



The Daughters of Tzlofhad and the Sons of Menashe

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The Book of Numbers concludes by revisiting a narrative we first encountered last week: the story of Tzlofhad's inheritance. This episode appears first in chapter 27 and again in chapter 36, with the two accounts mirroring each other. Yet, despite the extensive linguistic parallels between them, these similarities actually serve to highlight the deep gaps and contrasts between the two parts of the story, inviting us to reflect on the ability of minority groups to speak and be heard.

I. “Why should It be subtracted?”

במדבר כז:א-ב	במדבר לו:א-ב
¹וַתִּקְרְבֵנָה בָּנוֹת צִלְפֹּחַד בִּן חֲפֹר בֶּן גִּלְעָד בֶּן מְכִיר בֶּן מְנַשֶּׁה לְמִשְׁפַּחַת מְנַשֶּׁה בֶּן יוֹסֵף וְאֵלֶּה שְׁמוֹת בְּנֹתָיו מִחֲלָה נָעֳמָל וְחִגְלָה וּמִלְכָּה וְתִרְצָה: ²וַתַּעֲמִדְנָה לִפְנֵי מֹשֶׁה וּלְפָנֵי אֱלֹעָזָר הַכֹּהֵן וּלְפָנֵי הַנָּשִׂאִים וְכָל הָעֵדָה פָּתַח אֹהֶל מוֹעֵד לֵאמֹר:	¹וַיִּקְרְבוּ רָאשֵׁי הָאָבוֹת לְמִשְׁפַּחַת בְּנֵי גִלְעָד בֶּן מְכִיר בֶּן־מְנַשֶּׁה מִמִּשְׁפַּחַת בְּנֵי יוֹסֵף וַיִּדְבְּרוּ לִפְנֵי מֹשֶׁה וּלְפָנֵי הַנָּשִׂאִים רָאשֵׁי אָבוֹת לְבְנֵי יִשְׂרָאֵל: ²וַיֹּאמְרוּ ...
Numbers 27:1-2 ¹The daughters of Tzlofhad, of Manassite family—son of	Numbers 36:1-2 ¹The family heads in the clan of the



<u>Hefer</u> son of Gilad son of Makhir son of Menashe son of Yosef—came forward. The names of the daughters were Mahlah, No'ah, <u>Hoglah</u>, Milkah, and Tirtzah. ²They stood before Moshe, Elazar the priest, the chieftains, and the whole assembly, at the entrance of the Tent of Meeting, and they said...	descendants of Gilad son of Makhir son of Menashe, one of the Josephite clans, came forward and appealed to Moshe and the chieftains, family heads of the Israelites. ²They said...
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Both appeals open in an identical manner: with a step of drawing near. Those who approach are described through their lineage, and they draw near to Moshe and the leadership of Israel.

However, there are also striking differences regarding who is approaching and whom they are drawing near to. In chapter 36, the heads of the ancestral clans of the tribe of Menashe draw near and speak to Moshe, the chieftains, and the heads of the ancestral clans. They are speaking to their peers, the leadership. In contrast, the daughters of Tzlofhad—who are mentioned here by their individual names—stand before Moshe, Elazar, and the chieftains; that is, before a leadership of which they are not a part, and before the entire congregation. Furthermore, they draw near, stand before the leadership, and only then begin to speak—whereas the heads of the ancestral clans simply draw near and speak. Perhaps this act of standing before speaking reflects a moment that underscores the inequality between the speakers and those they are addressing.

Another difference relates to the content of their words—to the claim: “Why should it be subtracted?”

