

DAUGHTERS AND INHERITANCE:
BABYLONIAN BOUNDARY STONE 9 AND NUMBERS 27

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ABSTRACT: A daughter's ability to inherit property is treated differently in various ancient Near Eastern cultures. This paper examines the difference between land inheritance by daughters in Israel and Babylon using the text of Numbers 27 and Babylonian Boundary Stone 9. The unique status of land and land allotment in the two societies are explored as well as the implications for the status of daughters. The conclusion from the comparison is that the biblical text excludes daughters because of limited landholdings and the desire to maintain the property inheritance from the initial land allotment event. However, Babylonian Boundary Stone 9 allows daughters to inherit more easily because of fluid landholdings and multiple (royal) land allotment events.

KEYWORDS: Babylonian Boundary Stone, Numbers 27, Inheritance, Daughters, Land

Introduction

And any daughter who comes into possession of an inheritance from any tribe of the sons of Israel will be a wife to one of the family of the tribe of her father, so that each of the sons of Israel may possess the inheritance of his fathers. (Num 36:8)

Daughters inheriting land was a question that all the ancient Near Eastern agricultural societies had to deal with. Examining the inheritance rights of daughters in Babylonian Boundary Stone 9 (BBSt 9) and the story of the daughters of Zelophehad in Numbers 27:1–11, I intend to show a fundamental difference between Israelite and Babylonian inheritance practices. Namely, Babylonian practice was much less restrictive in regard to daughters receiving property and this freedom stems from origins of land allocation and the ability for the expansion of landholdings.

To show these differences, each text will be described on its own and then three aspects of inheritance will be compared between them. First, the role of the father will be examined (e.g., alive or dead, landowner, or creator of a written will). Building

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upon this, the ability of the father to decide property inheritance will be examined within each text as well as related texts that inform their respective cultural backgrounds. Finally, the meaning of inheritance and its effect on the sale and transference of property will be compared.

Numbers 27:1–7

In Numbers 27, the daughters of Zelophehad stand before Moses, Eleazar, and the assembly of Israel to ask about their ability to inherit land in Israel. Their argument is that their father died in the wilderness for his sins but not for Korah's rebellion, therefore his family should have an inheritance in the land. The problem is that Zelophehad died with five daughters and no sons. Moses brings the issue before the Lord and the divine response is, "the daughters of Zelophehad are speaking what is right. You will surely give to them a possession of inheritance among their father's brothers and transfer their father's inheritance to them" (Num 27:7).

Unlike inscriptions which are found *in situ*, the dating of Numbers 27 is unclear. Traditional ascription to Moses would place the whole of the Pentateuch somewhere between 1446 and 1200 BCE (Dever, 2001: 99). More critical scholarship attributes this text to the Priestly source with a date of the sixth century or later (Ilan, 2000: 176; Budd, 1984: 299). In any case, most scholars agree that this passage is later than most of the Pentateuch. The text is placed within the narrative of land division near the end of the exodus. The narrative also assumes that at least some of the laws have been given. The daughters are making an appeal within the framework of inheritance laws for Israel within the land of Canaan (specifically the reference to Korah's rebellion and the loss of inheritance). At a minimum, some inheritance laws must have been given prior to the daughters' arguments and, given the narrative setting and scholarly view of this as a late text, most likely all the inheritance laws have been written prior to this pericope.

The daughters argue that their lack of inheritance will result in their father's name being cut off. In other words, a family name exists so long as it is attached to property (Milgrom, 1990: 231). The father's house was the smallest social unit and one of the most important identifiers in Israel and the plea of the daughters in this passage shows its importance (Bendor, 1996; Ben-Barak, 2006: 4n2). Maintaining the father's house and the correlation between family name and property leads directly to the command in Numbers 36 for daughters to marry within the clan. Daughters can inherit property, but they are, in some ways, a conduit for the family name to pass the inheritance to the grandsons rather than being the owners of the inherited property themselves (Milgrom, 1990: 482).

