

Of Kings and Wives and Babes: Pursuing Tzedek

Sara R. Horowitz

Pity the mighty King Solomon. This wisest of monarchs had seven hundred wives and three hundred concubines, but despaired of intimacy.

In the book of *Kohelet* (Ecclesiastes), attributed to King Solomon's authorship, he laments, "One man among a thousand I found; but a woman among all these I have not found." (Ecc. 7:28) "I find woman more bitter than death; she is all traps, her hands are fetters and her heart is snares. He who is pleasing to God escapes her..." (Ecc. 7:26) But Solomon, alas, did not escape from her—or, more properly speaking, from them. And indeed, according to the book of Kings, his many wives led him down the path of idolatry, away from the God whose glorious Temple he has just built.

The enigma of Solomon—so wise and yet so wrong-headed. The Lord blesses him with a wise and perceptive heart—*lev hakham v'navon* (I Kings 3:12), to enable the king to dispense justice with discernment—*l'havin lishmo'a mishpat* (I Kings 3:11) and to discern good from evil—*l'havin bayn tov l'ra* (I Kings 3:9). And yet, precisely this discerning heart leads the king dreadfully astray. "King Solomon loved many foreign women...his wives turned away Solomon's heart after other gods..." (I Kings 11:1, 3) How could this cleverest of kings err so badly?

Commentators offer the classic response to the question of what turns a good man bad: *cherchez la femme*—or, here, *les femmes*. Solomon loved foreign women who brought with them foreign ways of worship. But this hardly resolves the issue. After all, Solomon selected these wives, knowingly brought them into his intimate sphere. And this against the express prohibition of the Torah, as the book of Kings reminds us: "Moabite, Ammonite, Edomite, Phoenician, and Hittite women, from the nations of which the Lord had said to the Israelites, 'None of you shall join them and no one of them shall join you,

lest they turn your heart away to follow their gods.' Such Solomon clung to and loved." (I Kings 11:1-2) Somehow, it seems, the man blessed with the ability to discern good from evil failed to discern their workings in his own heart. And because of this, the kingdom falls, Israel is decimated.

I have long been struck by the extravaganza that was Solomon—the luxuriant expansiveness of the Temple, the spectacular hyperbole of the bridal chambers. Perhaps my vision is colored by centuries of Jewish monogamy—but one thousand consorts? How often did he see them? Did he remember their names?

I have been struck, too, by the misogyny enfolded into the Solomon story—a misogyny explicit in the complaints of Kohelet, and more than implied by the multiple conjugations in Kings. If you “love” one thousand women, how much could you like any one of them? That this misogyny resides in the very man whom the Jewish tradition sees as the wisest and most discerning of men is particularly disturbing. Read without irony, it implies a rightness to the disdain for women that is not sufficiently refuted by rabbinic readings of the life of Solomon.

Read ironically, however, a different version emerges of the king and his problem with women. The gap between Solomon’s extraordinary gift and extravagant flaw, exemplified by idolatrousness in old age, invites us to reread the texts about his life. If we read for gender and against the grain, the text about the wise king can reveal to us something about the nature and limitations of wisdom, discernment, and justice in our own lives.

Perhaps the most famous story about King Solomon concerns the judgment he renders regarding the baby claimed by two mothers. As a key to the enigma of King Solomon, I would like to read this story alongside the Torah portion of *Shoftim* in Deuteronomy (16:18-21:9), where the precepts governing kingship are first articulated, together with basic strictures concerning judgment. Conceptually, both *Shoftim* and the Solomon story deal with how to administer justice equitably to a growing nation. They weave together three key motifs—witnessing, kingship, and randomness—that will enable us to take a fresh look at King Solomon’s wisdom.

Amid a discussion of court procedures and magisterial responsibility, the Torah tersely urges, *tzedek tzedek tirdof*, “Justice, justice shall you pursue.” (Deut. 16:20) What does it mean, “to pursue tzedek”? In the concrete context

of the juridical system, as presented in *Shoftim*, justice depends on two things: the fairness of the courts, and the willingness of the people to abide by their regulations. "You shall not judge unfairly: you shall show no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just." (Deut. 16:19) Judges must be impartial, fair, and beyond suspicion. If people don't trust them, the entire system collapses.

