

# THE ART OF LISTENING

## Background

**T**wo women appeared before Shlomo HaMelech, each claiming to be the rightful mother of a baby. The first woman claimed that during the night, the other woman's baby died, and that woman took her dead child and exchanged it for the first woman's baby. The second woman claimed that no such thing happened; rather, it was the first woman's child who died.

Each woman was allowed to present her version of what occurred a number of times. After hearing the case, Shlomo HaMelech repeated each woman's claim, saying, "This woman says... and this woman claims..."

The Gemara tells us that we learn from Shlomo HaMelech that a judge must repeat each litigant's claim. The Radak explains that this is so that they will be confident that the judge heard and understood their claims and based his verdict on a correct understanding.

## Questions

**I**n a normal court case, there is sufficient ambiguity to be concerned that the judge might not fully grasp the details, and there is ample reason for the judge to repeat each claim – so all should know the case has been properly understood.

But this case was very straightforward. One baby died, and one lived. One woman was lying, and the other was telling the truth. There was nothing complicated about their claims, nor about the case. The only question is who was telling the truth and who was lying. Why should Shlomo HaMelech be concerned that each litigant should know that their claim was heard and properly understood?

### ספר מלכים א פרק ג

כב) וַתֹּאמֶר הָאִשָּׁה  
הָאַחֶרֶת לֹא כִּי בְנֵי הָחַי  
וּבְנֵי הַמֵּת וְזֹאת אָמְרָת  
לֹא כִּי בְנֵי הַמֵּת וּבְנֵי הָחַי  
וַתִּדְבַּרְנָה לִפְנֵי הַמֶּלֶךְ:

*And the other woman said, "No, it is my son who lived, and your son who died," while the first woman said, "No, it is your son who died, and my son who lived."*

כג) וַיֹּאמֶר הַמֶּלֶךְ זֹאת  
אָמְרָת זֶה בְנֵי הָחַי וּבְנֵי  
הַמֵּת וְזֹאת אָמְרָת לֹא כִּי  
בְנֵי הַמֵּת וּבְנֵי הָחַי:

*And the king said, "This one says, 'It is my son who lived, and your son who died.' This one says, 'Your son died, and mine lived.'"*

### רד"ק על מלכים א פרק ג פסוק כג

כג) וַיֹּאמֶר הַמֶּלֶךְ זֹאת  
אוֹמֵרָת - אִמְרוּ רַבּוֹתֵינוּ  
ז"ל מִכֵּאן שֶׁצָּרִיךְ הַדִּין  
לשִׁנוֹת טַעֲנוֹת בַּעֲלֵי  
הַדִּין כְּדֵי שִׁישְׁמַע בַּעֲלֵי  
הַרִיב שֶׁהֵבִין טַעֲנוֹתֵיהֶם  
וְעֲלִיהֶם יִשְׁפֹּטֵם

*From here, Chazal learn that a judge must repeat each of the litigant's claims in order for each claimant to know that his claim was understood, and on it the verdict is being made.*