The terminology interchange in the daughters' plea to Moses is significant. The daughters ask for a possession (אֲחֻזָּה) in the land (27:4) and Yahweh tells Moses to

give them a possession of inheritance (אחוזת נחלה) among the brothers of their father (27:7). The explicit mention of inheritance identifies the daughters' dilemma that their father's name will be cut off. They are not seeking a possession for themselves but land that will be passed through their lineage. This event appears to be the first consideration of daughters as inheritors of familial property and the new legal precedent leads to a declaration of the order of relatives for passing inheritance in verses 8–11.

Babylonian Boundary Stone 9

The BBSt number used throughout this paper follows King (1912). However, King also refers to the British museum archive number, BM 90835. It is also listed in Seidl (1989: 44) as 74. The column numbering follows Paulus. In King's publication the first line is listed at "top of stone." However, Paulus considers this column I and so King's first column is column II for Paulus. The latter seems more logical and so the column numbering by Paulus (2014b: 552n35) is the system followed in this paper.

The property being transferred in the BBSt 9 inscription is near the Mingatu river in the province of Tulijaš. The stone itself was found in the nearby town of Sippar (Paulus, 2014b: 552) in Room 50 of the Shamash Temple with two other boundary stones (BBSt 4 and 6) during the 1882 expedition by Abd-al-Ahad Thoma (Reade, 1987: 48).

BBSt 9 is a series of legal disputes between two families which took place over three generations (Slanski, 2000: 101). Recording multiple transactions on a single stone was quite common at this time. Earlier stones typically recorded royal land grants and recorded a single grant. However, in the Neo-Babylonian period they frequently recorded private transactions and using a single stone for multiple documents was most likely a way to mitigate the expense for families recording their private legal documents (Paulus, 2017: 242).

The timeframe of the legal transactions described in BBSt 9 spans from the second year of Ninurta-kudurri-ušur I to the 25th year of Nabû-mukîn-apli (about 987–943 BCE) (Paulus, 2014b: 548). However, even with this internal chronology, the history of the stone is challenging. The figures engraved on the face of it have traces of being reworked. Specifically, the image of the king was changed to have a higher headdress and the figure of the woman has traces of a beard and a belt which indicates it was originally a male figure (Paulus, 2014a: 619; Brinkman, 2006: 31; Seidl, 1989: 95). In addition, though labels are given for each of the three figures, the king, Nabû-mukîn-apli, and the man, Arad-Sebetti, are key figures in the text of the stone but the woman, In-[ax]-šeri, is not mentioned. So, the reliefs picture one person who does not appear to be involved in the transactions and another person who is giving

rather than receiving the property (Slanski, 2003: 136–42). With these observations, a final date around 943 BCE (the final legal action described in the text) is possible, but parts of the text are likely older and some parts may have been added significantly later.

The first section of the boundary stone is about restitution paid for the killing of a slave. The second section, which is the focus of this paper, deals with a marriage between the two families and a piece of land given to the daughter in the marriage (Brinkman, 1968: 248–51; Paulus, 2014a: 152). Within this second section, Arad-Sebetti married his daughter, AN.KA.SIG₅.ŠAR.BE, to Burruša's son and provided her with an estate of 90 *sūtu* of land which was witnessed by Arad-Sebetti's brothers. *sūtu* is a measurement of grain from the field. Babylonian documents frequently measure fields by grain produced as well as the measure of the borders (Brinkman et al., 1984). BBSt 9 states:

