

## The Theological Implications of Zelophehad's Daughters Request in Numbers 27:1-11 For Women in Isolated Indigenous Cultures in Nigeria

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### Abstract

*The patriarchal thought that prevails in world religious traditions validates the establishment of laws which promotes the superiority of men over women, and the right of inheritance for men in a given society. In the Jewish and Most Nigerian isolated Indigenous Cultural traditions like the Igbos of the South East, Binis of the Mid West and the Yakurr people of Cross River State in the South South region of Nigeria, the rights of inheritance are exclusively reserved for male children. Zelophehad's five daughters were faced with this situation when their father died and the family inheritance was to pass on. The five women decided to courageously present their request to Moses and the elders who sought approval from God, granted their request. Scholars have argued that the situation of Zelophehad's daughters was unique and cannot be applied to an extent to the situation of the indigenous cultures. The study investigated the nature of their request, consequences and implications for Women in isolated Indigenous Cultures in Nigeria. The historical, descriptive and qualitative methods were adopted to gather and analyze data. The radical feminist theory propounded by Kate Millet was adopted in this paper. One of the recommendations made is that Women in the isolated Indigenous Cultures considered in this research adopt the Zelophehad's daughters' approach towards changing the laws and customs of their societies that perpetrate denial of right to inheritance by promoting gender inequality. Laws which do not benefit the generality of the populace in a given society can be amended to benefit both the weak and the strong, males and females, Freeborn and Slaves. Just like the case of Zelophehad's daughters' situation in the Bible where a strict and rigid religious law was amended to benefit the daughters. Therefore, Cultural and other Religious could be amended where applicable to suit the different strata of a given society for purposes of equality.*

**Keywords:** *Zelophehad, Denial, Inheritance, Indigenous, Jewish, Request, Traditional, Implications, Conscientization.*

### INTRODUCTION

The fact of parents bequeathing inheritance for up coming generations is invaluable to any family and the society, as a result the legitimate children and adopted children are given rights of possession or inheritance. Which automatically makes them beneficiaries of the bequeathed property or inheritance. It promotes continuity from generations to generations. In the Jewish as well as the isolated Indigenous Cultures, a man can lose his inheritance if he had no male child or children to his brothers or the larger community. Zelophehad was a Jewish man of the tribe of Manasseh, in Israel. He died without having a male child but five daughters: Malilah, Noah, Mikah, Tirzah and Hogahto. These daughters faced the harsh reality of the traditions of their time where they could lose possession to their late father's hard earned inheritance. The five women, were, however, courageous and had to plead their case before Moses and the leaders. In their defense they stated that their father was not a rebellious man, he did not participate in the rebellion of Korah, and that he was a just man in all perspectives. In humility, Moses presented their request before God who directed that their request

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be granted (Numbers 27:8-11) but that they must marry men of the same tribe so that their father's inheritance must not be carried out of their father's tribe.

However, this request resulted in the establishment of laws which this paper will discuss.

Similarly and on a general note, women in the isolated Indigenous traditional societies do not have right to inheritance of property and lands in the event of their fathers transition (deaths). As a result of the patriarchal structure of their different societies promotes the preference for male children who are automatically entitled to inherit their late father's property no matter their age at the expense of their Sisters and carry on the family Name. The women in the isolated Indigenous Cultures have lived with this situation for ages, seeing it from a cultural perspective that should not be questioned. The Jewish women accepted their fate, until the five courageous women challenged the extant laws. How can these women adopt this as a model? This is the main problem this paper intends to address. Apart from this, other specific objectives are: Can women be bold enough to challenge the tradition of male inheritance in the considered Cultures? Can the leaders in the considered societies be humble and magnanimous like Moses and the elders to listen to the women? What methods can they adopt or can they learn or adopt the approach of Zelophehad daughters? What are the theological implications of the Zelophehad's daughters' request for the women in the isolated Indigenous traditional societies considered in this request?

## **THE OBJECTIVES**

The aim of this paper is to analyze Zelophehad's daughters request in Numbers 27:1-11 and assess the theological implications for women in the isolated Indigenous Cultures in Nigeria.

The other specifies objectives include the following:

To examine the request and its implications for the Jewish society.

To analyze the significance of Zelophehad's daughter's request.

To examine the issue of inheritance in the considered traditional societies.

To examine the implications of the request on women in the considered traditional societies and how it can be used to fight for their right of inheritance.

