

The Going

Leon Wiener Dow

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A Meditation on Jewish Law

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*With unending appreciation and boundless love—
To those who tread before me, Mom and Dad;
she who walks beside me, Bruria;
and those who will continue along the way, Yael, Shiraz, Yifat, Yiska, and
Evyatar*

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This work began during a remarkable year that I spent at Berkeley Law as a postdoctoral fellow of the Berkeley Institute for Jewish Law and Israel Studies, and the Robbins Collection for Religious and Civil Law. The respite from my teaching duties in Israel allowed me to embark upon this project, one of a markedly different tenor from what I had done until then—and from what my colleagues at the Institute were doing. The support I received was unflagging, and the community of visiting scholars among whom I found myself was stimulating and nurturing. My heartfelt thanks to Daniella Beinisch, former Director of the Institute, and to Laurent Mayali, Director of the Robbins Collection. A special thanks to Kenneth Bamberger, Faculty Director of the Institute, for making the year possible, and, once a reality, for going well beyond what I could reasonably expect a colleague and friend to do.

My work on the project continued once I had returned to Jerusalem and found my new-old home at the Shalom Hartman Institute, where I serve as a research fellow. I am blessed at the Institute with colleagues who understand the exigency of allowing the voice of Torah to issue forth “today.” A special thanks to President of the Institute, Donniel Hartman, for the remarkable ability to keep his line of vision raised to the horizon without, even momentarily, losing sight of the details on the ground.

Once I had a manuscript in hand, I trusted it to my dear friends and colleagues, Leon Morris and Benjamin Pollock. They were as readers as they are as people: generous and kind, insightful and probing, thoroughgoing and deep. I am profoundly grateful to them for their time, wisdom, and friendship.

Also at that early stage—and at every subsequent step along the way—I shared it with my beloved brother, Mark Dow. Mark’s understanding of what I was after—and how I might get there, given both the limits and the potentialities of words, spoken and written—was astounding. He pored over the manuscript, keeping one keen, editorial, creative eye focused on the words, while the other glanced steadfastly at me. It is a manifest gift to have a kindred soul in one’s life; it is arresting to have that person be my brother, whose steadfast support and love have been so significant for me, over the course of so many years.

My wise and devoted brother David Dow provided, along with Mark, key insights at critical junctions along the way of turning this from a manuscript into a book.

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When the time came to find a publisher, I was not sanguine, given the unorthodox, hybrid nature of this work. I cannot imagine a more fortuitous event than to have found Phil Getz of Palgrave Macmillan, the book’s editor. He understood the deeper aspiration of the project while remaining attentive to the possibilities and realities of the publication process. One of Phil’s characteristically wise moves was to send it out for review to Ariel Evan Mayse, who—once the book had been accepted—renounced anonymity and generously offered me his time and wisdom to help improve the work. Ariel’s fusion of rigorous scholarship and insistence upon the existential relevance of the material proved to be a perfect match, enabling an appreciative critique of the manuscript. Amy Invernizzi, Assistant Editor at Palgrave, provided crucial and responsive editorial help along the way.

And finally, there are those whose constancy in my life places them on every page of this book.

My *hevruta*, Joel Levy, is the person with whom I learned the vast majority of the texts herein. His wisdom, his voice, his laughter, his incisive critique: they are inseparable from my own learning, present for me even in his absence.

My parents, Melvin Dow and Frieda Katz Dow, have always been an unwavering source of love and support. They not only allowed me to tread my path, even when it diverged from theirs; they abetted me along my way, valuing it and trusting me. That was and remains not only a supreme source of nourishment for me, but also my highest aspiration as a parent. My parents-in-law, Menachem and Miriam Wiener, are my parents *in sito*, offering caring, affection, and unflagging support.

Bruria, my partner on this journey, is my supreme teacher in every crevice of my life. Aramaic for wife is דביתו [*de-veito*], “of his home,” an ancient-world, gendered rendering of what a wife is. Bruria manages to invigorate this term with new possibility, establishing a home in the deepest sense of the word: she is a source of containment and placidity; a wellspring of constancy; a safe space to let my guard down and my ideas flow; and my grounding and orientation. With her, I have had the privilege of bringing five beautiful, independent souls into this world, shepherding them along their way. Yael, Shiraz, Yifat, Yiska, and Evyatar are our greatest source of joy and the touchstone of how well we are faring at establishing harmony between the Torah that we talk and the halakha that we live.

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LIST OF ABBREVIATIONS AND NOTE ON TEXTUAL REFERENCES AND TRANSLATIONS

The following abbreviations have been used in notes:

- B.T. = Babylonian Talmud, followed by the name of the tractate and folio.
- J.T. = Jerusalem Talmud, followed by the name of the tractate, chapter, and *halakha*.

References to traditional texts follow conventional format:

- Genesis 1:1 = Genesis Chapter 1, verse 1
- Mishna Berakhot 1:1 = Mishna Tractate Berakhot Chapter 1 Mishna 1

All translations are mine unless otherwise noted.