90 *sūtu* “seed(area),” (in which) 1 *ikū* the big cubit (corresponds to) 3 *sūtu* . . . which in the fifth year of Nabû-mukīn-apli, the king, Arad-Sebetti, the son of Abī-Rattaš, at the request of his brothers, Kaššaja, his eldest son, Larak-zēra-ib[ni], Kaššu-nādin-aḫḫē, Ninurta-apla-iddina, Ekallāja, Uzibja, Zēra-ibni, sons of Abī-Rattaš, a sealed document issued and together with the dowry and the bridal gift to AN.KA.SIG₅.ŠAR.BE his daughter, the wife of Šamaš-nādin-šumi, the son of Burruša, the bow maker. (BBSt 9 II.1, 9b–17; Paulus 2014a)

The text continues with an affirmation of this gift by the brother of AN.KA.SIG₅.ŠAR.BE (the daughter/bride) who is confirming the permanence of the inheritance upon his death (perhaps this section is part of his will). It is then protected by a series of curses to anyone who tries to destroy or challenge the account.

Afterwards in the 25th year of Nabû-mukīn-apli, the king, Mār-bīti-šuma-ibni, the son of Arad-Sebetti, the son of Abī-Rattaš, (said) thus: “The land which Arad-Sebetti, my father, issued a sealed document and gave it to his daughter: I will die, then at the request of my brothers, Šāpiku, Nābuti, Aḫḫe-šullim, Illatāja, and Išnu[kū], I will issue a sealed document and give it to my sister.” He came back to it and Mār-bīti-šuma-ibni issued a sealed document in the presence of his brothers cursed the land with an oath to AN.KA.SIG₅.ŠAR.BE, the wife of Šamaš-nādin-šumi and daughter-in-law of Burruša, the son of Aplūtu, the bow maker, given for future days (forever). Whenever in later days one of the brothers, sons, family, relatives and kin of the house of Abī-Rattaš, or anyone else who is related to the house of Abī-Rattaš [will rise up and] thus (will say): “Arad-Sebetti did not give 90 *sūtu* “seed(area),” from the house of Abī-Rattaš with a sealed document to AN.KA.SIG₅.ŠAR.BE, [his daughter], the daughter-in-law of Burruša, the bow maker,” and “Mār-bīti-šuma-ibni] did not issue a sealed document

and give it to his sister, the wife of [Šamaš-nādin-šumi], the son of Burruša, the bow maker,” then should, [Enlil], and Ea, the great gods of heaven and earth, curse him with an evil [curse] that cannot be loosened! (BBSt 9 II.18–39)

The field was given to AN.KA.SIG₅.ŠAR.BE by her father, Arad-Sebetti, and witnessed by his brothers. Then twenty years later, her brother, Mār-bīti-šuma-ibni, re-confirms this inheritance of the land given to his sister which is again witnessed by their brothers. It is unclear why her brother is reaffirming the land ownership of his sister. Brinkman questioned whether the initial property transfer was temporary or perhaps held in common with the brothers until her brother presented it to her in perpetuity (Brinkman, 2006: 14n45). However, as noted by Brinkman, this would be a singular exception to the rule that land grants in the boundary stones are permanent and the property, income, and tax exemptions are considered heritable (Brinkman, 2006: 13–14). Besides being a unique instance of a temporary land grant, the text itself claims that it was given with a sealed document (*kanāku*) by the father in II.15 and subsequently by her brother in II.20–24 who states, “The land which Arad-Sebetti, my father, *issued a sealed document* and gave it to his daughter . . . I *will issue a sealed document* and give it to my sister” (von Soden, 1965: 434–35; Civil, et al., 1971a: 136–42). It is unclear why her brother would use the same language if the father’s gift was temporary but his was permanent (Civil, et al., 1971b: 166–67; Gelb, et al., 1958: 404).

Legal documents at Nuzi, ca. 1500–1350 BCE, indicate that in certain circumstances brothers affirmed property willed to their sister by their father (Maidman, 2010: 4, 176–78; Paradise, 1980: 200). In these texts the brother affirms the gift and assumes the responsibility of *ilku* (a type of royal service) and clearing any debts or obligations associated with the land (Paradise, 1980: 200–01; Postgate, 1971). Though *ilku* obligation is not mentioned in BBSt 9, several debt payments are listed (III.33–IV.23) and animals are given to the “keeper of the horses” (IV.1–15), which could be part of the obligations to the governor by land owners that the brother is assuming (Paulus, 2017: 234). However, the text is fragmentary in these payment passages, so it is not entirely clear whether all the payments are for the property given to the daughter or part of a different transaction.

