THE FRAMING FUNCTION OF THE NARRATIVES ABOUT ZELOPHEHAD'S DAUGHTERS

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In Numbers 27 Moses and the leaders of Israel encountered a situation that no law addressed. The daughters of a deceased man named Zelophehad wanted to know how their father's name would continue without any son to inherit the family property. If the patrimony passed to one of Zelophehad's tribesmen, his attachment to it would disappear. Not knowing how to respond, Moses consulted God for a judgment on the matter. God's ruling in this special case gave possession of the land to the daughters.

In Numbers 36 the men of Manasseh had a related concern. If the daughters married outside the tribe, the land would legally be transferred by way of inheritance to the tribes of the husbands. Even the Year of Jubilee could not reverse such a disinheritance. In order to protect the even distribution of land, God again ruled in favor of the people who stood to lose their land. Zelophehad's daughters had to marry within the tribe of Manasseh. The writer of Numbers then closed the narrative and the book with the record of the daughters' obedience.

Two questions arise about the significance of these two events in the book of Numbers. First, why did the author separate them when they were obviously related? Second, why did the author end the book with such a provincial ruling? Although many Israelites would in all likelihood never appeal to this legislation, it brings the fourth book of the hallowed Pentateuch to a rather inauspicious close.

Previous scholarship has frequently raised the problem but rarely resolved it with respect to the book's overall message. Philip J. Budd calls Numbers 36 "a supplement or appendix to the completed book of Numbers" and "an extended gloss on Numbers 27:1–11." With regard to the purpose of Numbers 27 he points to the difficulties of the postexilic community in trying to reestablish property rights. Jacob Milgrom similarly considers Numbers 36 "an editorial afterthought that could not be inserted in its logical place, sequential with chapter 27 . . . because the Book of Numbers had been completed and was now closed." Nevertheless he considers chaps. 27–36 a

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¹ P. J. Budd, Numbers (WBC 5; Waco: Word, 1984) 389.

² Ibid. 302.

³ J. Milgrom, Numbers (Philadelphia: Jewish Publication Society, 1990) 512. See also K. D. Sakenfeld, "Zelophehad's Daughters," Perspectives in Religious Studies 15 (1988) 39.

"literary block" and a "closed unit" set off by the two accounts of Zelophehad's daughters. And H. Snaith disavows any legal purpose for these two narratives and instead attributes their origin to the need to account for Manasseh's holdings on the west side of the Jordan River (cf. Josh 17:3–6). Along with Lev 24:10–16 and Num 15:32–36, J. Weingreen sees Numbers 27 and 36 as evidence for an ongoing accretion to Israel's case law. Why the compiler of Numbers selected the case of Zelophehad's daughters for one of his examples remains unknown.

While these scholars have appreciably noticed the ostensibly irregular placement of the two pericopes and perceived connections with passages outside of Numbers, their emphasis on redaction criticism overlooks the literary and thematic integrity of the book's final form. Hypotheses about the compositional history of the book remain subsidiary to the two questions raised above. Whoever was responsible for the final form of Numbers was apparently satisfied that two stories about Zelophehad's daughters "form an *inclusio* for the events and organization of the new generation whose emergence is marked by the second census list in chapter 26." The recognition of an inclusio suggests literary and even theological purpose.

This supposition, however, begs an answer to the question of the book's macrostructure. Composed of disparate materials, Numbers does not readily reveal a pervasive theme that unifies all of the sections. George B. Gray presents a pessimistic evaluation of the book's structure:

The various parts of Numbers are products of many generations widely separated from one another in time, and in some respects sharply distinguished from one another in the matter of religious belief and practice. The consequence is that Numbers is as lacking in unity of religious expression as in literary unity. It is therefore impossible to summarize the fundamental ideas, or to point out in general terms the religious value of the book; for these are different in the different parts. ⁸

Similarly denying a planned structure for Numbers, R. C. Dentan warns that "whatever outline may be imposed upon it will have to be recognized as largely subjective and arbitrary." The book's true structure comes from its place in the larger corpus of the Pentateuch. ¹⁰

More recently, William Hallo observes that Numbers "hardly appears to be a 'book' in its own right at all." This is so because Numbers forms the conclusion to the Tetrateuch, which records the history of Israel from creation to the death of Moses. Consequently Numbers picks up the narrative in

⁴ Milgrom, Numbers xiii, xv.