במדבר כז:ג-ה ³אָבִינוּ מִתּ בַּמִּדְבָּר וְהוּא לֹא הָיָה בְּתוֹךְ הָעֵדָה הַנוֹעָדִים עַל ה' בַּעֲדַת קָרַח כִּי	במדבר לו:ב-ד ²וַיֹּאמְרוּ אֶת אֲדֹנֵי צֹהַר ה' לָתֵת אֶת הָאָרֶץ בְּנַחֲלָה בְּגוֹרָל לִבְנֵי יִשְׂרָאֵל וְאֲדֹנֵי צֹהַר בָּה' לָתֵת אֶת נַחֲלֹת צֶלְפָּחַד אֲחֵינוּ לְבָנֹתָיו: ³וְהָיָה
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בְּחֶטְאוֹ מֵת וּבָנִים לֹא הָיוּ לוֹ: ⁴לִמָּה יִגְרַע שֵׁם אָבִינוּ מִתּוֹךְ מִשְׁפַּחְתּוֹ כִּי אֵין לוֹ בֶּן תֵּנֶה לָנוּ אַחֲזָה בְּתוֹךְ אָחִי אָבִינוּ: ⁵וַיִּקְרַב מֹשֶׁה אֶת־מִשְׁפָּטָן לִפְנֵי ה':	לְאַחַד מִבְּנֵי שִׁבְטֵי בְנֵי יִשְׂרָאֵל לְנָשִׁים וְנִגְרָעָה נַחֲלָתָן מִנַּחֲלַת אֲבֹתֵינוּ וְנוֹסַף עַל נַחֲלַת הַמָּטָה אֲשֶׁר תִּהְיֶינָה לָהֶם וּמִגֵּרָל נַחֲלָתָנוּ יִגְרַע: ⁴וְאִם יְהִי הַיָּבֵל לִבְנֵי יִשְׂרָאֵל וְנוֹסְפָה נַחֲלָתָן עַל נַחֲלַת הַמָּטָה אֲשֶׁר תִּהְיֶינָה לָהֶם וּמִנַּחֲלַת מָטָה אֲבֹתֵינוּ יִגְרַע נַחֲלָתָן:
Numbers 27:3-5 ³“Our father died in the wilderness. He was not one of the faction, Korah’s faction, that banded together against God, but died for his own sin; and he has left no sons. ⁴Let not our father’s name be subtracted from his clan just because he had no son! Give us a holding among our father’s kinsmen!” ⁵Moshe brought their case before God.	Numbers 36:2-4 ²They said, “God commanded my lord to assign the land to the Israelites as shares by lot, and my lord was further commanded by God to assign the share of our kinsman Tzlofhad to his daughters. ³Now, if they become the wives of persons from another Israelite tribe, their share will be cut off from our ancestral portion and be added to the portion of the tribe into which they marry; thus our allotted portion will be subtracted. ⁴And even when the Israelites observe the jubilee, their share will be added to that of the tribe into which they marry, and their share will be subtracted from the ancestral portion of our tribe.”

The heads of the ancestral clans from the tribe of Menashe echo the language of the daughters of Tzlofhad in their appeal to Moshe; following in their footsteps, they ask why it should be subtracted from the inheritance. Yet, in their own appeal to Moshe, the five women open as the daughters of Tzlofhad—as they are indeed called—and say: “Let not our **father’s name** be lost to his clan just because he had no son!” They turn to Moshe in the name of an injustice done not to them, but to their father. Their father will have no name because he had no sons. They do not justify their request on the grounds of an injustice done to themselves, whereas the heads of the ancestral clans appeal out of a fear that something will be diminished from the inheritance of their ancestral tribe and from the lot of their **own** inheritance.

Was there room for a request on their own behalf?

II. “Let our mother enter into levirate marriage”

In a commentary on these verses found in the Yerushalmi, the daughters of Tzlofhad present an additional argument to Moshe. They step directly into the halakhic discourse, using its internal logic to demonstrate the justice of their claim to the inheritance.

תלמוד ירושלמי בבא בתרא ח:ב (דף טז טור א)

בנות צלפחד אמרו לפני משה רבינו. אם אנו בנות צלפחד נירש את אבינו. אם אין בנות צלפחד תתייבם אמינו.

Talmud Yerushalmi Bava Batra 8:2 (16a)

The daughters of Tzlofhad said before Moshe our teacher, “If we are considered Tzlofhad's daughters, let us inherit from our father; if we are not considered daughters, let our mother enter into levirate marriage!”¹

This is not a direct plea for justice or equality on their own behalf, nor are they the center of the claim. Instead, they use the halakhic system to expose the logical inconsistency of those who administer it. This moment sharply exposes the liminal status of women within the halakhic framework: is a deceased man legally recognized as having offspring or not? If he leaves no children, his widow is bound to levirate marriage; if he is recognized as having offspring, those children—in this case, his daughters—should rightfully receive his inheritance. The daughters of Tzlofhad rhetorically pose a question: “Did our father have children or no?” They may also be taking a risk by adopting the language of a legal discipline

¹ Levirate marriage (*yibbum*), is the marriage of a woman to her husband's brother if he dies and they have no children.



from which women in traditional settings are typically excluded, refusing to leave its interpretation solely to those traditionally defined as experts.

