

From the Bible to Brecht's Theatre: Translation, Intertextuality, or a New Narrative? The Judgement of Solomon and the Judgement of Azdak

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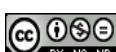
Abstract:

There is a complex connection between justice and truth. Comparing Solomon's story in the biblical *Book of Kings* with the *The Caucasian Chalk Circle* by Bertold Brecht, a different way of viewing those relations can be recognised. By changing the premise about what is considered the factual truth the logic inference on how to decide each case leads us to a different conclusion.

The choice of this principle depends on the ethics and on the concept of justice one has. This choice relies on historic and social context. The premises about motherhood are different in both the Bible and Brecht's theatre. The question "who deserves a child" is replaced by "what is best for the child". AI algorithms could also help to understand what are we thinking while deciding these cases. Understanding how we think provides an opportunity for us to reframe our premises.

Keywords: *connection of truth and justice; judgement of Solomon; judge Azdak; Bertold Brecht; Caucasian Chalk Circle; syllogisms of justice; intertextuality; AI; judgement construction, literary imagination.*

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Resumo:

A Justiça tem uma conexão complexa com a Verdade: comparando a História de Salomão no *Livro dos Reis* da Bíblia com o *Círculo de Giz Caucásico* de Bertold Brecht, podemos observar uma maneira diferente de ver essas relações e constatar de que modo, ao mudar a premissa sobre o que é considerado verdade factual, a inferência lógica sobre como decidir cada caso leva a uma conclusão diferente.

O princípio moral pressuposto pelo Direito é a chave para encontrar a justiça de uma solução. Escolher esse princípio depende da Ética e do conceito de Justiça de que se parte. E, essa escolha depende do contexto histórico e social. As premissas sobre a maternidade são diferentes, tanto na Bíblia quanto no teatro de Brecht. A pergunta “quem merece uma criança” é substituída pela pergunta “o que é melhor para a criança”. Os algoritmos de IA poderiam ajudar a compreender o que estamos a pensar quando decidimos esses casos. Entender como pensamos oferece-nos a possibilidade de rever as nossas premissas.

Palavras Chave:

Conexão entre Verdade e Justiça, história bíblica de Salomão, juiz Azdak, Bertold Brecht, Círculo de Giz Caucásico, Silogismos da justiça, intertextualidade, criatividade do Direito, IA, justiça, criatividade, construção do juízo, imaginação literária

1. Traditional justice and creative justice: The same imaginary story, two different narratives, or a counter-story?

The issue we will address concerns the central relationship between truth and justice. We will not start from any premise about what is true or just; that would be impracticable. We would certainly get lost on a way that is highly intricated. However, a certain apprehension to treat two stories of justice and truth, whatever that might be, is necessarily present in this text that takes its inspiration from two imaginary stories, each in its own way.

To make our ideas clear we use two examples, one from the Bible, that is presented as historically grounded, and another coming from pure literary imagination (theatre): *The Judgement of Solomon* in the Bible¹ vs *The Caucasian Chalk Circle* by Bertold Brecht (2009).

Both The Bible and Brecht use a similar case: To whom should a child be given in a certain dispute? In both stories, the question is how to decide the dispute between two women over the custody of a child. In the biblical story, the question is formulated as: who the true mother of a child is, while in the story introduced by

¹ The First Book of Kings 3: 16-21 (retrieved August 21, 2025 at <https://mechon-mamre.org/p/pt/p09a03.htm#16>).

Brecht in his *Caucasian Chalk Circle*, the question is a decision about who deserves the child.

Apparently, the legal issue is the same: to know how to prove maternity and maternal powers. It is a situation that, transposed to our days, would correspond to a family law issue, perhaps closer to disputes between parents about the custody of a son or daughter. But that can transcend the controversy between father and mother and, in new families, reach the dispute between two mothers and two fathers, e.g. in same-sex couples. However, the background of the two stories, what justifies the appeal to the court, is apparently a factual issue – namely, who is the true mother of a child. Is it the biological mother or the person who really cares for the child? Nonetheless, the story given by the Bible is different in its context from the story used by Brecht (which is not only reminiscent of the scriptural text, but also of a Chinese legend²).

