

Include Us

The request of Zelophehad's daughters can be summarized in this way.¹ *We know what the law says. But we ask you to include us.* The lesson we could take away from the story of these five women is this: *Sometimes, in order to be fair, the rules need to be changed. God helped the people to change the rules in order to be fair to the daughters of Zelophehad. We can challenge unfair rules and laws.* This lesson seems especially appropriate on July 4, the day we celebrate the birth of our nation.

Prayer: *God, sometimes it is easier to remain silent. Grant us the courage to open our eyes to injustice and to speak out according to your Spirit. Amen.*²

The little story about the daughters of Zelophehad is bigger than it looks. The previous chapter in the book of Numbers tells of the census of the second generation of Israelites, the children of the people that Moses led out of slavery in Egypt. The purpose of the census is so that the territory of the Promised Land can be portioned out according to the actual numbers in each clan. Only the males are counted in the census. Zelophehad, one of the original Israelites who escaped with Moses through the Red Sea, had no sons to be a part of the second generation.

The daughters of Zelophehad come before Moses and the entire community to present their case. They point out that their father's death was not because of any special punishment by God for wickedness. He was not part of the rebellion led by a man named Korah against Moses and against God. He was a loyal member of the community until his death.

Zelophehad's daughters ask that they might inherit their father's portion just as if they had been sons. To die childless in ancient Israel was a terrible thing. It is through the children that the clan, the family, and the individual live on. Should their father be treated as a person without children just because he had only daughters and no sons? They are concerned that their father's name will disappear from the family network.

But more than their personal interest in the family name is at stake here. They are also expressing their place in the community, the clan of Manasseh. The importance of the lineage is shown in Numbers 27:1. *The daughters of Zelophehad, Hephher's son, Gilead's grandson, Machir's great-grandson, and Manasseh's great-great-grandson, belonging to the clan of Manasseh son of Joseph, came forward.*³ Zelophehad's death without sons means that the Manasseh clan would be short-changed in the distribution of land.

Going even deeper, their claim is their faith in the promises of God. The great covenant between God and Abraham not only promised land, but continuing relationship between God and the family. Zelophehad's daughters have every right to express their faith in God's promises. If God's promises are true, then Zelophehad cannot just disappear as if he had never lived.

The sisters' courage in challenging the law is impressive. Given the place of women at the time, it is incredible that the sisters even considered approaching Moses and the entire congregation. What makes this even more astounding is the possible consequences of challenging Moses, who speaks on behalf of God. When Miriam did it, she developed leprosy, a skin disease that ostracized her from the community. When Korah and his companions rebelled, God had them swallowed up by the earth. The sisters are aware of these events. Yet they are willing to risk their lives for a law that they see as unjust, even a law that has been given to Moses by God.

¹ Numbers 27:1-11

² The prayer and parts of the sermon are adapted from Week 5 of "Seeking Justice Together" from *Current*, a curriculum from MennoMedia, [Current - Menno Media](#). Ideas are also adapted from *Gather 'Round Multiage Teacher's Guide*, Summer 2012, MennoMedia, p. 24-27.

³ Numbers 27:1, Common English Bible

Moses asks the Lord and the answer comes from the Lord, “The daughters of Zelophehad are right in what they are saying.” The solution proposed by the daughters of Zelophehad is accepted. And a new law is given that ensures the right of a daughter to inherit.

In Numbers 36 the story of Zelophehad’s daughters continues. Because daughters can inherit the land will stay with the clan. But what if the daughter marries someone from another clan? Then her sons would inherit her land as well as the land of her husband. The land would be lost to the clan of Manasseh and a family from another clan would own land right in the middle of Manasseh. So another new law is declared. The women who inherit land may marry if they please, but it must be into their own clan.

One of the most intriguing aspects of this story is the way the law changes. At first it is simple: land is inherited by the sons of a family. When a situation arises in which there are only daughters and no son, an appeal to fairness is made—and God ordains that the law must be changed. When it is pointed out that marrying outside the clan would work to the disadvantage of the whole clan, God commands that the law be changed again. This story is a reminder that the words and laws of those in power, even if the words are presumed to be from God, can still be challenged, and in fact, should be, if those laws are unjust.

I cannot read this story from Numbers on the 4th of July without thinking about the fact that Indigenous Peoples have long been systematically disenfranchised and dispossessed as a matter of church and, later on, national policy.⁴ Beginning in the mid-fifteenth century, European monarchies promoted the Doctrine of Discovery in order to legitimize the colonization of lands outside of Europe. In a time when there was no separation of church and state and decrees made by the pope carried the force of law, a series of papal decrees granted European kings the right to invade, search out, capture, vanquish, and subdue all Muslims, pagans, and other enemies of Christ; reduce them to perpetual slavery; and appropriate all their lands, possessions, and goods.