⁵ N. H. Snaith, "The Daughters of Zelophehad," VT 16 (1966) 127.

⁶ J. Weingreen, "The Case of the Daughters of Zelophehad," VT 16 (1966) 520.

⁷ D. T. Olson, The Death of the Old and the Birth of the New: The Framework of the Book of Numbers and the Pentateuch (BJS 71; Chico: Scholars, 1985) 175.

⁸ G. B. Gray, A Critical and Exegetical Commentary on Numbers (ICC; New York: Scribner's, 1903) 47.

⁹ R. C. Dentan, "Numbers, Book of," IDB 3.567.

¹⁰ Ibid 3 568

¹¹ W. W. Hallo, The Book of the People (BJS 225; Atlanta: Scholars, 1991) 75.

midstream and does not have a marked beginning. Moreover the book does not record the death of Moses and thus "stops short of its logical conclusion." On this point Joseph Blenkinsopp argues that Num 27:12–23 originally recorded the death notice of Moses in conjunction with the commissioning of Joshua. The account of Moses' death was later placed at the end of Deuteronomy because of the addition of deuteronomic legislation to the Pentateuch. From a narrative standpoint Moses could not die in Numbers and then speak at length in Deuteronomy. ¹³

Before the significance of Numbers 27 and 36 can be ascertained, the matter of the book's organization must be resolved. If Numbers does not manifest a definite structure, then quite conceivably the stories about Zelophehad's daughters were thoughtlessly added to a potpourri of wilderness tales. Such a possibility undermines any hope for determining the theological message of the stories for ancient Israel and the Church. If Numbers does have a demonstrable outline and a consequent agenda, the role of Zelophehad's daughters should be reconsidered. In all likelihood the author or final editor had a reason for separating the two accounts and for ending the book in such an unpredictable way. His reason would shape the application of the narratives for God's people of both yesterday and today.

I. THE STRUCTURE AND THEME OF NUMBERS

In the history of the interpretation of Numbers, almost as many outlines exist as interpreters. In view of the current stress on the reader's contribution to a text's meaning, scholars have understandably arranged the intricate details of the book under various headings. What causes concern, however, is that no consensus has been reached either on the major divisions of the book or on how to determine them. The negative assessments about the unity of Numbers have risen out of this quandary.

1. The structural significance of the two censuses. For his study on the structure of Numbers, Dennis T. Olson surveyed over forty commentaries. He found that twelve suggested the first of the following two outlines and seven proposed the second:

I.	1:1-10:10	I.	1:1-10:10
II.	10:11-22:1	II.	10:11-20:13
TTT	22.2_36.13	TTT	20.14_36.13

Three major sections were the most common proposal, but little agreement existed on the places for dividing the text. Olson accounted for the differences by pointing to the various criteria used for structuring. Chronological notations, geographical notations, tradition-history themes, and documentary sources were employed as the bases for sectioning Numbers. While some of

¹² Ibid

¹³ J. Blenkinsopp, The Pentateuch (New York: Doubleday, 1992) 167, 229-230.

these might determine subsections, none adequately establishes a framework for unifying the parts of the book into a coherent theological message. 14

William J. Dumbrell prefers the first of the above three-part outlines. Part 1 describes the ideal Israel formally constituted as God's holy army. Part 2 records the wilderness trials that failed to prove Israel's faith in God. Part 3 prepares the second generation for entrance into Canaan. In his analysis of part 2, however, Dumbrell seems to contradict his structuring of the book: "Numbers thus relates the account of two generations: one that perishes in the wilderness through unbelief, and one that is placed in the plains of Moab with the striking advantage of having seen firsthand the disastrous results of disobedience." Later he calls Numbers "two-sided" because it shows, on the one hand, God's judgment for disobedience and, on the other, his regulations for maintaining holiness and blessing. Dumbrell correctly perceives the two natural divisions of the text, which were determined by the writer's concern for the destiny of two generations. Unfortunately his outline fails to substantiate his keen observation.

