

# THE DAUGHTERS OF ZELOPHEHAD & WOMEN'S RIGHTS:

## DOES THE TORAH EXALT OR DENIGRATE WOMEN?

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**A** *Torah Commentary For Our Times/ATCFOT* (UHAC Press, NY, 1993) has an interesting discussion regarding the incident involving the daughters of Zelophehad (Num. 27:1-11) that may answer some questions that contemporary women have regarding the Torah's view of women. "Modern commentator Jacob Milgrom contrasts ancient Israelite practices of inheritance with those of their neighbors." He notes that the practice of equality of inheritance between sons and daughters was upheld in Egypt and Mesopotamia one thousand years before the codification of the Torah. Later on the Greeks can be added to this list of countries that practiced "equal rights." Milgrom then asks, "In face of such 'equality' of treatment how then are we to explain the fact that the Bible gives women no inheritance rights except in the case where there are no sons?" Does the Torah seem to discriminate against women regarding the inheritance of land and property from the estates of their parents, he asks? (p. 80)

"Milgrom suggest that in contrast to ancient Israel's neighbors...where 'centralized urban societies' already existed, the early Torah laws of the Israelites reflect a nomadic-clan structure. In such a society 'the foremost goal of its legal system was the preservation of the clan.' Equity between members of the tribe or family preserves peaceful relationships and strengthens cooperation between all person." He goes on to say that this explains the justness of the pleas of the daughters of Zelophehad where the principle of upholding the clan is preserved. The Torah sees that the daughters receive their father's inheritance and at the same time that the clan and father's name are preserved. (*ibid.*)

This solution does not promote equal rights, as we know it today, with sons regarding inheritance. Both the Torah and Talmud teach that in most cases inheritance of property is from father to son and that women share the lot of their husbands and do not inherit from their fathers (*ibid.*, quoting from *JPS Commentary: Numbers*, pp. 482-484).

The Jewish rabbis further note that though the daughters aired their complaints about what they perceived to be an unjust situation, they nonetheless did so in a respectful and organized (not rebellious, loud, boisterous or aggressive) manner. They calmly "drew near" and "stood before Moses," the high priest and the tribal princes of Israel (verses 1-2) and aired their concerns in neither a threatening nor challenging manner. There was no subversiveness on their part involving other potential disgruntled parties (as was the case when Korah and his group rebelled against Moses' leadership). According to rabbinic tradition, the daughters in their wisdom chose a suitable place, a proper time and the proper approach to lobby Moses regarding their issues (*ibid.*; *ArtScroll Davis Edition Baal HaTurim Bamidbar*, p. 1691-1692).

Does not such an approach recall several other woman of righteous stature in similar situations that are mentioned in Scripture: Sarah to Abraham, Abigail toward David, Ruth before Boaz and Esther before Ahasuerus and various women before Yeshua?

Rabbi Hirsch in his commentary translates verse seven as follows:

*Quite right is the speech* of the daughters of Zelophehad, thou shalt surely give them male rights of hereditary possession among their father's brethren and thou shalt cause the inheritance of their father to pass over to them. (emphasis added)

Hirsch notes from the Hebrew grammar in this verse that they spoke with correctness of speech and presentation

of fact. “That which the daughters of Zelophehad have said is quite as it ought to be, their speech corresponds to the truth and right (*The Pentateuch/Bamidbar*, pp. 453–454, Judaica Press).

Note that YHVH is the One stating (to Moses) that they have spoken that which is right, proper and truthful. Rashi in his commentary on this verse states, “Fortunate is the person whose words the Holy One, Blessed is He, confirms.” Rashi goes on to say that these daughters saw or uncovered an aspect of the eternal truth of the Torah that was resident in the heart of YHVH but which had not been revealed to man yet. Their eye saw what the eye of Moses did not see (*AS Sapirstein Edition Rashi/Bamidbar*, p. 343). Does this not teach us that YHVH can use anyone to teach us aspects of his divine and eternal will? Is every aspect of his will and character contained in the printed word of the Bible? Is it possible for the infinite to be contained in the finite? Obviously not. More understanding is waiting to be revealed to his servants who are meek and contrite of character and seekers of truth. Such were the prophets, the writers of the psalms and wisdom literature as well as the apostolic writers. Nothing coming subsequent to the written Torah contradicted it, but only revealed its depths more fully. Scripture is but the safe harbor where humans can dock their spiritual boats. But it is a harbor that is attached to the ocean of YHVH’s unsearchable truth, wisdom and understanding, namely his instructions in righteousness which is the eternal Torah of YHVH’s heart and mind. And YHVH used five righteous daughters as instruments to reveal one more aspect of his wisdom. He agreed with them and called it “proper.” When the counsel of wise men agree as touching any matter then heaven and earth, at that moment, are cooperating and in agreement to push forward the will and kingdom of the Almighty through human instrumentalities. This occurred with the daughters of Zelophehad and are not Yeshua’s instructions regarding the binding and loosing authority of ecclesiastical government in Matthew 18 a restatement of the same principle? Does it not please YHVH Elohim to work in cooperation with humans to uncover his specific will for them in a specific situation? Wasn’t a revelation of an aspect of Torah coming through these daughters a great boost to women, not as usurpers of YHVH-ordained authority, but as instruments through which divine revelation can come? As willing vehicles of his divine revelation were they not used to exert great influence among the male leadership YHVH had ordained? Paul urged Believers to not despise (make of no account) prophesying (or inspired utterances) (1 Thes. 5:20). Prophecy is not gender specific, and YHVH is no respecter of persons—male or female. He will use any willing vessel through which to speak to humans. Once he even used a donkey!