But let us begin by trying to understand a certain oddity in the biblical story of the *Book of Kings*. The two women who compete for the children are prostitutes who live together, obviously in Solomon's court, and who, under these circumstances, access the King's justice, autonomously from the child's father, which is not-existent in the story. Both fight for what is deeply valuable to them: a child. Feminist interpretations of this biblical story are interesting because they emphasise that, in those times, prostitution was a common way of life and that a relationship between prostitution and the organisation of the economy should be recognized³. But what, for us, the fundamental issue is how a child can be a good endowed for the two alleged mothers.

Solomon's idea of justice resolves the case in a rather sadistic manner: to cut the child in half with a sword to resolve the case with impartiality. However, the biological mother's appeal shows Solomon that, by renouncing the child, only she could be the true mother. Solomon, said to be given the gift of wisdom by God, thus finds the perfect expedient to discover the truth.

Similar procedures may be found in other biblical stories: a climax is used to discover truth as something that reveals itself in an unexpected way. For example, in the *Binding of Isaac* commanded to Abraham by God, the lamb that will be sacrificed instead of Isaac appears in the final moment, thus showing to Abraham that God, despite having ordered the sacrifice of Isaac in dreams, could never really intend to do so.

That was precisely what Kierkegaard tells in his *Fear and Trembling*⁴, and what was inscribed in the heart of Abraham – the confidence that God would not actually want the sacrifice of Isaac – would be the true image of a unique God, different from all the gods that were worshiped with human sacrifices. Through the climax and the threat to life itself, a God who favours love reveals his criteria, showing through the

² Liu (2013)

³ Ashe (1991)

⁴ Kierkegaard (1983)

error and misunderstanding of human beings that God's own justice coincides with the most natural intuitions and desires of human morality.

The basic intuition on which Solomon bases his wise judgment is that biological mothers love their children more than they love themselves. This is his true premise, which, here, we will name as "premise of biological love and naturalist ethics".

Unlike Solomon, the story imagined by Brecht in *The Caucasian Chalk Circle* does not set two women of equal status against each other. Face to face, Brecht puts a noble and a commoner, a mother of blood who seeks to keep her son to ensure her social position, and a poor woman of the people who has nothing of her own, but who cared for the child and truly loves her. Apparently, it is the same story, but everything is reversed. Who ultimately loves the child and prevents the chalk circle test from injuring or killing it, renouncing the child, is Grusha, the nanny, the caretaker, who is not the biological mother.

While Solomon follows the moral conviction of tradition, Brecht's judge Azdak surprises, following the climax, with a non-traditional moral statement: children should stay with those who love and protect them, regardless of blood ties.

It is known that Brecht's theatre sought to convey a moral lesson, just as in the Bible, but what is interesting here is that what surprises in the Bible is that truth lies in what we know by tradition, whereas in Brecht truth lies in what awakens an attachment based on a supposed universal sense of justice. If, in the Judgment of Solomon, justice is based on the truth of biological facts and traditional beliefs, in Brecht, a dispute over the maternity of a child is transformed into an argument about the value of a universal criteria of justice. Biological facts do not appear in Brecht's foreground, but instead convictions of universal justice and social facts. Brecht, in fact, sought to extract from the *Chalk Circle* trial a political lesson parallel to his Marxist ideology, according to which the goods should belong to those who care for them through work and not to the owners of capital or to owners by succession. The entire play, in fact, develops in a context of dispute over private property at the time of the Russian Revolution and is a literary text ideologically directed towards the purpose of legitimising an anti-capitalist society.⁵

Despite this clear purpose, Brecht assumes what we could qualify as an algorithm or a general, universal mode of reasoning in order to construct a new moral framework. One based in the value of human action throughout History as a means to achieve collective good. And, in this order of ideas, mothers are not owners of their children only because they are biological mothers but because they care for the well-being of children.

⁵ See for example Chege (2025) and also Welinga (2025) or Essi/Akas (2024).