This much seems obvious. Yet why does the text of Deuteronomy enjoin its readers to "pursue *tzedek*" or justice and not simply to "be just" or "act justly"? To answer this, we may look to three seemingly unconnected issues that are in close textual and thematic proximity to that verse: the idea of witnessing, the concept of kingship, and the establishment of cities of refuge.

Let's begin with witnessing. The text in Deuteronomy delineates two instances of witnessing. First, the text informs us that capital punishment may be administered only upon the testimony of two witnesses. If their testimony results in a conviction, then these two witnesses must strike the first blow. "Let the hand of the witnesses be the first against him to put him to death." (Deut. 17:7) In a visceral way, the witnesses realize that death is at their hands. They thus bear palpable responsibility for the consequences of their testimony. If they have misled the court, they will have shed blood sinfully. Second, the text discusses the possibility of the false witness. (Deut. 19:16-21) A witness who testifies falsely against another shall bear the punishment for the crime that he tried to pin on another. Between the two poles of the true and the false witness rests the idea of "pursuing" justice.

It is imperative, the text suggests, to be a true witness. Witnessing is not simply a passive act—seeing—but an active behavior—speaking truthfully. But how many of us witness capital crimes? Pursuing justice entails bearing witness not only to crimes in the narrow, juridical sense, but also recognizing and speaking out against the suffering of others, and actively seeking to mitigate it.

Next, kingship. The Torah delineates the behavior appropriate to a king of Israel, should the Israelites decide they want to live under a monarchy. (Deut. 17:14-20) Understandably, the passage stipulates that the king must be a God-fearing Israelite who "will not act haughtily toward his fellows." (Deut. 17:20) "Moreover," the Torah cautions, "he shall not keep many horses or send people back to Egypt to add to his horses...And he shall not have many

wives..." (Deut. 17:16-17) Why this call to temperance? The passage explains, "You must not go back that way [to Egypt] again... lest his heart go astray..." (Deut. 17:16-17) In other words, the king must not build an extravagant stable because the Israelites were enslaved in, and then liberated from, Egypt, where fine horses abound, and too many wives may cause the king to stray. These reasons seem to leave much unspoken. The real issue appears to be excessive acquisitiveness—taking more than one needs, and having so much more than others that one feels far above them.

Ideally, the king of Israel learns the word of God so he can administer *tzedek*. In reality, Israelite kings did live to excess. Contrary to the prescriptions of Deuteronomy, Solomon married a daughter of Pharaoh to solidify his alliance with Egypt; he collected fine steeds—40,000 stalls of horses, the book of Kings tells us (I Kings 5:6)—and he amassed wives.

There is something to be learned from these instructions even for those of us who are not kings. Pursuing *tzedek* entails not getting derailed by the desire to have, and to surpass what others have.

Finally, cities of refuge: a novel plan to deal with accidental killing or murders committed without sufficient evidence to convict. People implicated in such actions were to flee with their families to specially designated cities, and live there in safety. Such a system meant putting an end to primitive blood vendettas, because the families of the dead were prohibited from exacting vengeance in the cities of refuge. The rabbis understood these cities as part punishment and part protection. They believed that nothing happens by accident. They reasoned that a person who was involved in an accidental killing wound up uprooted to a city of refuge as punishment for a prior sin to which there were no witnesses (and so no possibility of conviction).

What implication do cities of refuge have for us today in our pursuit of *tzedek*? Rabbinic reasoning notwithstanding, things do happen randomly and by accident. I imagine the cities of refuge filled with displaced families, grappling with mortality and the arbitrariness of human existence. Intentionally or not, they have been implicated in an event with terrible consequences for themselves and for others.

