jewish scholars, and modern English translators, could all be led to believe that Woman A was the mother of the living child? They all fell into the trap of assuming that the woman introduced first who presented the case with a long speech must be the innocent party, and that the woman who had nary a word to say in her defense must be the guilty party. But this in itself is a literary topos, and it should alert us not to judge the two women too quickly.

The example best known in the English literary tradition is Cordelia in Shakespeare’s *King Lear*. Her two sisters Goneril and Regan (especially the former) are the active and boisterous daughters, but in the end turn out to be the ones who love their father the least; while Cordelia is the quiet sister, and furthermore absent from a good part

²² K.H. Rengstorf, *A Complete Concordance to Flavius Josephus* (Leiden, 1973), vol. 1, p. 511; and H.G. Liddell and R. Scott, *A Greek-English Lexicon*, 9th ed. (Oxford, 1940), pp. 441-42.

²³ On Josephus’ understanding of this episode, though without reference to the point under discussion here, see L.H. Feldman, “Josephus as an Apologist of the Greco-Roman World: His Portrait of Solomon”, in E. Schüssler Fiorenza (ed.), *Aspects of Religious Propoganda in Judaism and Early Christianity* (Notre Dame, Ind., 1976), pp. 85-87; and L.H. Feldman, “Josephus’ Portrait of Solomon”, *HUCA* 66 (1995), pp. 115-16.

²⁴ *Responsa of Radbaz* (New York, 1967 [reprint of Warsaw 1882 edition]), Part III, Responsum 634 (= 1059 of the continuous numeration). Radbaz stated further that Solomon determined who was innocent and who was guilty even before he requested that the sword be brought, and that he did so through several means: 1) the living child looked like Woman A, and 2) Woman A looked like a diligent and careful woman who would not lie on her baby, while Woman B appeared to be the very opposite.

of the play, and yet she is the one who expresses true love for and loyalty to her father King Lear. Quite analogous to the appearance of the two women before Solomon is the appearance of the three sisters before their father in the play's opening scene. While Goneril and Regan each have relatively long speeches, Shakespeare provides Cordelia first with two asides, "What shall Cordelia speak? Love and be silent" (I.1.63), and "Then poor Cordelia! And yet not so; since, I am sure, my love's more ponderous than my tongue" (I.1.78-80), followed by her simple words spoken to her father directly, "Nothing, my lord . . . Nothing" (I.1.89-91).

Woman B, accordingly, is an early prototype of the Cordelia literary figure. She is the innocent woman and the mother of the living child. Woman A is the guilty party.