2. A counter-story? Algorithmisation of the two stories

But is BRECHT's text a counter-story of the *Judgment of Solomon*? In one sense, it is, and in another sense, it shares a similar basic reasoning.

It is a counter-story, inasmuch as it challenges the assumption that biological mothers deserve to keep their children because their love is greater than any other women, and it is a counter-story insofar as the truth that is sought is no longer who the biological mother is, but who deserves to be considered the best mother, the true mother. However, just as the Solomonic judgement, Azdak's judgement shares a division between those who are good mothers and deserve to be recognized as such by justice and those who do not, based on their behaviour, in a punitive and retributive logic of the Old Testament.

In contrast, for example, the *Parable of the Prodigal Son* in the New Testament offers a story that allows a different reasoning. There, the father favours the undeserving son, who spent everything he had and abandoned his father's house, giving himself up to vice and sin, fell into disgrace and repented, over the son who did everything well.

The choice here has to do, not with deservingness but with the greater need of one relative to the other. The choice here is not about who deserves, but about who is in more need. On the contrary, one could say that Brecht adopts the same point of view because he gives the child to the woman who does loves the child, thus defending the interests of the child. In any case, we believe that our proposal may be interesting: to relate each of the two judgements to the building of a kind of decision-making algorithm and then analyse what is important in them for setting up a reasoned justice and for the relationships between truth and justice.

Finally, let us clarify what is explicit and what is implicit in the decisional syllogism. Let us compare the two stories through common argumentative syllogisms: how can the major premise be inferred, in the biblical story, from the test to determine who the real mother is?

Since the crucial question behind the test is which of the two women do not accept the death of the child, one can infer that this is the criterion for finding the biological mother who loves more her child. Thus, we have:

- a) biological mothers love their children above all else
- b) The woman who does not renounce to the child in danger to be cut in two does not demonstrate her love for the child
- c) Hence, this woman is not the biological mother of the child

In the case of Brecht's story, we will have:

- a) Anyone who shows to love a child above all deserves to be their mother, even if they are not their biological mother

- b) Grusha prefers to give up the child rather than hurt it, what proves she loves the child above all
- c) Grusha deserves to be recognized as the child's mother

We believe that the central question concerns who truly loves the child in dispute. Based on experience and tradition, the Bible presents a foundational premise: that biological mothers love their children above all. From this premise, it is inferred that the biological mother may be recognized because she is the one who immediately renounces her claim to keep the child in order to avoid the possibility of the child's death.

In Brecht's case, the conclusion depends on premise, no longer associated with the truthfulness of what the two women are claiming, but rather with the effective test of love for the child. The premise is not concerned with identifying the biological mother, but with determining who most deserves the role of caregiver. Azdak interprets the dilemma as a question of merit rather than fact and so, he does not apply a primitive test that seeks to prove a fact through symbolic means, but instead employs a value-based test that produces a value-attributing response.

Thus, if the biblical test can lead to false positives – since not all biological mothers love their children –, Azdak's test appears to be more reliable because it involves a direct demonstration of love through the proof the two women undergo, and this test alone is sufficient to certify the major premise – those children should be given to those who truly love them. Therefore, Azdak's test is clear and not based on a weak premise. It modifies the relationship between justice and truth and, in doing this, it destroys – at least in this specific case – the tradition and the conviction that he previously maintained.

3. Conversion of a narrative into a different system, and intertextuality as a creative factor

Having reached this point, it is necessary to ask whether the two previously mentioned arguments have implications for each other, whether they communicate or diverge completely. And especially, whether there is greater justice in the judgement of the *Chalk Circle*, and whether that which can be the object of a judgement of truth is decisive.

At first glance, the two imaginary cases reflect different systems of thought and distinct conceptions of justice, with Azdak's decision appearing more consistent, because it is not based on an easily refutable premise. However, the basis of Azdak's reasoning also presents two difficulties: verifying the veracity of the proof of love, and the lack of an explicit association to the true best interest of the child.