We no longer have cities of refuge, but we, too, taste the randomness of tragedy. Furthermore, we too may find ourselves implicated in events that cause others to suffer, despite our best intentions. We get a prize or a job some-

one else wanted, we grow up and leave our parents' home and they miss us, we may not return the love of someone who loves us. How do we acknowledge this about ourselves and hold on to our sense of *tzedek*?

As with the strictures governing witnessing and kingship, the Torah forces us to confront the gap between the ideal and the real. Pursuing *tzedek* means acknowledging responsibility for the choices in our lives, as well as for the accidental happenings that we have not chosen.

How do these passages on *tzedek* from Deuteronomy, and their focus on the issues of witnessing, kingship, and randomness, help us to reread the famous story of King Solomon's cleverness and justice? As recounted in I Kings 3:16-28, two women come to Solomon, each claiming to be the mother of a healthy baby, and each claiming that the other is the mother of a baby who has died. With no easy way to discern the truth-teller from the liar, Solomon hits upon a ruse: "Fetch me a sword!" he orders. "Cut the live child in two, and half to one and half to the other." (I Kings 3:24-25) Upon hearing this, the "true" mother immediately relinquishes her claim to motherhood. She would rather give up her child than see it die. This exposes the impostor. The rightful mother is reunited with her child, and the impostor is exposed and sent on her way. Everyone is happy.

If he is so wise, why does Solomon not pick up the fierceness of her grief?

Everyone except, of course, for the impostor.

Who is this false mother, so eager not to give the child to its rightful mother that she can allow it to be brutally killed? Reading closely, we notice that the lying woman is a bereaved mother whose baby has just died. Exposing her as a schemer, the king (and the text) abandons her to face her bereavement alone and in disgrace. If he is so wise, we may wonder, why does Solomon not pick up the fierceness of her grief, the depth of her loss which drives her to such extreme behavior?

The women, we learn from the text of Kings, share a house and have given birth with no one to attend them. In the dark of night, one woman accidentally smothers her infant son by rolling on top of him, and quietly switches his tiny corpse for the other woman's living infant. No one

witnesses the birth, the death, the switch. Precisely this lack of witness brings them to Solomon to resolve their claim. Both women—who remain unnamed in the text—are termed *zonot*, prostitutes. Their coming to the king is juxtaposed with a description of Solomon's "banquet for all his courtiers" (I Kings 3:15) in the verse that immediately precedes the story. These elite and powerful men contrast sharply with the lowly prostitutes who live on the margins of society. Perhaps this is why the king dispenses a justice which—while identifying the real mother—is coarse and brutal.

The justice that the king seems bent on upholding is termed *mishpat*; the verse in Deuteronomy uses the word *tzedek* (although most English translations employ the word "justice" in each instance). How do *tzedek* and *mishpat* differ?

The prophet Hosea uses both words in describing the terms of Israel's relationship to God, as well as a man's to his wife: "I will espouse you with *tzedek* and *mishpat* and *hesed* and *rachamim*" (Hosea 2:21)—terms translated in that context, respectively, as righteousness, justice, goodness and mercy (Jewish Publication Society). In this light, *mishpat* seems more closely allied with exact judgment, or *din*, while *tzedek* suggests something broader, more complex, and farther-reaching. We begin to understand why one might enact *mishpat*—judgment—but pursue *tzedek* as an ongoing effort. Everett Fox's translation of the verse in Deuteronomy makes the difference even more pronounced—he renders *tzedek* as "equity."

To govern with *tzedek*, neither a magistrate nor a king may distinguish between high and low. Indeed, the rabbis note that the very fact that King Solomon personally adjudicates in the matter of the disputed infant proves that justice is available equally to all. And yet, it seems to me that the juxtaposition of "courtiers" and "prostitutes" opens up a disturbing possibility. God endows the king with a special "discernment in dispensing justice." (I Kings 3:11) The unusual construction of that phrase in Hebrew—*l'havin lishmo'a mishpat*—literally means "to understand to hear justice." Might different stations of life have been heard differently?