Though the comparison between the Nuzi texts and BBSt 9 is inconclusive, a few points about the inheritance in BBSt 9 can be made. First, both the father and the brother gave the same property to AN.KA.SIG₅.ŠAR.BE and used the same language for the transaction. Therefore, both should be viewed as permanent ownership rights given with a legal seal. Second, the text claims that the land is given to the daughter and does not mention co-ownership with or transference to the husband (this will be discussed in more detail below). Third, the list of debts being paid to creditors

and government officials immediately following the curses for anyone attempting to bring a legal dispute against the property hints at a similar situation to the brother taking on the obligations of land ownership at Nuzi, though the damaged nature of the text in BBSt 9 does not allow for a definitive conclusion on these payments.

Comparison

From the examination of the texts on their own, three aspects of the legal proceedings can be compared. First, the state of the father. Second, the ability of fathers to transfer inheritable property. Third, the broader cultural views on land inheritance and the affect of this upon the sale and transference of property.

Inheritance and the Father

The first point of comparison between the texts is the place of the father in the inheritance dispute. The daughters of Zelophehad are requesting an inheritance of land after their father's death. More precisely, they are requesting land that their father did not own but which was promised to be divided among the families after it was conquered. The dispute over inheritance takes place after the father has died with no male heirs, which would potentially exclude his family from the land division.

Property received as a gift from father to daughter is attested in the Old Testament. First Kings 9:16 has Pharaoh giving his daughter the city of Gezer when she marries Solomon, and Job 42:15 has Job giving his daughters land along with his sons. However, one of these is Egyptian and the other lives in the land of Uz and was described as a man of the east (Job 1:1, 3). Though some claim that Job was an Israelite hero, nothing in the text explicitly places the story within Israelite occupation of the land (though undoubtedly an Israelite authored or redacted it; Ben-Barak, 2006: 90–2). Some have argued that Job does not follow standard Israelite practice because he is in Edom (Gray, 2010: 35–36; Clines, 1989; Alden, 1993: 29–31; Seow, 2013: 46–47) while others claim it is because he predates the priestly law (Hartley, 1988: 542). The comparison in this paper is focused upon property inheritance by Israelites (specifically in the land of Israel) and Babylonian boundary stones. Neither of these biblical texts shed light specifically on Israelite land inheritance.

In BBSt 9, the daughter of Arad-Sebetti is receiving property while her father is still alive. Her father currently owns the property and is transferring it to her at the time of her marriage. It is important to note that the property is not being transferred to the daughter as a dowry but in addition to the dowry (*ik-nu-uk-ma it-ti mu-lu-gi ù nu-dun-né-e* “issued a sealed document together with the dowry and the bridal gift” II.15–16) (Paulus, 2014b: 553). The term used is *mulūgu*, which has overlap with the term for dowry, *nudunnū*, but is not identical to it (Roth, 1989: 7–9). One important

difference is that a dowry is repaid in some form at the dissolution of a marriage but a *mulūgu* is not a fungible item like a dowry so it must be kept intact (Westbrook, 1994: 274). In other words, if land was given as a dowry, the husband could pay an ex-wife or her family the equivalent value in some other form to retain the property. However, if the land is given as *mulūgu* then that particular property must be returned and cannot be substituted with money or a different property (Westbrook, 1994: 281; contra Levine, 1968: 277–78). In addition, the wife maintains ownership over this type of property and is involved in the sale or lease of the land during the marriage, unlike the dowry which becomes part of the husband's estate (Westbrook, 1994: 281; Paulus, 2014a: 122, 536).