This last issue, which is central to Portuguese law, requires indications and assessment criteria, which, in many cases, must refer to tradition and to scientific

intuitions, in which the biological factor is not to be underestimated. In fact, even neuroscience has recognized that motherhood arouses affection associated with high levels of oxytocin. On the other hand, beyond the extreme cases presented in the two verdicts, how are the tests of love configured? Is it selfless love, protective love or liberating love?

If, in the well-known cases of religious prohibition of blood transfusions, or in the case of religious rituals such as circumcision or even genital mutilation, health risks are accepted in the name of protecting the child and ensuring their integration into the community, why would we accept a negative result in the test of love?

In a case brought before the Constitutional Court, the unaccountable mother, from whom the child was taken and given up for adoption, requested the child's return after her mental health had improved, seeking to remove the child from the adoptive family. To whom should the child be entrusted? Does the proof of love apply in this context? Does biological motherhood matter here?

Cases of this type reveal that what the two judgements obscure is the fact that the fundamental question is, indeed, what the child's true interest will be, and in this sense the two lines of reasoning - Solomon's and Azdak's - show an equivalence both in their outcome and in the decision-making process itself.

Children do not belong neither to their biological parents nor to those who may deserve them (who love them), but should be entrusted to those who can best protect their superior interest. A maxim that must, in certain cases – probably a significant number – take into account biological ties, their living conditions, social and moral development, and the assurance of their autonomy and dignity as human beings.

Understanding the syllogistic inferences of the two judgments reveals a certain original sin in their construction – the perception of children as objects of dispute and property of adults. The intertextuality between the two imaginary narratives allows us to recognize the need for a third narrative.

4. Intertextuality in the relationship between law and justice

While reading the Bible, we find in the text of the *Book of Kings* reminiscences of a social system in which prostitute women probably view motherhood as a profitable position⁶; in Brecht, motherhood also expresses social power. In Brecht's text, there is a quotation from the Bible that serves both as an analogy and a counterpoint to the value of biological motherhood. Brecht's text gains more strength precisely as a counterpoint to the biblical text.

This intertextuality remains as long as both texts are citable and continue to guide us in the search for a logic behind the decision-making reasoning. They reveal an argumentative structure that struggle to articulate the relationship between truth and justice. Underlying the scriptural text lies a discriminatory system and barriers

⁶ Ashe (1991), *op.cit.*, p. 85

to women's access to justice, while Brecht's text translates an apology of merit, for those in charge of production (the land for those who work it). As Brecht writes: «Children to motherly women that they may thrive. Wagons to good drivers that they may be well driven. And the valley to those who water it, that it may bear fruit»⁷.

The comparison between the two texts, and the interference of the biblical text on Brecht's reveals how the relationship between truth and justice is conditioned by questions of ultimate meaning and the basis of the values they presuppose. The intertextual comparison suggests that alternative premises can be inferred in both texts, but these cannot be rendered one into the other. To some extent, they represent incompatible systems, both based, however, on premises that are not fully justified and based on themselves. Yet, the richness of the comparison, lies in showing that none of the premises underlying each story of justice is entirely satisfactory or well-founded. Both conceal the idea that contemporary legal systems attempt to formulate the true interest of children as a foundational "topos". Even Brecht limits his justice framework by suggesting that children "belong to..." rather than treating them as autonomous individuals who are the true subjects of justice.

The comparison of texts from two distinct literary traditions has profound implications for the conceptions of justice in law, showing both the possibility and the necessity of creating alternatives to the premises intuitively drawn from such cases. The implicit text within family courts decisions – specially in legal systems based in fundamental rights derived from the equal dignity of the human person – unfolds another series of arguments and successive justifications, in which the notion of the child's true interest is also intertextually tied to traditions and preconceptions that deserve to be critically deconstructed.

It is always necessary to uncover or reconstruct the hidden premises between the legal text and the judgment — just as was done with Solomon or Azdak. It is within these premises that the key to the validity of our judgments resides. Ultimately, children should be entrusted to whom enables them be free and happy! Addressing, of course, the Neverland if Peter Pan?!