Olson cogently argues for a two-part outline founded on the censuses in Numbers 1 and 26. The book tells the tale of two generations, one that died because of unbelief (Numbers 1–25) and a second that must live by faith (Numbers 26–36). The second must learn from the mistakes of the first. Otherwise it too will perish without participating in the inheritance of Canaan. The two censuses not only divide the book in half but also are integrally connected to the two wilderness events that figure most prominently in the confirmation of the writer's thesis. The spy story (Numbers 13–14) and the request of the Gadites and Reubenites (Numbers 32) are the two pivotal events—one for each generation. Each concerns Israel's hesitation to enter the promised land.

The spy story relates to the military purpose of the first census (Num 1:3). The census constituted Israel as the Lord's holy army and commissioned her to possess Canaan. As noted by Thomas W. Mann, the arrangement of the tribes around the tabernacle signified the sacred task of Israelite warfare. ¹⁸ Every man over twenty served in the army, and the first military operation in Numbers is the reconnaissance mission. The unfavorable report of the spies incurred divine judgment upon everyone over twenty. The first generation failed its commission, and for the next forty years it roamed aimlessly in the wilderness until the last 24,000 perished in a plague (25:9).

In Numbers 26 Moses and Eleazar took the second census, but none of those numbered had been counted in the first census (26:64). These formed the second generation, which likewise received a military commission (26:2). On the verge of entering Canaan three tribes asked to stay on the eastern

¹⁴ Olson, Death of the Old 31-37; see also Milgrom, Numbers xiii.

¹⁵ W. J. Dumbrell, The Faith of Israel: Its Expression in the Books of the Old Testament (Grand Rapids: Baker, 1988) 50.

¹⁶ Ibid. 52.

¹⁷ Olson, Death of the Old 83. See also T. W. Mann, The Book of the Torah: The Narrative Integrity of the Pentateuch (Atlanta: John Knox, 1988) 140–141.

¹⁸ Mann, Book of the Torah 127.

side of the Jordan (32:1–5). Moses responded gravely by reminding them of the previous time that some Israelites discouraged the whole nation from entering Canaan (32:6–15). According to Olson, 32:14–15 suggests that "the fate of the second generation is still an open question. If they rebel, God may again consign the people to the wilderness and destroy them. The people of God continue to live under that threat." Though the second generation had inherited the patriarchal promise of land, the condition remained the same. Israel had to obey the covenantal stipulations. The way into the promised land was not so much geographic (crossing the Jordan) as it was theological (paying careful attention to the law). ²⁰

Therefore the book of Numbers calls the reader to an active faith in God's promises. A lack of faith will yield death, but obedience will preserve a future inheritance. Hope for the imminent or distant future demands faith in the present. Numbers 26–36 does not say whether the second generation persevered in covenantal obedience or not. The reader who is interested in the fate of the second generation must consult the book of Joshua. Nevertheless the open-endedness of Numbers deliberately puts the reader in the shoes of the second generation and makes a claim on his ultimate commitments. ²¹

2. The theme of Numbers within the Pentateuch. The open-endedness of the account of the second generation raises an additional question about the relation of the theme of Numbers to the themes of the other Pentateuchal books. Does the open-endedness of Numbers find any parallels in Genesis, Exodus, Leviticus and Deuteronomy? Does the structure of the Pentateuch point beyond itself to a continuing history of redemption? These questions have to do with the eschatology of Israel's lawbooks.

Although the sundry laws of the covenant governed Israel as a political entity in the ancient Near East, their inscripturation in the broader historical narrative of the Pentateuch and the deuteronomic history (Joshua–2 Kings) argues for more than a legal function. The laws were selected and arranged in the Pentateuch in order to address Israel's need to follow in the faith of Abraham. Their canonical shape shows that Israelite casuistry had a theological outlook. According to David J. A. Clines, "the theme of the Pentateuch is the partial fulfillment—which implies also the partial nonfulfillment—of the promise to or blessing of the patriarchs." Even ostensibly provincial rulings, such as those that concern Zelophehad's daughters, must be interpreted in view of this overarching perspective.

Clines supports his thesis by observing how each Pentateuchal book evidences awareness of incompleteness. Genesis ends with the covenant

¹⁹ Olson, Death of the Old 142.

²⁰ Mann, Book of the Torah 142.

