

Last week's Parashat Pinchas is a very numerical Torah portion, filled with census-taking and dividing ownership of the Promised Land between the tribes of Israel.

Among this naming and counting, a surprise pops up: In the tribe Menashe a man named Zelophehad had no sons — only daughters — whose names are listed along with the men. The significance of these named women becomes clear at the end of the chapter, when Moses explains to the newly counted tribes of Israel, that “among these shall the land be apportioned as shares, according to the *listed names*.”

While Moses clearly states that all those named will be awarded land, the very next chapter – that is, this week's parasha -- begins with the plea of the daughters of Zelophehad: “Let not our father's name be lost to his clan just because he had no son! Give us a holding among our father's kinsmen!” Despite the law, these women still had to fight for what was rightfully theirs.

Moses takes the case before God, who immediately rules in favor of the women, saying: “The plea of Zelophehad's daughters is just: you should give them a hereditary holding among their father's kinsmen.” Thus, God sets the precedent that, “if a man dies without leaving a son, you shall transfer his property to his daughter.”

It wasn't all freedom and equal riches, however. At the end of this parasha (Numbers 36:10-12), the story concludes: *The daughters of Zelophehad did as יהוה had commanded Moses: Mahlah, Tirzah, Hoglah, Milcah, and Noah, Zelophehad's daughters, became the wives of their uncles' sons, becoming wives within clans of descendants of*

Manasseh son of Joseph; and so their share remained in the tribe of their father's clan.

Hmmn. Two steps forward and one step back.

Still, this new law allowing women to own land was radical – not the full marathon, but movement in the right direction. In biblical law, not only were women never able to own land; women were treated like property, transferred from their father's domain to their husband's. As in most ancient civilizations, biblical landowners were the only ones with power in the society. If you did not own land, you were, at best, dependent on someone else and, at worst, their servant or slave.

In our own time, ownership is still the key to building wealth and succeeding financially. Whether it's a home, a business or a savings account, our economy rewards owners with access to credit necessary to participate in the mainstream economy. Those of us who have these resources are the fortunate ones, the privileged class. Our ownership – these investments -- enable us to have a good education and good jobs, which leads to more saving and investing to help our families, as well as ourselves.

But what about those born outside this privileged class who have been long excluded from the mainstream economy? How can people with few resources and no credit begin to build financial sustainability? And what about people – women in particular – in other countries where the laws still discriminate?

When I moved to Namibia in 1997—barely one generation ago -- I was unable to open my own bank account because the law required that owning a simple checking account required the co-signature of my husband. I could not be trusted to manage even my own money that I earned myself. Since then, this has changed but in many parts

of the world – even today – such humiliations are just the tip of the iceberg.

In the USA, The **Married Women's Property Acts** were enacted by the individual states of the United States beginning in 1839. These laws gave married women new rights, because under the old English common law system – called coverture -- married women could not own property, control their wages, enter into contracts, and otherwise act autonomously from their husband's authority. They also did not have control over where their children lived. Moreover, husbands had the right of sexual access whenever and wherever they chose. (Women did not even own their own bodies; There was no such thing as marital rape).

While the Married Women's Property Acts addressed the *economic* side of coverture, allowing women more control of wages and property, **full equal rights for women is still a dream in this country.** The Equal Rights Amendment never passed. We still earn just 84 cents to every dollar that men earn. Racist and misogynist attacks against Kamala Harris dominate the airwaves – though not about property rights, they come from the same mold. And even if we had fairer, more far-reaching laws, that's only half the battle – the laws must be implemented and enforced, which is often harder.

How hard is it? In the spirit of Fran Goldberg's participatory drash a few weeks ago, let's test your knowledge:

I will pose three questions. We'll have you vote with your raised hands – in person or on-line (using your real hand or an emoji):

First question, In how many countries do you think women are still denied equal property rights? If you think it is 1/3 raise your hand. If you think it is 40% keep your hand down.

ANWER: 40% -A 2020 [report by Equality Now](#) that examined laws that discriminate on the grounds of sex, cited data showing that close to 40% of countries had at least one constraint on women's property rights. In 36 of 189 countries globally, widows are not granted the same inheritance rights as widowers, and 39 countries prevent daughters from inheriting the same proportion of assets as sons.

Second question: I'll start with statement: Europe is the only continent where there are no limits against women managing their assets including property, in comparison to men. No surprise: women in Europe have achieved 100% legal equality. According to the World Bank, there *is one other region* where this is true. Your two choices are the Caribbean and Central Asia. If you think that other region is the Caribbean, raise your hand. If you think it is Central Asia, keep your hand down.

AMSWER: The answer is Central Asia. Strong property rights exist for women in Central Asia – the 'stans,' including land ownership. Why is this a big deal? NOT having control of land or housing can deprive women from many benefits, not just economic. The data shows that nine economies worldwide still grant husbands the administrative rights over their wives' assets during marriage – much as I experienced in a small way in Namibia. It's interesting: these aren't always the poorest countries. For example, in [Chile](#) the husband administers joint-property and also has control of all of his wife's private property, including any property she brings into the marriage. The only exception is property she acquired using financial means independent of his, meaning her earnings while she is already married.

Third question: This question deals with the implications, which aren't just monetary. How many of you believe that reforming inheritance laws can affect child survival and health – or -- the family's agricultural output and nutrition?

ANSWER: Trick question - the answer is both are correct.

A study of women's inheritance rights and child health outcomes in Kenya demonstrated that land-inheritance reform in 1982 and again in 1990 had a positive effect on child health outcomes. This was true of both Christians and Moslems. – the country's two major religious groups. The reason is that, by owning their own property women could earn their own money, undertake intra-household bargaining, and ensure better nutrition, on-time vaccinations, and faster access to health care for their children.

Globally, 400 million women work in agriculture, producing most of the world's food. In Sub-Saharan Africa, where I have worked, women account for between 60% to 80% of the agricultural workforce. And yet, women still own less than 20% of the world's land, leaving them without decision-making power.

So where do we go from here?

Discussion Question #1- The daughters of Zelophehad needed divine intervention to become property owners. Is that what is needed, once again, to achieve women's equality in just this one sphere? What other actions could help make this happen?

Discussion Question #2 (a whole set of questions): What does this situation mean for us? Given our relative privilege or good fortune, how can we act in the image of God to help economically disadvantaged women open the doors to economic opportunity?

How does this speak to our Project Hope, our refugee work, and the large number of other people in this country and abroad, who live in similar circumstances?

Third and final Discussion Question 3: In its day, the granting of property rights to the daughters of Zelophehad was a radical, progressive act. How can we use this historic precedent to become a light unto other nations in a way that makes a concrete difference? More broadly, how else can we stimulate and support disadvantaged women to fulfill their dreams?

The first part of this drash excerpted from SocialAction.com in <https://www.myjewishlearning.com/article/the-daughters-of-zelophehad-and-the-divine-right-of-ownership/>

Other information comes from:

- https://en.wikipedia.org/wiki/Married_Women%27s_Property_Acts_in_the_United_States
- https://equalitynow.org/news_and_insights/ensuring-women-have-equal-rights-to-inheritance-and-property-is-key-to-tackling-climate-change/
- <https://blogs.worldbank.org/en/opendata/where-world-do-women-still-face-legal-barriers-own-and-administer-assets>
- <https://link.springer.com/article/10.1007/s10834-023-09895-y>
- <https://journals.sagepub.com/doi/abs/10.1177/0964663916677560?journalCode=slsa>
- https://www.legalserviceindia.com/legal/article-9130-women-and-inheritance-laws-in-indian-context.html#google_vignette