## **METHODOLOGY**

The paper adopts the qualitative method in gathering and analyzing data. Oral interview were conducted on resource persons to access the existing traditional laws of inheritance common amongst the considered Cultures. While the secondary sources include books, journals, encyclopedia, articles, internet and the Bible were consulted to assess the Jewish society.

The non-statistical style and gathering and analyzing data was adopted because of the peculiar nature of the study. The paper made use of primary and secondary techniques of data collection in which case oral interviews were conducted

## **REVIEW OF LITERATURE**

There are numerous literatures on the subject of inheritance and the case of Zelophehad's daughters, Guthic (1970) highlight that women in the Ancient Near East were not able to inherit property. If a man died without a son, levirate marriage was the rule, where the dead man's brother inherited his wife and raise up a son on his name. Thus, the five daughters of Zelophehad had to plead for their father's inheritance. Ndekha (2014) notes that the collective voice of the five women, a firm but non confrontational approach to fighting patriarchy was instrumental to the success of their course.

Kelly (2020) opines that the story of Zelophehad's daughters is an example of strategic leadership operating from a marginalized position in their society.

Speaking from the context of South Africa, Tamara and Adrea (2008) are of the opinion that the daughters of Zelophehad wrote a new chapter in history, the women came out from their living place, social space and from the destiny imposed on them by traditions of their time, and decided to claim their rights, and their achievement was a landmark in women's rights regarding the inheritance of land.

The issue of denied inheritance for women is not unique to the Jewish society. Uchem (2001) asserts that women in Igbo society do not have access to inheritance. According to her, male children are preferred to females, to ensure there is someone to inherit the "Obi" (family property) Nneamaka (2011) observes that among Yorubas, the children of the deceased all have equal rights irrespective of sex or age. However, in Bini custom succession to inheritance is similar to the Igbo custom, headship of the family is prerogative of the eldest son. In Efik and Ejahgam customs of Cross River State, both male and female children have equal rights to inheritance. Whereas in Yakurr custom, according to Eteng, Osim, Adams, Undelikwo and Charity (2023) inheritance of property and farm lands is exclusively reserved for male children.

Eteng (2018) adds that the qualification of the male offspring over the female offspring to the right of inheritance of property is a prominent customary law of the Yakurr people, reason being that while the female is married out to another family, and bear a different name, the male carries on the family name.

However, there have been efforts by individuals, non governmental organizations and the United Nations to eradicate customs that deny inheritance for women in African societies. For instance, recently the High Court in Akwa Ibom and the Appeal Court in Calabar, Cross River State upheld the rights of females to their father's property and also awarded twenty million Naira (20,000,000) in favour of the nieces of Mr. Sampson Silas Udoh who denied his late brother's daughters right to their father's properties (online sources).

According to Mojukwu, (2011) the Beijing conference of 1975 establishes the fact that customs and traditions which deny the rights of female children to inheritance are repugnant to natural justice, equity and good conscience, such customs was declared inconsistent with modern reason and universal human right, and are no longer acceptable. This paper therefore, draws inspiration from these resolutions to speak for women in the traditional Igbo, Bini and Yakurr societies. The gaps discovered in literature is that scholars have not discussed the implications of the request made by these five brave women to the situation of women in the considered traditional cultures.

## **Theoretical Framework**

Anchoring any given research work on an existing theory is the modest thing to do in contemporary researches of this nature. In the light of this research, and because of the nature of this study, the radical feminist perspective was adopted since it is more apt as compared to the liberal and socialist views since the five daughters of Zelophehad took some drastic steps to challenge the status quo, thereby vehemently advocating for social change in the area of inheritance rights. This thorough, but determined zealotry exhibited by these five daughters of Zelophehad showed that they had the gut to challenge what they saw as an erroneous law and traditional practice of property inheritance. In fact, their action was in line with the founding principle of radical feminism that is, the fight against women's oppression socially, legally, religiously, politically, and economically. This multi-dimensional aspects of the radical feminism is what made Calixte, Johnson and Motapanyane (2005) to assert that radical feminists view beyond "the state, the family and motherhood" (p.20). This means that other feminist perspectives, liberal feminism for instance, focus on individual laws and rights, while socialist feminists look at socio-economic situations of women only. But radical feminists look at all aspects of the patriarchal systems of male domination. This was where the Zelophehad's daughters got it right.