Not all Torah commentators view the daughters of Zelophehad incident in a positive light, however. One modern Jewish Torah scholar complains that the Torah, though acquiescing to the daughters of Zelophehad on this one point, by in large legally treats women as second-class citizens equal to minors, though a woman can be a wife and mother and to be invested with dignity, to be sure (*ATCFOT*, p. 82). While this may be true in a certain sense, do we not see the ideal woman of Proverbs 31 elevated to a high status? After all, she is buying and selling property and running a home-based business besides all of her other duties as manager of the home, mother and wife? While her husband is described as a leader in the community, she seems to receive all the honors deserving of a queen. These honors are bestowed upon her and for good reason.

Some believe the Apostle Paul viewed women as second-class citizens, at least regarding their involvement in the local congregation. Is this a fair assessment? While it is not the scope of this brief study to thoroughly treat this subject, it is important to note Paul’s statements regarding the equality of men and women spiritually (Gal. 3:28). For example, he recognized at least one woman as an apostle (in conjunction with her husband, Rom. 16:7) and on several occasions in the Book of Acts and in Paul’s Epistles the Gospel worker team of Aquilla and Priscilla are mentioned. In three of six references Priscilla is mentioned first (Acts 18:19; Rom. 16:3; 2 Tim. 4:19)—the two latter references occurring in the writings of Paul.

Indeed Paul was firm with the women of the congregation in Corinth about their role during religious gatherings, but many scholars view his admonitions as being directed to a specific situation existing in that congregation where either women were usurping authority over congregational (male) eldership or were conducting themselves in a loud and “out of order” manner. In other words, Paul was not addressing all women in all congregations throughout all ages, but a localized situation. Therefore, his statements to the Corinthian Believers cannot be construed in such a way as to turn Paul into a male chauvinist.

Undoubtedly, Paul clearly states elsewhere in his writings that regarding authority issues in both the home and congregation men are to be the leaders, but the idea of women being subjugated to the status as second class citizens is nowhere taught in the Apostolic Writings. Certainly, the life of Yeshua is a notable example of the importance of women in ministry-support roles and there are no examples of his treating women in a condescending manner. In fact, on several occasions, he violated religious convention going out of his way to minister to women.

It is important to note that, though in the eyes of some, the Torah and Paul as a Torah teacher seem to relegate women to the status of second class citizens, Christianity as a whole from the earliest times elevated women in legal, social and educational status to much higher levels than they had been accustomed to previously. Traditionally, in Christian nations women have fared much better, been better educated and experienced much greater rights and freedoms than their non-Christian counterparts in other countries. Does this not speak highly of the Torah-based biblical Jewish view of women—the foundation upon which Christianity is built and the ground out of which Christianity sprung?

In conclusion, in his book entitled, *What If Jesus Had Never Been Born*, eminent Christian leader and spokesman, Dr. D. James Kennedy admits that from its inception the Christian religion placed a high priority on the education of women. This due to the Jewish roots of Christianity and to the Torah command in Deuteronomy 6:6-7 to teach YHVH's Torah commands diligently to one's children at all times (p. 40). Kennedy then notes that in the ancient world prior to Christianity's influence "a woman's life was ... cheap. In ancient cultures, the wife was the property of her husband." Women were not allowed independence and "Aristotle declared that the status of a woman was somewhere between a free man and a slave...Plato taught that if a man lived a cowardly life, he would be reincarnated as a woman. If she lived a cowardly life she would be reincarnated as a bird". In the Roman Empire baby girls were often considered valueless and were killed. Christianity ended that practice (pp. 14-15). "How ironic," he writes, "that feminists today do not give any credit to Christ or Christianity; in fact, they say it has oppressed woman. In reality, Christianity has elevated women enormously" (p. 17).

Clearly, women living in nations influenced by Christianity owe a great debt of gratitude to the Hebrew and Torah roots of the Christian faith which formed the foundation for the high level of rights many women experience and take for granted today.