

Shabbat Pinchas - July 18, 2008 – 16 Tamuz 5768
Congregation Or Chadash, Chicago, Illinois
Rabbi Larry Edwards

Mahlah, Noah, Hoglah, Milcah, Tirzah, Lisa, Tracy

My sister and sister-in-law got married – again. Thirteen years ago I stood with Lisa and Tracy under their huppah and helped celebrate their marriage. They celebrated their “very civil” wedding last Sunday in Los Angeles. Lisa had planned a fairly quiet summer for herself, until the California Supreme Court stepped in. Suddenly, she was inundated with couples booking dates for weddings.

Back in May, Lisa wrote in the *Jewish Journal* of Los Angeles:

"Rabbi, can we have you June 16?"

"Rabbi, I'll be away until June 17, are you free that day?"

"Hey, Lisa, can we plan a group ceremony down at the courthouse on June 16?"

...

Although those of us who have had wedding or commitment ceremonies without the benefit of civil contract know that we don't need state approval to enter into and live within a sacred relationship, the decision of the California Supreme Court last week has already begun to make important differences to everyone -- whether gay or straight, partnered or not, and whether their parents or their children are legally married in the eyes of the law or not yet. The differences will be palpable, for the ruling brings to all citizens of California certain rights that only certain families currently receive.

...

Among those working on this cause have been many Jews. Why? We can only speculate, but certainly it's not a new phenomenon to see Jews in the forefront of struggles for civil rights in this country. Jewish history, Jewish values and personal experience (in housing restrictions or school quotas, for example) have all combined to teach Jews that none are free until all are free; that the withholding of rights and protections from some citizens diminishes the claims of our country to be a place where all people carry "certain unalienable rights," including "life, liberty and the pursuit of happiness."

Their own ceremony came together rather fast, and I'm sorry I couldn't be there. The civil officiant was Speaker Karen Bass of the California State Assembly, the first

African-American woman to lead an American state legislature. (Speaker Bass began as a community organizer, which is, of course, the best background for any politician.) ;-)

In her opening remarks she said something like (Lisa reporting here) -- if you think nothing has changed, look up here (She didn't even take note, but many in attendance did, that included at what/who they were looking at was: Laura Geller - 3rd woman rabbi ordained, at Karen Bass -- and at a lesbian rabbi and her partner) then she said something like, "the first African American Woman speaker of a state assembly is about to marry two Jewish women!"

Well, that's the family narrative of the past week, and I think I see a path – is it a Yellow Brick Road? – winding itself all the way back to this week's Torah portion.

As the narrative of the Book of Numbers begins to wind down, arrangements are made for the succession of leadership, for the conquest and distribution of land, the preparation of the next generation.

But the forward movement of the Torah is embodied in Parshat Pinchas, this week's reading, by Milcah, Hoglah, Tirzah, Noah, and Mahlah. They are first mentioned almost parenthetically in the genealogical lists of chapter 26. They are part of the Tribe of Manasseh (descended from Joseph), the daughters of Zelophahad, son of Hopher, who "had no sons, only daughters." (The other women mentioned by name in the long list of men of the twelve tribes are: Jochebed, daughter of Levi; Miriam, her daughter, sister of Aaron and Moses; and Serah, daughter of Asher – which is Susan's Hebrew name, by the way.) Who are these five sisters, Tirzah, Mahlah, Noah, Milcah, and Hoglah? (The Torah records their names in different orders in different places, and so do I – the midrash says that this is to indicate that they were equal in wisdom.)

