Some of the commentaries on the story of the daughters of Zelophechad disturb me. These commentaries stress how polite, how inoffensive the “girls” were. Resh Lakish, a famous Talmudic scholar, insists that the daughters went through the appropriate channels, beginning with the local leaders and then working their way up the chain of command to Moses. The daughters did not raise their voices, and they did not attempt to find allies or others who would support their cause. Contemporary Rabbi Shlomo Riskin praises them as “essentially modest and self-effacing.” In these commentaries, the description of the girls as being mild and non-threatening seems important to their cause.

The various commentaries are trying to answer an interesting question. Why are the objections of the daughters of Zelophechad well received while those of Korach or those of the tribes of Joseph who want to settle on the east side of the Jordan seen as rebellion? It is an interesting question, but one which the text itself answers. God responds to Moses’s inquiry: “Ken b’not zelophechad dovrot”—the plea of the daughters of Zelophechad is just. This is what distinguishes them from Korach, the tribes of Joseph, and all the other complainers, whose dispute with Moses is based on a desire for power or personal advantage.
So now we have to ask, if the answer is so obvious, why does that solution make the commentators so uncomfortable?

Questions about women in leadership arise throughout the generations. In the Bible, we have women acting as judges and military leaders. Later, we will have women as queens during both the First and Second Temple period. In the Talmud, the question of whether women can be judges or rulers is debated in various places. In *Baba Kama*, three different interpretations are brought so as to include women in civil litigation: the school of Rabbi Yishmael, the school of Rabbi Elazar, and the school of Hlzkiya and Rabbi Yose Haglili. We are told that all three interpretations are necessary in order to have the broadest possible application of the law and the rights of women.

But still, women’s participation in leadership is not broadly accepted. In the Laws of Kings, Maimonides states that “No woman is eligible to head the state for Deuteronomy says “king” and not “queen.”” Others agree, including Maimonides’s usual rival, the Ramban, Nachmanides, as well as the Rashba and the Rivta—all of them important medieval poskim. But that is not the end of the discussion. Later sources hedge on this issue. For example, Sefer Hachinuch states that though only a man can be chosen as king, a woman can ascend to the throne, giving the example of Queen Shlomziyon.

Queen Shlomiziyon, also known as Salome Alexander, the Hasmonean queen whose brother was Shimon ben Shetach, is especially revered in the Talmud for her support of the early rabbis in Second Temple times. They tell us that she ruled
so successfully that her reign was its own good old days, when “the grains of wheat grew as large as kidney beans; oats as large as olives; and lentils as large as gold coins.”

The support for a woman acting as ruler actually picks up an earlier thread in the Tosafot, medieval commentaries by Rashi’s grandson, which stresses that since the people accepted Devorah and Queen Shlomziyon, then women could serve as judges and leaders. This was later codified by Israel’s Chief Rabbi Uziel when he states that when women are elected and not appointed, they can hold positions. In this way, he is able to reach a different conclusion from Maimonides without disputing him.

These are not theoretical discussions. In facing the upcoming Israeli election, the right-wing coalition seems set to place a woman, former Justice Minister Ayelet Shaked, as its head. This has occasioned outrage from prominent rabbis who argue that it is inappropriate for women to serve in political office. For example, Rabbi Shlomo Aviner, a leading rabbi of the religious Zionist movement and head of the Yeshivah Ateret Yerushalayim, told his students back in 2012 that it was fine for women to vote (After all, why not receive their votes?), but that his students should not vote for women, even in party primaries. This month he argued that women should not serve in the Knesset as that would be a violation of the laws of modesty because women would be looked at. When questioned about Golda Meir, who was elected to the Knesset and served as Prime Minister, he quoted Rav Yosef Soleveichik, who responded to a similar question about Golda Meir back in the day:
“And was Ben Gurion’s appointment not problematic? Although he was not a woman, he was not religious, and it was also forbidden to appoint him. The answer is that they did not ask us, and the responsibility for these appointments is therefore not ours.”

This perhaps hints to what’s going on behind the scenes, as Shaked, in addition to not being a man, is also secular. But to me, it is significant that while Rav Soleveichik, a more moderate Orthodox rabbi, is able to avoid objecting, his words are now being used by less moderate rabbis to prevent women from serving in office. Unfortunately, among the Orthodox the objection to women in politics is longstanding and strong, even when the women are religious. In 1986, Leah Shakdiel, a religious woman, was elected to the local religious council in Yerucham and then had to spend years in the courts trying to assume her seat.

Despairing of the religious parties, Michal Zernowitski, an ultra-Orthodox woman, stood on the list of the Labor Party during Israel’s recent April elections, though she was too far down to win a seat. Perhaps most poignant was the cartoon in Haaretz on July 8, 2019. Under the heading “The Iranian Threat,” we see two little drawings: one of a woman at the Kotel with tallit and a sefer Torah, being literally kicked out by a man, and the second of an Orthodox rabbi kicking another woman, wearing pants, out of the Knesset. The implication is that the threat of religious extremism may not be unique to Iran.
As described in today’s Torah portion, the victory of Machlah, Noah, Hoglah, Milkah, and Tirzah, the daughters of Zelophechad, was partial and incomplete. Their case is broader than the laws of inheritance but reflects women’s struggles in all areas of life. Both here in the United States and in Israel, women running for public office face special challenges. Yet the words of the Torah still stand—"Their cause is just"—and we pray that the much quoted words of an early 19th century Unitarian and abolitionist will be fulfilled, that the arc of history is long, but it bends toward justice.