²¹ Cf. T. R. Ashley, The Book of Numbers (NICOT; Grand Rapids: Eerdmans, 1993) 659.

²² J. H. Sailhamer, *The Pentateuch as Narrative* (Grand Rapids: Zondervan, 1992) 63–65; R. N. Whybray, *Introduction to the Pentateuch* (Grand Rapids: Eerdmans, 1995) 114.

²³ D. J. A. Clines, *The Theme of the Pentateuch* (JSOTSup 10; Sheffield: JSOT, 1978) 29.

family in Egypt and Joseph's request to be buried in Canaan, the land that was promised to Abraham (Gen 50:24). Exodus presents Israel on the move toward Canaan, but her sin threatens progress. At the end she is still traveling in the desert (Exod 40:36–38). Leviticus does not contain much narrative, but the book's last verse (Lev 27:34) notes Israel's location. She is still outside the patriarchal inheritance, but the expectation of entering it lies behind much of the legal material (18:3; 19:9, 33; 20:2, 22–24; 22:18; 23:10; 25:1–55; 26:1–46; 27:16–28). Deuteronomy closes the Pentateuch with Israel east of the Jordan River. God allowed Moses to see Canaan and assured him that the promise of land to the patriarchs would be fulfilled (Deut 34:4).²⁴

Numbers, then, fits, into a larger corpus that looks beyond itself to the fulfillment of the Abrahamic covenant. By means of exodus, God proved his faithfulness to the patriarchs and their seed. On the strength of God's word to Abraham (Gen 15:13–16), Moses' generation could expect to inherit the promised land. The promise of land, however, could be apprehended only by a faith that manifested itself in obedience. The Pentateuch not only recorded the covenantal promises but also prescribed the way of obedient faith. Therefore Israel's law was not an end in itself. Rather, the law prepared God's people to conduct themselves as a kingdom of priests in the midst of a pagan world (Exod 19:6). The eschatological hope of the Pentateuch is the reunification of the world in the worship of Abraham's God. Israel will bring blessing to the nations (Gen 12:2–3). The land acts as the stage for the drama of Israel's evangelistic mission. Depending on Israel's obedience or disobedience, the stage would be set with blessings or curses.

Given the structure of Numbers and the eschatological outlook of the Pentateuch, any treatment of the matter of Zelophehad's daughters should not ignore the larger context. Numbers 27 and 36 were not carelessly appended to a haphazard collection of wilderness tales. Instead, they contribute to an organized book that is part of a multivolume work that looks beyond itself for the completion of what the Lord has started. A proper interpretation of Numbers 27 and 36 must take into account the open-endedness of both the book of Numbers and the Pentateuch as a whole.

II. THE MATTER OF ZELOPHEHAD'S DAUGHTERS

1. The contextual role of the daughters' concern. Numbers 26:33, 53 prepares the reader for the problem raised by Zelophehad's daughters. The census would aid in the allocation of land, but Zelophehad's name appeared without a male heir. According to Zafrira Ben-Barak, "to have no heirs was considered unnatural, or ill-omened, as it could only have the undesirable result of the patrimony passing out of the family's possession." While the second generation sensed the imminent fulfillment of the patriarchal promise, one man's family saw its participation slipping away on account of tech-

²⁴ Ibid. 25–27.

²⁵ Z. Ben-Barak, "Inheritance by Daughters in the Ancient Near East," *JSS* 25 (1980) 22. See also E. W. Davies, "Inheritance Rights and the Hebrew Levirate Marriage," *VT* 31 (1981) 140.

nicalities built into the legal structure. The matter of covenantal fidelity or infidelity was not even an issue here. The issue had to do with pedigree—namely, an ancestry traceable to Abraham through Israelite males. ²⁶ One can hear the question in the minds of Zelophehad's daughters: "Does God make inheritance contingent upon pedigree rather than faithfulness?" If the answer was yes, then the manner of distributing the land contradicted the condition for entering the land.