In other words, the pope justified enslaving and seizing the land and possessions of anyone who was not a Christian. This set the stage for colonization of distant lands as well as the enslavement of the inhabitants by Europeans. This led to what we refer to as the discovery of America, but, of course, the land was already inhabited when the Europeans arrived.

Over time, the decrees dictating who was able to own land in colonized countries became the basis of international law. Most Western countries incorporated this international law into their national laws and policies as well. In the United States, the Christian Doctrine of Discovery was adopted into U.S. law by the Supreme Court in 1823.

All around the world, the Doctrine of Discovery legitimates resource extraction from ancestral Indigenous lands. Mining, fracking, logging, water theft, plantation agriculture, and other industries take resources from Indigenous communities to benefit those descended from Europeans and colonial or postcolonial nations. In addition, these industries often pollute the lands, water, and bodies of Indigenous Peoples.

The dominant narrative in the United States explains that Indigenous Peoples either sold their lands in a fair bargain or lost their lands because of legal war. But this is not the case. In her book, *The Land Is Not Empty*, recently published by Herald Press, Sarah Augustine introduces herself in this way. *I am one of those brown faces, which is all I can ever claim to be. Like many Indigenous People who dwell in North America, I am the product of a diaspora: the history, language, tradition, and genetics of my people were wrenched from a place and thrown to the wind, divided for all time.*

My mother’s people are originally from southern Colorado, a people twice colonized: first by the Spanish, then by the northern Europeans. Although not one of her relatives can be traced to a border crossing, her childhood was marked by white locals telling her to “go back to Mexico.”

My father was raised in a Catholic boys’ home. Segregated orphanages like the Catholic charity where he grew up were common in the 1940s, as was the practice of removing Native Americans from their homes and relocating them to cities.

⁴ Information that follows is drawn from Sarah Augustine. *The Land is Not Empty: Following Jesus in Dismantling the Doctrine of Discovery* (Kindle Locations 241-708). Herald Press.

Both of my parents grew up on the margins of society, neither with parents. When I asked my mother where I came from, she would say, "The Planet Earth. Your father and I are like Adam and Eve." No history. No extended family. No identity.

Early in her book, Sarah describes the history of the Yakama people in the state of Washington where she and her husband, Dan, have settled. In fact, Sarah admits that even though she is Indigenous, she is also a settler.

This what Sarah writes: When the Yakama chief signed the treaty in 1855 that defines life for the Yakama people to this day, it was with an understanding that the reservation would be put aside for the exclusive use of the Yakama people. But the man who brokered and signed the treaty immediately advertised the land to homesteaders. He knew the treaty would not become federal law until four years later when it was ratified by the U.S. Congress and President. Any homestead possessed by settlers before then would be excluded from the treaty and defended by the U.S. Army. Thus, thousands of farmers flooded to the valley that was already graded by surveyors as prime agricultural land. Among them were Dan's great-grandparents. They were simple people seeking a better life: freedom from poverty, homelessness, and religious persecution.

When Dan's kin, along with what appeared to be an invasion of settlers, took possession of Yakama lands, cattle, sheep, horses, fisheries, timber, and waterways, the Yakama chief and a band of followers made a desperate attempt to defend their people in what is now called the Yakima War of 1855. This act of desperation established the Fort Simcoe garrison and the territory's justification for invoking the full force of the United States military.

By 1860, the "Indian rebellion" was quelled, and the U.S. Army handed Fort Simcoe over to the Bureau of Indian Affairs (BIA), the federal agency created to be the administrator of all Native American assets. This federal agency still exists today. It was created to "civilize" Native American tribes and manage their financial affairs. The first agent in Washington established the Yakama boarding school at Fort Simcoe.

After the defeat of the Yakama Nation, Native children of school age were forcibly removed from the custody of their parents and enrolled in this school. My [Sarah's] friend Justin recounted the horrible decision his great-grandparents and grandparents had to make: if they would not relinquish custody of their children, the BIA threatened to strip them of their land. Many Native children died in custody from diseases their immune systems had never encountered before, and many others experienced corporal punishment and forced labor. These children were punished for speaking their own language and denied the right to visit their parents.

I'll return to Sarah's story in a moment. Recent news from Canada adds insight into life in residential schools.⁵ Just last month, 751 unmarked graves were discovered at the site of a former school in Saskatchewan. This came a few weeks after the remains of 215 children were found at a similar school in British Columbia. These schools were two of more than 130 compulsory boarding schools funded by the Canadian government and run by religious authorities during the 19th and 20th Centuries with the aim of assimilating indigenous youth. An estimated 6,000 children died while attending these schools, due in large part to the squalid health conditions inside. Students were often housed in poorly built, poorly heated, and unsanitary facilities. Physical and sexual abuse at the hands of school authorities led others to run away.