The following chapter fills in the details of their action:

The daughters of Zelophahad, of Manassite family-son of Hopher son of Gilead son of Machir son of Manasseh son of Joseph-came forward. The names of the daughters were Mahlah, Noah, Hoglah, Milcah, and Tirzah. They stood before Moses, Eleazar the priest, the chieftains, and the whole assembly, at the entrance of the Tent of Meeting, and they said, "Our father died in the wilderness. He was not one of the faction, Korah's faction, which banded together against YHWH, but died for his own sin; and he has left no sons. 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!" (Num. 27:1-4)

Who was this Zelophehad who raised five daughters, who "died of his own sin and left no sons"? If we change the vowels that tradition preserves for pronouncing his name, we have the words *tzeh pahad* – "shadow of fear." Hoglah, Tirzah, Mahlah, Milcah, and Noah, these five strong sisters, step forward out the shadow of fear, and speak up – not only on their own behalf, but on behalf of the future. Because of their own situation, they discover a flaw in the divinely revealed law. They uncover a question to

which an answer must be given. They are voices of the coming generation, not bowed by slavery but trusting God's promise for the future: There will be land and there will be generations yet to come. They are not afraid of the future, and they are not afraid to approach Moses and raise a matter of justice.

The Torah here records the very beginning of the process that we have come to know as Judaism. The Torah does not know that word, "Judaism," yet. The Israelites are not yet Jews. They are a collection of clans and tribes who share a story. The story gives birth to law, so that there can be an orderly society. And the story continues to inform and animate the legal tradition, so that the law will not become dead, and deadening, weight. These five sisters understand that rules must be open: Torah is not a closed system, but a breathing organism. But to breathe with the Torah requires courage, what later generations might call *chutzpah*.

The path of progress indicated by the sisters' question by no means leads in a simple, direct line. As Rabbi Pamela Wax points out in her comments on this portion¹ (Howard Wax and I have in common that we both have sisters who are rabbis) that rabbinic tradition goes to some lengths – despite occasional dissenting voices – to keep inheritances in male hands.

The new volume, *The Torah: A Women's Commentary*, published by the URJ and Women of Reform Judaism, is a breathing treasury of the interpretive energy brought to Jewish life by an amazing collection – the list is very long – of latter-day daughters of Zelophehad. [The project itself, collecting, compiling, editing so many different contributions truly takes my breath away.]

The commentaries in this volume go into many of the details of language and law and even of historical evidence: two of the five names of the daughters appear on pottery shards recording business transactions, and their mention again in the Book of Joshua supports the likelihood that they were actually "significant figures in early Israel." Judith Baskin emphasizes their significance for the enlargement of Torah. Indeed, the rabbis already recognize this. They comment in a midrash that the daughters were aware that human rulers are more concerned with the rights and privileges of men; but God shows mercy to all (Sifrei Bemidbar 133).

And Silvina Chemen, the only Conservative woman rabbi currently serving in Argentina, pictures the formal arrangement of the camp and imagines the courage it would have taken to step forward before the senior representatives of the male establishment. She goes on, "When we believe in our capacity to shape our history, to the point of being able to change even a law that comes from the Revelation at Sinai, then we pay a tribute to Zelophehad's daughters." (986)

The question that the five sisters pose is the beginning of the Oral Tradition. It may also be the earliest recorded illustration of "Sisterhood is powerful." Question and response, *shakla v'tarya*, is the style of the Talmud, and the style of Jewish discourse.

¹ Elyse Goldstein, ed., *The Women's Torah Commentary* (Jewish Lights, 2000), pp. 307-14.

That is why I call it the beginning of Judaism. It is not just a matter of “changing” a law. It is an act of expanding the boundaries, enlarging our notions of who is included in Torah’s address. When we step forward from the Shadow of Fear and speak in our own voices, Tirzah, Mahlah, Milcah, Noah, and Hoglah, and Lisa and Tracy, and you and I prepare the path for those who follow.

Our ancient sisters could not have imagined it, but from this vantage point I see that a long and winding road leads from their speaking up from their own reality to the moment when Lisa and Tracy (like so many other couples) stood under their civil *huppahs* in California. Just a generation ago, most of us could not have imagined that the Constitution, as read by at least some of our courts, could breathe deeply enough, and expansively enough, to begin to include our stories. It is a matter of story-telling, and it is also a matter of justice. There were some who, along the way, were brave enough to question the law, and take to the streets, and petition for redress. They – we – learned to celebrate even before permission was granted, and placed one more brick in the road that leads from *Tzel Pahad*, the Shadow of Fear, to a new light, that we here call Or Chadash.