Zelophehad's daughters seemed to feel this tension. In the presence of Moses, Eleazar, and the priests, they argued that their father had done nothing that would cause his family to be cut off from community life. Zelophehad may have been a member of the first generation, but he was not a rebel like Korah, Dathan and Abiram, whose families were condemned with them (Num 16:27, 32). Nevertheless a legal technicality was about to bar Zelophehad's daughters from inheriting their father's patrimony, and more worrisome would be the disappearance of his name from the larger family network.²⁷ This struck at the heart of the Abrahamic covenant, which promised not only land but also the continuing relationship of God with Abraham's descendants (Gen 15:18; 17:7). Faith in God's promise and obedience to his commands kept the covenant in effect. If Zelophehad had not been dishonorably cut off from the covenant community, then the God of the covenant was still the God of his family. They remained heirs of the covenantal promises. Zelophehad's daughters expressed their faith in God's promise to keep his covenant, and they had every right to hold him to it. If Zelophehad's name disappeared, then God had not preserved the covenantal relationship and the daughters had no part in the covenantal community.

In his study of inheritance James D. Hester makes some observations that illumine the theological milieu of these daughters. He argues that the land was given to Israel—that is, the children of the patriarchs. The portions allocated to the tribes were part of the larger inheritance (the whole land of Canaan). Therefore the tribal allotments could not ultimately be considered the inheritance. In order to keep the tribes separate the land had to be apportioned, but these patrimonies were only "the inheritance within the Inheritance." 28 The Jubilee and the example of Naboth demonstrated the need for patrimonial protection, not only for economic survival but also for a theological reminder. Because the land tangibly symbolized God's covenant with his people, each family received a share of the land and the assurance of God's perpetual oversight. Although the land belonged to the Lord (Lev 25:23), Israel was in actuality God's treasured possession (Deut 7:6) and his inheritance (Ps 33:12). Thus Hester rightly concludes that "both Land and People are the special, inalienable possession of God and enjoy the privileges of God's special care."29 But more important than the land itself

²⁹ Hester, Paul's Concept 27.

²⁶ Snaith, "Daughters" 125.

²⁷ Ashley, Numbers 545-546; Davies, "Inheritance Rights" 141-142.

²⁸ J. D. Hester, Paul's Concept of Inheritance (Edinburgh: Oliver and Boyd, 1968) 26. See also G. von Rad, The Problem of the Hexateuch and Other Essays (New York: McGraw-Hill, 1966) 85.

was what it symbolized: a living relationship with the one true God who revealed himself through history and the interpretive word.³⁰

As indicated by God's answer (Num 27:7), the daughters of Zelophehad asked a question dealing with the essence of covenantal membership. Unlike the first generation they displayed a faith that expected God to bless those who cling to his promises. God could not simply disinherit them because the vicissitudes of life did not grant a son to their father. The certainty of the covenant did not depend on favorable circumstances but on the faithful character of God. Here at the beginning of the story about the second generation the author of Numbers presents these daughters as examples of true Israelites. Such people persist in their commitment and prove their election by God. To these people God delights to give an inheritance.

The people of the second generation stood outside of the promised land, and the memory of the plague that killed 24,000 of their relatives must have haunted them. The action of Zelophehad's daughters and the consequent legislation reaffirmed the divine promise to the patriarchs. God would give the land to his people. Nothing could prevent this from happening.

The story, however, served a homiletical purpose. Though God would give the land to his people, those numbered among that remnant were still in question. In the daily struggles and temptations of the wilderness, each Israelite had to receive the Abrahamic covenant for himself and his family. Each had to manifest faith in an eschatological promise by remaining loyal to the covenantal stipulations.

Emphasizing deep-rooted faith, Num 27:1–11 provides a fitting introduction to the second half of the book. The material that follows (27:12–35:34) contains warnings and promises that pertain to the land.³¹ The second half of Numbers, then, deals with the second generation's preparation both to enter the land and to retain the privilege of staying in it. Failure to obey God would result in expulsion (33:55–56).

2. The contextual role of the Manassites' concern. What remains unclear is the separation of Num 27:1–11 from its sequel in Numbers 36. This latter narrative presents the concerns of the clan leaders within the tribe of Manasseh. If the daughters received an allotment and married outside the tribe, the property would transfer to their husbands' tribes. In essence their inheritance became a dowry. ³² Even the Year of Jubilee, "which dealt only with purchased property, not inherited property," could not prevent the attrition of Manasseh's patrimony (36:4). ³³ Such a happening would not only violate the laws about tribal patrimonies but also overturn the legislative provision in Numbers 27. Zelophehad's name would still disappear. To prevent this, God required the daughters to marry within the tribe of Manasseh.