Pursuing *tzedek* means discerning the face and the heart of the other. In this case, it would mean going beyond merely restoring the child to its rightful parent. It would mean also acknowledging randomness in our lives, acknowledging that some people inexplicably draw a bitter lot through no fault of their own, acknowledging that people act badly—vilely—out of

pain. Their outrageous action cannot be permitted to stand, of course. But their pain, too, should be recognized and assuaged.

The verse from Hosea suggests that the companion attributes—*tzedek* and *mishpat*—require a second set of attributes—*hesed* and *rachamim*, goodness or loving-kindness, and mercy or compassion. The king resolves the mothers' dispute by invoking only the sword—a symbol of male power, and a fit instrument of *mishpat* alone. But in this matter of heart and womb (*rechem*), the “enwombbedness” of *rachamim* seems lacking. Perhaps this is why the king desperately adds one wife after another, one concubine after another, to his burgeoning harem—in a misbegotten attempt to enwomb his heart.

Compassion may even transform an initially evil act into good. If the king had thought to ask one of his many wives, perhaps they could have helped him to understand: the false mother, exposed and sent away in disgrace, is also the true mother of a dead child. The Targum translates the word used to describe both women—*zonot*—not as prostitutes but as innkeepers, from the Hebrew word *la-zun*, to feed. We might use this alternate meaning to remind us that these were feeding—or nursing—mothers, whose bodies were given over to the caring for a child.

What does the false mother want? Not to harm but to nurture the infant she has abducted. The suggestion of violence, after all, comes from the king and not from her. Without endangering the child or its mother, can a space be made for the love of the other mother?

One can imagine a different ending to this story, one where the false mother is given the opportunity to express regret. Coming to her senses after the shock of her own child's death has worn off, she is horrified by what she has almost allowed to occur. One can imagine the other mother, the more fortunate one, touched to the quick by her own near-loss of a child, finding in her brush with catastrophe a source of empathy and compassion towards the bereaved mother. One might imagine a community of mothers and children helping and supporting one another, where childless women love and nurture the community's children, and are themselves loved and nurtured. One can imagine outsiders brought in, instead of banished.

Solomon's decision obscures a deeper issue: the inequity wherein one woman's child lives and another woman's child dies. The scarcity of love for the women—neither has a partner, and there is but one child for the two of them—contrasts ironically with the hyperabundance of wives, horses and

other riches for the king. By depicting the bereaved mother as depraved, the text retroactively gives justification for her loss. Her baby died, the text suggests, because she deserved punishment (like the people exiled to cities of refuge). The text goes so far as to blame her for her child's death, saying she had rolled over and accidentally smothered it in her sleep.

In actuality—in our world—people suffer terrible losses they do not deserve, sometimes driving them (us) to actions later regretted. Solomon restores the child to its mother, but he withholds consolation, banishing the other mother. In so doing—in discerning no redeeming qualities or motivations in the pretender—Solomon renders *mishpat*. But he does not pursue *tzedek*, nor does he invoke *hesed* or *rachamim*.

Even more significantly, Solomon's judgment lets God off the hook. The Source of Justice is not called upon to account for the accidental death of an innocent baby, nor for the grief of a new mother.

There is a danger in letting God off the hook. When we do this, we let ourselves off the hook, too. Ultimately I believe we are better served by asking unanswerable and disturbing questions than suppressing the questions, or explaining them away. God has no need of our protection in any case, but we have a need to be on the notice for injustice, inequality, the suffering of others. If we explain away bitter circumstance and inequity rather than allowing ourselves to feel anguish and perhaps rage, then we will not feel impelled to step in with compassion and lovingkindness. Like King Solomon, who was powerless to restore two living babies to their mothers, we sometimes are helpless to change a bitter circumstance. But—again, like the wise king—we may make a judgment call that has implications for everyone concerned. While *tzedek* may never be fully in our grasp, we may be ever in its pursuit.



Sara R. Horowitz is Associate Director of the Centre for Jewish Studies at York University in Toronto, and co-editor of *Kerem*. She is the author of *Voicing the Void: Muteness and Memory in Holocaust Fiction* (SUNY, 1997).