5. Summary. Some conclusions on the possibilities of deconstructing intuitive logic when rendering justice and its contribution to overcoming the limits of the algorithmisation of justice

Comparing texts and interpenetrating narratives through a kind of algorithmic reasoning opens up new ways of thinking about justice. Solomon's test of justice relies on tradition:

- The real mother never accepts the death of the child and will prefer to give her child away

⁷ Brecht (1944)

- Tradition is based on experience and on a wealth of other similar cases falling within human intuition of the average person, and Solomon represents an average figure within law discourse

So, if Artificial Intelligence (AI) could formulate a premise for a Solomon-style test, it would likely conclude that the woman who gives up her child would probably be the mother. Otherwise, when confronting Solomon's story with *The Caucasian Chalk Circle*, using AI, we will come to conclude that we have a false positive because the test, in this case, does not reveal the real mother. In Brecht's imaginary version, it is the poor servant—not the biological mother—who avoids the child's death, and if we interpret the test as identifying her as the mother, the logic fails.

Some questions remain regarding the kind of information used by AI:

- Are numerous similar cases sufficient to produce the correct answer?
- Is there an inevitable human bias? Can false positives be avoided?
- Is judge Azdak's justice a translation of the biblical text into another ideological system?

As a matter of fact, we encounter a false positive within the biblical framework. But, does *The Caucasian Chalk Circle* follow the same pattern as in the case of Solomon? Is it the same story? Can the biblical text be translated into another ideological system?

Brecht obtained a just decision through a human judge, Azdak, a drunk and corrupt man. We only misinterpret the translation of Solomon's judgment when we fail to understand the rationality or the algorithm used by Azdak.

As demonstrated, a translation is possible, as long as there is a correspondence between the two worlds.

Let us look once more at Solomon's algorithm:

- The children belong to their mothers. Who is the mother?
- The average mothers love their children
- The real mother gives up her child to prevent death in the test
- Therefore, the child should be given to the woman who gives up, as only she truly loves the child
- This woman is the real mother

Let us now look at Azdak's algorithm:

- Who is the mother? (objective truth question)
- Average mothers love their children
- The woman who loves the child is not always the biological mother. Here, Azdak knows that this particular woman is not
- Children belong to the person who loves and protects them

In conclusion, the question of truth is not important here. Instead, Azdak discovers the fundamental question: to whom should the child be given?

We come to this conclusion through an intertextual approach between the two stories, both revealing deeper insights into truth and justice.

A. The question of truth - Both the Bible and Brecht have addressed the same factual issue; who is the mother? The objective answer depends on the question of factual truth.

B. The question of justice - Brecht decides the question of justice based on the love for the child, an issue independent of biological motherhood.

In conclusion, the two narratives show the alternatives:

- a. For Quine (1969), the impossibility of translation depends on the void of ontology
- b. Yet, this does not imply the impossibility of clear ideas about what justice is
- c. The two stories reveal a different relationship between truth and justice
- d. Can law be a territory of alternatives? Which is the best justice?
- e. The solution lies in choosing between the importance of tradition and the value of love
- f. Comparing the logic of the biblical story with Brecht's narrative, we discover the possibility of another criterion
- g. Why is Azdak's answer the best?

Brecht would say:

«Children to motherly women that they may thrive.
Wagons to good drivers that they may be well driven.
And the valley to those who water it, that it may bear fruit.»

The Bible presents a closed system with no definitive answer, only a false positive. Solomon's logic, when applied to Brecht's story, would necessarily become incongruous. The question of truth remains unsolved. If the judge hands the boy to the woman who loves him, he does make an error of logic. Justice and truth do not align.

However, Brecht's system has also a problem. It presupposes that one can deserve a child. Brecht's System may be problematic because:

- The child's will is not considered
- It is not important whom the child loves
- The judgement it is based upon interest and not upon autonomy

We have to finalise the story through Law. Law offers the framework to choose criteria, to evaluate the tradition, to evaluate the protection of the interest and to uphold

the child's autonomy. Law offers an open system of value assessment. We must teach AI in order to understand this system. Law is the possible system for choosing new values and new criteria.

«Then the king answered and said: “Give her the living child, and in no wise slay it: she is the mother thereof»⁸

⁸ 1 Kings 3: 27

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