Background
As the Israelites approach the border, the Torah addresses more attention to the arrangements of society in the Promised Land. Having lived a nomadic existence with very few materials since leaving slavery in Egypt, one of the imminent challenges is to organize and legislate norms for possession and inheritance. The transition from the simplicity and relative lightness of the desert wandering lifestyle to a life complicated and burdened by material property presents formidable challenges.

In the desert, personal sense of place and identity are linked with one's position in relation to the camp-in-motion through space; one travels together with the members of one's family and tribe according to one's assigned location in relation to the other families and tribes. In the land, people will be rooted in a specific geographic space, topography, climate, vegetation, vista. The assignment of plots to each Israelite is, therefore, an important feature of one's personal and family destiny. On what basis portions are allotted, and the level of women's participation in the process is contested.

Biblical Sources

Census records:

33 Now Zelophehad son of Hepher had no sons, only daughters. The names of Zelophehad's daughters were Mahlah, Noah, Hoglah, Milcah, and Tirzah. (Numbers 26)

The Case:
of Gilead, son of Machir son of Manasseh son of Joseph--came forward. The
names of the daughters were Mahlah, Noah, Hoglah, Milcah, and Tirzah. 2
They stood before Moses, Eleazar the priest, the chieftains, and the whole
assembly, at the entrance of the Tent of Meeting, and they said, 3 "Our father
died in the wilderness. He was not one of the faction, Korah's faction, which
banded together against God, but died for his own sin; and he has left no
sons. 4 Let not our father's name be lost to his clan just because he had no
son! Give us a portion among our father's kin!"

5 Moses brought their case before God.

6 And God said to Moses, 7 "The plea of Zelophehad's daughters is just: you
should give them a hereditary portion among their father's kin; transfer their
father's share to them.

8 "Further, speak to the Israelite people as follows: 'If a man dies without
leaving a son, you shall transfer his property to his daughter. 9 If he has no
dughter, you shall assign his property to his brothers. 10 If he has no
brothers, you shall assign his property to his father's brothers. 11 If his father
had no brothers, you shall assign his property to his nearest relative in his
own clan, and he shall inherit it.' This shall be the law of procedure for the
Israelites, in accordance with God's command to Moses." (Numbers 27)

The Limitation

6 This is what God has commanded concerning the daughters of Zelophehad:
They may marry anyone they wish, provided they marry into a clan of their
father's tribe. 7 No inheritance of the Israelites may pass over from one tribe
to another, but the Israelites must remain bound each to the ancestral portion
of his tribe. 8 Every daughter among the Israelite tribes who inherits a share
must marry someone from a clan of her father's tribe, in order that every
Israelite may keep his ancestral share. 9 Thus no inheritance shall pass over
from one tribe to another, but the Israelite tribes shall remain bound each to
its portion."

10 The daughters of Zelophehad did as God had commanded Moses: 11
Mahlah, Tirzah, Hoglah, Milcah, and Noah, Zelophehad's daughters, were
married to sons of their uncles, 12 marrying into clans of descendants of
Manasseh son of Joseph; and so their share remained in the tribe of their
father's clan. (Numbers 36)

Talmudic Elaboration
Rabbi Shimon the son of Gamliel said, "There were never days as joyous for Israel as the fifteenth of [the month of] Av and as Yom Kippur"... What is the reason for [the joy on] the fifteenth of Av? Rav Yehuda said in the name of Shmuel, "[It is] the day that the tribes were permitted to intermarry among one another." What is the interpretation? "This is what the Lord has commanded concerning the daughters of Zelophehad: They may marry anyone they wish, provided they marry into a clan of their father's tribe" (Numbers 36:6). This prohibition was not practiced except in that same generation. (Ta'anit 30a)

Questions for Discussion
Imagine the scene of the sisters coming forward publicly before the assembly of leaders, officials, and the entire community to present their case. According to what criteria do they advance their argument - what are their justifications? In your view, are they speaking openly about their reasons for requesting a portion of the inheritance of the land; to what extent is their reasoning rhetorical and strategic for the sake of persuasion?

Why does Moses, the inspired leader and arbiter of divine law, not decide this case himself? Why is this matter so momentous that it demands a direct divine response?

To what extent does the new inheritance code normalize the case of women inheriting property, and to what extent does it emphasize the uniqueness and exceptional character of this situation? What are the purposes of the limitations and why does the talmudic passage celebrate the annulment of them?

According to the marriage restriction enacted in connection with the sisters, the women's marriages must perpetuate their claim to their portion as men's usually do. What are some of the meanings and implications of the connections among land, name, and marriage? - how are these connections gendered?

Links for Inquiry
Noam Zohar, "The Good Deeds of the Mothers are an Omen for the Daughters," [http://www.biu.ac.il/JH/Parasha/eng/pinchas/zoh.html](http://www.biu.ac.il/JH/Parasha/eng/pinchas/zoh.html)

Islamic teachings on inheritance law, including inheritance by daughters, [http://www.islam101.com/sociology/inheritance.htm](http://www.islam101.com/sociology/inheritance.htm)

Contemporary violations of women's property rights lead to devastating consequences in Sub-Saharan Africa, [hrw.org/campaigns/women/property/qna.htm](http://hrw.org/campaigns/women/property/qna.htm)

**Summary of Issues**
Throughout the world, control of resources, particularly property, is generally a privilege dominated by men. Possession of the land is assumed to be a male prerogative. The sisters’ petition establishes a new interpretation of justice in Israelite society that is initiated by divine response to women's claims. This interpretation, however, is limited to specific circumstances where there is no male heir. Nonetheless, the bold action that Mahlah, Noah, Hoglah, Milcah, and Tirzah take establishes a significant precedent for proactive initiative-taking to redress the injustices of established social order. The divine affirmation is also a significant precedent for those who wield power to seek to refine their concepts of justice and respond positively to new righteous claims.

**Methodology Matters**
Noam Zohar (cited above) discusses the possibility that the sisters' request is a textual device - the pretense for introducing the already formulated, divinely-intended inheritance legislation. Accrediting Mahlah, Tirzah, Hoglah, Milcah, and Noah with the initiative is a tremendous honor to the sisters. How do you understand the narrative of the text - is it historical, symbolic, didactic, mythic, divine mystery etc?

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