This interpretation of *mulūgu* in BBSt 9 is bolstered by the other Babylonian boundary stone that mentions the inheritance of property by a daughter, Caillou Michaux. In this text, the daughter is given land as part of the dowry and issues protections against claims by both sides of the family. By contrast, in BBSt 9, the property is a *mulūgu* gift *in addition* to the dowry and only protections from her family's claims are given. This would appear to indicate that the property is still considered the daughter's family inheritance in BBSt 9 (and only her family could make a claim to it) while property given in the dowry of Caillou Michaux is either held jointly or brought into the husband's estate (and both sides of the family could make a claim to it).

The father being dead during the claim of the daughters of Zelophehad and alive during the provision of property to AN.KA.SIG₅.ŠAR.BE might appear significant. However, inheritance given before the death of the father, including dowries, can be viewed as advanced payment of the inheritance that would be divided upon the father's death (Skaist, 1975: 243; Ben-Barak, 2006: 6–8). In fact, the laws of Hammurabi appear to view the dowry as equivalent to an inheritance at death by claiming, "If a father has bestowed a dowry on his daughter... given her to a husband and written a sealed tablet for her, after the father goes to fate, she shall at the division not take out of the property of the paternal estate" (Driver and Miles, 1955: 73–75, §183–84; Baker, 1992: 161–67). So the distinction between inheritance at the time of marriage and inheritance upon the death of the father might have been more ambiguous or even nonexistent in the ancient Near East. In fact, the concern with relatives attempting to claim the property in the Numbers passage and BBSt 9 points to a similarity between these two inheritances. To make this relationship even clearer, the continuation of the daughters of Zelophehad story in Numbers 36 instructs the daughters to marry within their family to protect their claim from relatives within the tribe. The inheritance affirmation by Mār-bīti-šuma-ibni confirms this same concern by stating if any one among the brothers, sons, family, relatives, or household of her family claims that the land was not given, they will be cursed by the gods (II.18–39).

The Giver of the Inheritance

If inheritable land can be given before or after the father's death, then the significant element in these texts is not life or death of the father but to whom he is allowed to give a property inheritance. In other words, does the father give inheritance to his children as he sees fit, or is he required to distribute the inheritance to only male children?

In the Numbers passage, the daughters did not receive any inheritance from their father. They appealed not to their family or tribal head but to Moses, the head of all the tribes. However, Moses himself deferred to Yahweh (the land allotments were also done by lots as instructed by God; Num 34). The divine decree that the daughters should receive an inheritance then leads to further instructions on inheritance order through familial relationship in verses 8–11 (son, daughter, brothers, uncles, nearest relative).

The order of people to receive property attempts to address potential inheritance issues so that even a person with no living immediate family member passes the inheritance to the nearest relative (though how the nearness of the relationship should be calculated is not stated). This order of family inheritance is even affirmed as a divine ordinance in verse 11. So, the one who decides which person can receive an inheritance is not the father who owns the property nor Moses or some other community leader, but God's divine decree. The supremacy of this divinely decreed inheritance law is also displayed in the command that a husband who hates one of his wives cannot deny the inheritance rights of her son if he is the firstborn (Deut 21:15–17). Unlike other ancient Near Eastern laws, the father cannot adopt another son as the firstborn or redistribute the property as he sees fit (Paradise, 1980; Ben-Barak, 2006: 66–67). The Bible contains early accounts where the younger son is chosen as the firstborn over the biological firstborn: Jacob and Esau (Gen 27), Ephraim and Manasseh (Gen 48), and Solomon and Adonijah (1 Kgs 1). The last of these, according to traditional chronology, occurs after the Torah was given and so it appears to break this law of inheritance while the others are pre-Conquest narratives.