III. Wise, interpretive, and righteous

In the Babylonian Talmud, the daughters of Tzlofhad receive threefold praise for their conduct: “It was taught: The daughters of Tzlofhad are wise, they are interpretive, they are righteous” (Bava Batra 119b). The Keli Yakar² expands this praise from these specific individuals to all women:

כלי יקר במדבר כו:סד

לא נגזרה גזרת מרגלים אלא על האנשים, לפי שהאנשים היו שונאים את הארץ והיו אומרים “נתנה ראש ונשובה מצרימה” (במדבר יד ד), אבל הנשים היו מחבבות את הארץ, שכן בנות צלפחד אמרו “תנה לנו אחזה”.

Keli Yakar to Numbers 26:64

The decree of the spies was only enacted against the men, because the men hated the Land and were saying, “Let us appoint a leader and return to Egypt” (Numbers 14:4). But the women cherished the Land, for the daughters of Tzlofhad said, “Give us a possession!”

In this reading, the daughters of Tzlofhad become the ultimate proof that while the men hated the Land—as evidenced by the spies—the women loved it. It seems that for women to have a seat at the table, they must be nothing short of extraordinary. This raises a troubling question: does a marginalized group only gain a voice when its members are exceptional?

² R. Shlomo Efrayim Lunschitz (Poland, 1550-1619).



IV. “The daughters of Tzlofhad speak rightly”

How do the daughters of Tzlofhad speak, and what exactly receives validation? Why do they refrain from appealing in the name of an injustice done to themselves? Why, according to the Yerushalmi, do they expose a halakhic inconsistency to justify their request? And why does the Keli Yakar feel compelled to emphasize the unique virtue and righteousness of women?

At the conclusion of the Book of Numbers, the Torah presents a second version of a familiar narrative. While the first version ends with God’s powerful statement (“The daughters of Tzlofhad speak rightly”), the second version shows a step away from this unequivocal declaration. The talmudic tradition refuses to accept this step away and continues not only to listen but also to hear the voices:

תלמוד בבלי תענית ל:

אמר רבן שמעון בן גמליאל: לא היו ימים טובים לישראל כחמשה עשר באב ... חמשה עשר באב מאי היא?

אמר רב יהודה אמר שמואל: יום שהותרו שבטים לבוא זה בזה.

מאי דרוש? “זה הדבר אשר צוה ה’ לבנות צלפחד וגו’” — דבר זה לא יהא נוהג אלא בדור זה.

Talmud Bavli Ta’anit 30b

“Rabban Shimon ben Gamliel said: There were no days as good for Israel as 15th Av...”

(Mishnah Ta’anit 4:8). What is special about 15th Av?

Rav Yehudah said Shmuel said: It was the day when the tribes were permitted to marry each other freely.

What is this based on? “This is the matter that God commanded concerning the daughters of Tzlofhad”—this matter shall apply only to that generation.

The verse being interpreted is from the end of Numbers, where the daughters of Tzlofhad are restricted to marry only members of their own tribe: “This is the thing that God has



commanded concerning the daughters of Tzlofhad, saying: Let them marry whom they think best, only into the family of the tribe of their father shall they marry” (36:6). Rav Yehudah in the name of Shmuel chooses to narrow the narrowing itself, understanding the restriction as applying only to one generation, and seeing the lifting of that restriction as the basis for a day of celebration.

Through this back-and-forth movement, the Torah teaches us a lesson about how difficult it is for vulnerable groups to make their voices heard, and how difficult it is for society to truly listen. It demands that we pay attention to the various mechanisms of restriction and control within a society. Sometimes these mechanisms protect its members, sometimes the leadership, sometimes the powerful, and sometimes the weak or marginalized. Recognizing and understanding these systems allows us to view them as social choices rather than absolute facts—as one option among many, rather than a dictated, inflexible reality.

The Torah trusts us to know how to hear all of these voices. It trusts us to build a society capable of containing not only the voice of the heads of the ancestral clans but also the voice of the daughters of Tzlofhad. The Torah also urges us to dare to speak up when we are the vulnerable ones. The Book of Numbers and the stories of the Israelites in the wilderness conclude with a certain return to the halakhic, social, and tribal fold. Yet, the words that echo are not the words of Moshe or Elazar, but the words of the Holy Blessed One. Thus, all three demands—that we know how to listen to all voices, that we build a society capable of containing them, and that we find the courage to speak up ourselves—receive ultimate backing in God’s powerful, unequivocal statement: “The daughters of Tzlofhad speak rightly.”