Mennonite ministries to Native Americans began in 1880 in Oklahoma and expanded to Kansas, Arizona, and Montana.⁶ This included mission stations, hospitals, churches, day schools, and boarding schools. Most Mennonite work has included a concern for the educational, medical, and economic areas of life as well as the spiritual. Churches and individuals were involved in advocacy, foster and adoptive care, and participation in education, medical, social work, and administration for Indian peoples. It's highly likely that the work included abuse as well.

Returning to Sarah Augustine's story. *The final chapter in the repossession of Yakama lands occurred in 1887, when the Allotment Act was established as federal law. This federal policy remanded ownership of tribal land from collective to individual allotments, which were then "granted" to individual tribal members.*

⁵ <https://www.bbc.com/news/world-us-canada-57592243>

⁶ https://gameo.org/index.php?title=Indian_Ministries,_North_America

Under this policy, the tribe lost great swaths of land, as individuals were pushed from under the canopy of collective ownership into the free market economy. Upon the deaths of original allottees, the federal government claimed possession of all lands where there were no proven heirs. Descendants were required to prove their relationship to their parents, and since the law recognized only family relationships determined by official record, often church record, Native Americans who were not Christianized were often dispossessed of their homes.

Many others lost allotments by way of trickery. Since many tribal members could not read or write, they signed documents signing ownership of their lands over to swindlers. My [Sarah's] friend Herman recounted that his grandmother lost her allotment when she signed an X on an agreement with the grocer, an agreement she believed was an IOU for twenty dollars.

The primary purpose of the Allotment Act was to remove Indigenous Peoples from their lands. But it was presented by decision-makers as a kindness, a remedy for Peoples too "backward" to choose to assimilate into the dominant culture. Decision-makers argued that it was in the best interest of Indigenous Peoples to be separated from each other, to learn conventional agriculture, to compete with each other.

Placing Indigenous Peoples on reservations was not enough to break them. As long as they were together, they persisted in practicing their cultures, their traditional lifeways, and their spiritualities. The Allotment Act was overtly construed as a means of dividing sovereign peoples for their own good. In actuality, it stole 90 million acres guaranteed to Indigenous Peoples by treaty.

Stories similar to that of the Yakama people occurred all over the US.

I tell you the stories of Zelophehad's daughters, the Doctrine of Discovery, boarding schools, treaties, and allotment acts as a loyal American citizen, a lifelong Anabaptist Mennonite Christian, and a farmer's daughter. The land I grew up on and will someday inherit has been in the family for four generations. But sometime before it was inhabited by the Litwiller family it was inhabited by members of the Illinois tribe.

I wonder how I would respond to the descendants of the original inhabitants if they came to me and said, "We are the daughters of the Illinois tribe. You say that you received this land fairly according to the law. But we disagree. The way the land came into your family's possession was not fair. We know what the law says. But please include us."

When I inherit the land, I plan to do something that will in some small way make reparations for my family's part in the unfairness, dishonesty, and oppression that occurred before we lived there. My ancestors were hard-working and honest. They have been good stewards of the land in their possession. They did not seize the land from the original inhabitants, but they did benefit from it. I have benefited from it my entire life.

I must acknowledge that there are laws and rules in this country that benefit some, but are not for the good of all. There are current and proposed laws in our nation that serve to oppress certain groups of people. I pray for the courage to open my eyes to injustice and to speak out and act according to God's spirit.

On the day that we celebrate the Declaration of Independence and the birth of our country, I give thanks for the United States of America and for the benefits and freedoms that I enjoy. I support my country. I pray for our leaders, asking God to give them wisdom and compassion, and to make decisions that serve justice and promote freedom for everyone. I feel grief, disappointment, and anger for the ways we have treated some of our citizens, guests, immigrants, and enemies. I seek to have compassion for those who act out in violent ways because they have been excluded and unheard for so long. I pray for the safety of those whose job it is to keep the peace while also praying that they do not abuse their power.

My hope is that we, as a community who chooses to follow the way of Jesus, can talk together and prayerfully discern faithful ways to respond to the people and situations we see around us. We may not all choose the same response. But we can grapple with the questions together.

Today I celebrate our country with my fellow Americans, but my primary allegiance is to Jesus Christ. And so I end with a Christian Pledge of Allegiance. You are welcome to join me if you so choose.

I pledge allegiance to Jesus Christ, and to God's kingdom for which he died – one Spirit-led people the world over, indivisible, with love and justice for all.⁷

⁷ © 2004 June Alliman Yoder and J. Nelson Kraybill.