Historically, radical feminism could be explained to have originated from diverse works or situations. For example, some scholars such as Calixte, Johnson and Motapanyane (2005) aver that the development of radical feminism started in the "1960s and coincided with other movements such as the civil rights, anti-war, and boarder women's liberation movements" (p.19). some still attributed the genesis of radical feminism to "the Red Stockings, the furies, and the Radical Lesbians and other Canada-based groups like the New Feminists of Toronto" (p.19). on the contrary, Kate Millet has been adjudged as the pioneer by scholars such as Thompson (2001), Wente (2000), and Mandell and Elliot (2001).

Radical feminist theorists have, no matter how logical they have argued for women liberation and of course liberation of other sexes, been criticized for several reasons. One case against them is excessive essentialism. Calixte, Johnson and Motapanyane (2005) observe that “charges of essentialism haunt radical feminists as they are brought to task for generalizing about the fundamental nature of each sex” (p.25). Radical feminists make it look as if men are naturally wicked or characteristically violent and aggressive to the opposite sex, and that women on the other side, are essentially “nurturing and caring” (p.25). This, in fact, present serious concerns for many scholars since the women are presented as non-aggressive, non-violent and more loving than men.

Furthermore, radical feminists, make it look as the whole idea of victimization is exclusively a biological trait found only in men and that women do not possess such inherent biological quality as human specie. They projection that women are often victimized and exploited while the men are does not make no sense to many post modern theorists. Moreso, Mandell and Elliot (2001) hold the view that radical feminist theorists are also accused of “romanticism, ethnocentrism and historicism”, since their explanations of terms like race, class, sex, sexuality et cetera, do not cover the diversity and multiplicity of the human race talk less of the woman specie. Thompson (2001) notes that we must also have to redefine the term “woman” and give it a category that would make sense to both feminist and non-feminist scholars (p.69). tong (1998) and Carty (1999) criticize white radical feminist theorists for their biases against women of colour.

Another issue that has drawn criticism against feminists of the radical block is that of transgendered people (both males and females) and rape cases. Paymond (1979) avers thus: “Rape... is a masculinist violation of bodily integrity. All trans sexual rape women’s bodies by reducing the female form to an artifact, appropriating this body for themselves... Rape, although it is usually done by force, can also be accomplished by deception” (cited in Calixte, Johnson and Motapanyane 2005, p.26). Stone, 1999 and Went 2000 add that a woman is by nature a woman and that any denial of this quality by whatever category is unnatural and therefore, medical.

A cross examination of these criticisms reveal that the five daughters of Zelophehad never contested any of the issues raised above, but rather, presented their case before the elders of Israel to reconsider that they thought was an aberration or a departure from what was normal. Their case was genuine as they cited the good character of their father as a good example.

### **Theological Implications of Zelophehad’s Daughters Request for the Jewish Women**

The request made by the Zelophehad’s daughters has three major implications. First, the establishment of a new law which states that, if a man died without a son his daughters could inherit his property, if he had no daughters, his inheritance could pass to his brother, if he had no brother his inheritance could pass to the next of kin who becomes the heir (Numbers 36:1-13). This implies that prior to Zelophehad’s daughters women were not given or did not enjoy right of inheritance as long as there were male children in the family.

Secondly, for the inheritance to remain in the Tribe of the deceased father, the daughter must marry within his tribe. Implying that the society places restrictions in marriage for women since they must marry within the family of their father.

Thirdly, Levirate marriage (a man inheriting his brother’s wife) was instituted to preserve the inheritance in the male lineage which again implies that this is tantamount to forced marriage. Judah tried the levirate marriage for his sons and was resisted. He told his younger son, Onan to raise children for his late elder brother Er, “go into your brother’s wife and marry her, and raise up an heir to your brother” (Genesis 38:8) Onan refused and he died mysteriously. This shows that levirate marriage was not generally acceptable by the people.

These five unique women succeeded due to their non violent but humble disposition and courage, refusing to accept the status quo, they rose to challenge the laws and customs of their society though it must have been incredibly difficult and intimidating, they stood up for what they believed was right. Thus, economically, their actions led to women being able to inherit land and property which gave them economic security and independence.

Religiously, their actions led to a change to the strict and religious laws that encouraged exclusion rather than inclusion of women in inheritance. Socially, their action empowered women and resulted to a change in the social status of women against the way women were viewed in hitherto. (online sources).