³⁰ Ibid. 28.

³¹ Mann, Book of the Torah 141.

³² R. Westbrook, Property and the Family in Biblical Law (JSOTSup 113; Sheffield: JSOT, 1991) 164. See also Ben-Barak, "Inheritance" 26.

³³ Ashley, Numbers 659; see also Sakenfeld, "Zelophehad's Daughters" 45-46.

Quite possibly the men of Manasseh voiced their concern soon after Moses had reported the Lord's edict to the daughters. That someone separated these two related incidents does not seem to make sense. Or does it? Burke O. Long demonstrates from OT historical texts that "the resumptive repetition of words, phrases, or sentences to form a framework around other literary material" does not signify clumsy redactional activity but deliberate narrative technique. Although Long restricts his examples to individual pericopes, framing repetitions could plausibly structure larger sections of a book. In either case the framing would achieve a rhetorical and/or theological effect. He story of the second generation (Num 27:12–35:34) certainly includes diverse material that pertains in one way or another to the future success of the newly counted tribes. The two incidents involving Zelophehad's estate rather clearly serve as bookends for this material. Nevertheless the rhetorical or homiletical effect of the framing needs to be elucidated.

After reporting the Lord's answer to the concern of the Manassite men, the book of Numbers ends abruptly. The reader is told that the daughters of Zelophehad complied with the new ruling (Num 36:10-12), but Numbers still ends with the tribes outside the promised land. All of the discussion about patrimonial protection remains moot. According to Josh 17:3-4, the daughters of Zelophehad eventually received their father's tracts of land. The writer of Joshua recorded that these women made a special effort to remind Eleazar, Joshua, and the leaders about the Lord's pronouncement through Moses. Whether this earlier decision had been forgotten by the leaders is not specified. The daughters, however, did not forget God's promise but clung to it until the moment of its fulfillment. That the book of Numbers does not record the actual inheritance of the land accentuates the steadfast faith of these daughters. Their legacy frames the intermediate hortatory material with a real-life illustration of dynamic confidence in God.³⁷ That confidence rested on the divine promise of inheritance, an eschatological concept that looked back at God's mighty deeds on behalf of his people (Num 33:1-49) and ahead to God's future activity.

III. SUMMARY

Whether the book of Numbers was written by one person or several redactors, the final form of the book manifests what Robert Alter calls

³⁴ B. O. Long, "Framing Repetitions in Biblical Historiography," *JBL* 106 (1987) 385–387. See also S. Talmon, "The Presentation of Synchroneity and Simultaneity in Biblical Narrative," *Studies in Hebrew Narrative Art throughout the Ages* (ScrHier 27; ed. J. Heinemann and S. Werses; Jerusalem: Magnes, 1978) 12–14.

³⁵ There are two examples in the book of Joshua: (1) The Caleb material in Josh 14:6–15; 15:13–19 frames the account of Judah's allotment; (2) the reports of Caleb's inheritance (14:6–15) and of Joshua's inheritance (19:49–51) frame the whole account of patrimonial distribution. See L. D. Hawk, Every Promise Fulfilled; Contesting Plots in Joshua (Louisville: Westminster/John Knox, 1991) 103–104, 113; M. H. Woudstra, The Book of Joshua (NICOT; Grand Rapids: Eerdmans, 1981) 296.

³⁶ Long, "Framing Repetitions" 399.

³⁷ Cf. Sailhamer, Pentateuch 422.

"composite artistry." This is especially true with the two pericopes about Zelophehad's daughters. Rather than being haphazardly separated and/or appended to the end of the book, Num 27:1–11 and 36:1–13 form an inclusio that frames the deliberately unfinished story of the second generation. Zelophehad's daughters exemplified the faith that tenaciously clung to the Lord despite adverse circumstances. In contrast to the shortsightedness and concomitant unbelief of the first generation, the daughters' eschatological outlook provided the necessary impetus for obeying the stipulations of the covenant.

³⁸ R. Alter, *The Art of Biblical Narrative* (New York: Basic, 1981) 131–133.