In BBSt 9, both the father and brother give the land to AN.KA.SIG₅.ŠAR.BE. Neither of them appeals to any outside authority or laws, whether from a human ruler or a deity. This reflects the practices of land ownership and division in the transition from the Isin II period to the neo-Babylonian period (Paulus, 2017: 238–42). Though daughters typically did not inherit their father's estate, documents recording fathers leaving part or all of their estate to daughters have been found from at least the Kassite kingdom (Ben-Barak, 2006: 120–22; Baker, 1992: 161–67). However unusual it was for daughters to inherit land, the documented will of the father was followed (Civil, 1965: 1–8; Edzard, 1997: 36, Statue B vii.44–6; Meek, 1969: 220; Para-

dise, 1980: 189–207; Driver and Miles, 1952, 335–41; Ben-Barak, 2006: 183–85). One technique for establishing heirs, especially common in Nuzi, was adoption. Many texts record the adoption of a son-in-law as a son, a more distant relative as a son, or even a daughter as a son in order to make them a legitimate heir with full rights to the property (Paradise, 1972: 175; Westbrook and Wells, 2009: 103). In this way, the father provides extra protection against rival claims to the estate by willing the property to their chosen heir and adopting them to make the chosen successor as clear and legitimate as a firstborn son would be.

BBSt 9, then, points to a very different situation from the Numbers text. Fathers can provide inheritable property to daughters, even if they have sons. Conversely, the passing of land inheritance in Israel was delineated by Yahweh, through Moses, in Numbers 27:8. The daughters could inherit the land only if there were no sons. The restrictiveness of this text is reinforced in Deuteronomy 21:15–17, where the father is not allowed to disrupt the birth order when dividing his inheritance (de Vaux, 1961: 53–55; Pedersen, 1991: 89–96). Unlike BBSt 9, the daughters of Zelophehad could not inherit the property of their father if they had a brother. Even if their father wrote a will dividing up his land between his sons and daughters, the precedent established in Numbers would command that the inheritance be given only to the son.

Sale and Inheritance

The differing restrictions for who can receive inheritable property raise questions about the nature of inheritable property and further restrictions on the sale of inherited property. The daughters of Zelophehad receive more than they ask for in Numbers 27. They ask for a possession (אֶחָזָה Num 27:4) and are granted a possession of inheritance (אֶחָזָה נַחֲלָה Num 27:7; Levine, 1993: 134–39). The added term indicates that this property is more than just an estate owned by the family, it is an inheritance passed down through the generations. The significance of the direct line of descent indicated by this term is shown in the further restriction for daughters inheriting property to marry within their family (Num 36; see also Westbrook, 1991).

A unique aspect of Israelite land inheritance is that, within the Pentateuchal tradition, all land allotments were to be given during Joshua's conquest and subsequently passed down unchanged (Ben-Barak, 2006: 19). The observation of Jubilee years was intended to put the land back into the family who received it in the conquest (Lev 25). Outside of cities, which had a one-year redemption time limit, land ownership was a closed system. Available land for Israelites to inherit would not increase (outside of a conquest of foreign lands) so the property must be kept in one family from the conquest onward. In this ideal system, one family could not purchase all the land in one area and divide it among their descendants as an inheritance, unlike wealthy families in other places in the ancient Near East. According to the biblical text, prop-

erty inheritance had a defined origin, the conquest, and system to maintain property ownership exactly as it was in the original allotment (Isa 5:8; Jer 22:17; Ezek 8:17; 46:18; Amos 2:7; 8:4; Hosea 5:10; Micah 2:2; 6:12; cf. North, 1994).