Ayrian (2023) notes that the daughters of Zelophehad courageously stood before Moses and the leaders for a just request, to have an inheritance. Thus, what the five women did was in line with the basic tenet of the radical feminist theory which views society as essentially patriarchal in nature with males dominance over females. These women sought and succeeded in their struggle to inherit their father's inheritance. They radically challenged the existing social norms and institutions of their time. Their action also showed the zealotness to fight male domination as shown in the scholarly works of many radical feminists such as Kate Millet and others.

### **A Brief Survey of the Position of Yakurr on Female Inheritance as an Example of the Isolated Indigenous Cultures in Nigeria**

For this study Yakurr women experiences with regards to the problem of inheritance rights would be discussed as a Microcosm of the isolated Indigenous traditional societies in Nigeria considered in this paper.

Therefore Zelophehad's daughters' request is an example of women rising to the occasion by advocating for their rights and challenging the status quo. The concept of women's inheritance rights still prevails in African societies and Yakurr in particular. Geographically, Yakurr People are situated in the central senatorial district of Cross River state, Nigeria. Yakurr is largely and customarily Patriarchal, implying that owner and inheritance of property is exclusively the right of the males as clearly stated by Ibiang Okoi in an interview.

The patriarchal structure of Yakurr institutionalizes the male factor physically socially and economically over their female counterparts (Eteng 2018). Thus, women experience discrimination and economic inequality as a result of the unfair Cultural laws of property and land inheritance .

It is against the backdrop of male dominance that Mandell and Effiot (2000) argue that radical feminist theorists fight against all forms of male oppressions, including class, race, and sexuality.

The reason behind using a Bible story is to show instances of gender discrimination in the Bible in the first instance and how those instances were resolved amicably.

Which can lend credence on the Cultural way of resolving such cases of gender discrimination as well as Male-Female dichotomy in our society. Since religion and culture interact and interface within the society. Again religion plays a pivotal role in modifying cultural norms and values African society. Agha (1996) observes that some African cultures need modifications, while others need to be maintained and treasured for posterity. The story of Zelophehad's daughters could be seen as a tool for the modification of some obnoxious traditional cultural practices in order to promote a just and equitable society.

By application, Zelophehad's daughters situation could be used as a tool for education, advocacy , seminars and workshops in Churches, Schools within the context of yakurr in order to attempt changing the mindset of both men and women and especially women who have excepted those practices ignorantly as their fate. Secondly, the story can be used as a source of inspiration for women in Yakurr and other isolated Indigenous Cultures awareness that their voices can be heard, therefore they should rise up and fight for their right of inheritance and possession.

However, the story of Zelophehad's daughters is not intended towards imposing Christian or other foreign religious beliefs or value system on Yakurr and other traditional Cultures, rather it is to be used as a point of reference and a gradual process of conscientization . A term originally coined by the Brazillian educator Paulo Fieire, which refers to a process of raising awareness and consciousness about social issues (Bowen, 1996). The Yakurr women need the awareness of their inheritance rights, some people may have wrong opinion about seeing this from the point of the intrusion of western religion/ culture on the aged long traditions of the African society. For instance, Obuli Ekwe, Ubana Arikpo, Inyang Thompson in an oral interview are of the opinion that inheritance rights in Yakurr is reserved for men, and this should not be questioned. The position taken by these opinion leaders in Yakurr is contrary to the principle of the radical feminist theory which views such opinions as anti-human, cruel and uncivil.

The emphasis of the Bible story and its connection to issues of justice and fairness is important to Yakurr, this is why the issue can also be approached from a legal perspective, section 43 of the 1999 Nigerian constitution and the land use Acts both guarantee equal rights for men and women when it comes to inheritance (Ogubanjo and Aina 102). Therefore, improvement of women's inheritance rights can promote their education and economic opportunity, it can give them more economic security and independence which increases their access to Western education. The importance of making legal and policy changes to improve women's inheritance rights cannot be over emphasized, because it addresses the underlying cultural and social factors that contribute to inequality in the society and this is known as cultural change. This, is, at the very foundation of the radical feminist theorists. The equality of all sexes, in all spheres of human endeavours and among humanity would bring about global peace, unity, harmony and shared human values.

On the issue of inheritance in the Considered traditional societies, the researcher carried out investigations and the following questions were put across to selected persons and the answers were documented as follows:

### **What Is the Position of Women with Regards to Family Inheritance in Yakurr a Traditional African Society?**

Bassey Ifere responded that Yakurr is a patriarchal society, where men own the society, take decisions, and rule over women. Okoi Ikpi added that men are superior while women are inferior. Chief Oboli Ekwe responded that, Yakurr operate the matrilineal and patrilineal family system, but inheritance of land and property is patrilineal, meaning that men own the society.

### **What is the Nature of Inheritance in Yakurr Society?**

Chief Eteng Ugobo responded that in Yakurr society, the focus of inheritance is on the farmlands, houses, and material possessions.

### **Who is Qualified to Inherit Property in Yakurr Society?**

Chief Obongha Bassey in his response notes that the one who succeeds the father is the son, the female child will be married afterwards and will bear another man's name. Mr. Igiri Akpama adds that the male child is the one that carries on the name of the family, where there are no male children, such families would go into extinction as time goes on, therefore, inheritance of property, lands, houses is the right of the male child.

### **Why Are Female Children Denied Inheritance in Yakurr Society?**

Chief Obeten Iwara responded that, it will be wrong to allow a woman who cannot celebrate the "Ledu" (a highest yam title of four sticks) to inherit a farm land, it would also be wrong to give family inheritance to a woman who will eventually be married out from such family to another.

### **Are The Women Comfortable with Being Excluded in Inheritance?**

Madam Comfort Itam responded that, they are not, but are not in the position to question the traditions of their land.

Mrs. Adiah Thompson adds that, women do not have the capacity to fight against the aged longed tradition, thus they are comfortable with the status quo.

From the foregoing it is obvious that inheritance rule among Yakurr people confers the right of ownership and inheritance to the male offspring, and women have accepted the status quo.

## **CONCLUSION/ WAY FORWARD**

Women in traditional African societies generally and particularly Yakurr in Cross River State of Nigeria are excluded in the sharing of inheritance. In the case of the Yakurr women, they may not have access to the avenues for complaint as the daughters of Zelophehad. However, there are still ways for them to advocate for their inheritance right. One of the options could be to seek out local organizations that work on women's rights or land rights issues and seek their support. They can also try to build a network of support within their community by talking to other women who are facing similar challenges.

On the other hand, women who are ignorant of their rights to inheritance could be conscientized by revealing to them the potential benefits of how their lives could improve if they had access to their own land and property. Secondly, they could be connected to other women who have successfully gain their inheritance rights, so they can see the possibilities for themselves. This agrees with the radical feminist theory that holds that the society should be free from all forms patriarchal systems that oppress women and measures put in place that would encourage human rights which affirms that men and women should be treated equally, no one should be discriminated against, and that the law should be gender neutral.

## **Recommendations**

In light of the basic tenet of the radical feminist theory and the role Zelophehad's daughters played, the following modest recommendations are made to address the predicaments of the Yakurr women in Cross River State and other Isolated Indigenous traditional Cultures in Nigeria.

Women in Yakurr society should work towards changing the social and cultural norms that perpetuate gender inequality through discreet conscientization programmes. The daughters of Zelophehad took the bull by the horn and challenged what they saw as an aberration and an infringement to their fundamental human rights. Women in Yakurr could emulate these models. This is the driving spirit behind radical feminist theorists.

The government should work towards increasing economic opportunities for women in the Considered traditional societies so that they can have more confidence and work independently.

There should be legislations to strengthen women's drive towards fighting and defending their rights against discrimination, violence, denial of inheritance rights, Marginalization, Victimization and establish laws that guarantee equal opportunities to education, healthcare and other services between women and men.

Since the basic tenet of radical feminism is the belief that power within the society is fundamentally unequal, there should be an increase in the representation of women in decision making platforms in the government.

The traditional rulers in the considered traditional Cultures should work towards inclusivity by appointing women in the traditional decision making councils as this will enhance the participation of women in the decisions that affect them. This, if done, will address other issues such as, war against sexual violence, equality of all sexes, expansion of human choices and eradicating all forms of gender stratifications.

The on it's part should work towards assisting women by making their voices more audible and their immediate communities to eradicate all sorts violence, discrimination and denials which affect women within their immediate constituencies.

These are not just the concerns of radical feminist theorists but all feminists.

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