Conversely, Babylonia has a mixture of laws regarding inheritance and property sale. Many of these developed over time and vary by location. BBSt 9 is from the Isin II period just after the fall of the Kassite kingdom and at the beginning of the neo-Babylonian empire (Seidl, 1989: 86–88). The fall of the Kassites and start of the neo-Babylonian period makes the concept of inheritance more complicated than the biblical portrayal of the Israelite conquest. Though numerous texts delineate who can inherit property, the origin of a family's land possession varies. Examining the boundary stone inscriptions, most property was gifted to individuals or families by the king during the Kassite period (70% of boundary stone inscriptions are royal donations) (Paulus, 2017: 234). These property gifts were typically entire towns, often multiple towns, and the beneficiaries profited from the agricultural production of the townspeople living and working their land (Lafont, 1998: 575–77; Sommerfeld, 1995: 467–90). During this period, the land given by the king came with restrictions on its sale or presentation as a gift to another person (Hill, 1988: 401).

However, by the time of BBSt 9, the stones typically record private sales. Instead of whole cities, they record the sales of individual plots or sections of plots owned by a family (Renger, 1995: 307–09). Also, the restrictions on land previously donated by kings no longer seems to be a factor (in part because the Kassite kingdom was overthrown by this time) (Renger, 1995: 309).

This demonstrates an obvious difference between inheritance in BBSt 9 and Numbers. The land distribution in Babylonia does not stem from a single event like the conquest in Israel. The property in the boundary stone could be a royal inheritance given to the family for service to the king or it could have been purchased from another family or individual. The date of BBSt 9 is also important because it could have been given to the family under a different political regime (Kassite period) and so the laws surrounding the property may have changed even though the same family still maintained the inheritance. Unfortunately, BBSt 9 does not indicate the origin of the property of the family of Abī-Rattaš. However, they are not under restrictions about who can inherit it because they make no appeal to a higher authority and the nature of their proclamations as legally binding is upheld by the family and the governing authorities who attest to it (Paradise, 1972: 335; Westbrook and Wells, 2009: 103).

In this way, the Babylonian inheritance system is not limited like the Israelite system. Land can be sold permanently and given as gifts or inheritances to whom-ever the owner wills (Levine, 1996: 241). Property ownership did not point back to a single ideal point in time when all the land of the kingdom was apportioned. In this

setting, the gift to AN.KA.SIG₅.ŠAR.BE is not as radical as it was for the daughters of Zelophehad. The family estate could grow or shrink and so presenting part of it to a daughter does not necessarily deprive the sons of their inheritance. Unlike the Israelite model, the family of Abi-Rattaš could obtain more property and increase the amount of land included in the inheritance without the land reverting back to the previous owners (Wells, 2016: 1167; Westbrook and Wells, 2009: 101–04).

Conclusion

The inheritance of land by daughters is a complicated issue in the ancient Near East. Embedded in the question of whether daughters can be heirs is the notion of property ownership. Mesopotamian and Israelite relationships with the land are quite different. The length of time the people live on the land and the changes in the regional power play important roles in how they view ownership. For Israel, the land was (divinely) allocated in a single event. It was then managed through predetermined restrictions for the sale, inheritance, and management of the land. Conversely, the ownership of land in Mesopotamia had a long history and much of it was owned by royals or wealthy families. In this system, land can be bought, sold, and inherited at the will of the owner and the consent of the king if the land was initially given by the king. There was no ideal land distribution event that must be maintained like there was in Israel.

However, the familial structures in Israel and Babylonia are quite similar. The importance of maintaining the father's household is shared between them and attempts are made to prevent people outside of the family from sharing the inheritance. Land ownership and family name are closely linked even though the familial land holdings are less rigidly defined in the Babylonian system.

Both texts affirm that daughters can inherit property. However, Numbers clearly defines the daughter as being an heir only when there are no sons, and her children are then to take her family's name rather than her husband's name. Conversely, BBSt 9 shows that land can be inherited by a daughter if her father wills it without stipulations. The father had sons, and nothing is mentioned about her children maintaining her family name. Therefore the difference between daughters inheriting land in BBSt 9 and Numbers 27 can be attributed to the origin of land ownership (a single allocation event versus a lengthy and complex occupation) and the necessity of maintaining property rights within well-defined national boundaries versus a potentially expanding and centralizing kingdom.

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