

THE REALM OF FREE CHOICE OR; HOW CAN FREE CHOICE COEXIST WITH RELIGIOUS NORMS?

by Rabbi Ephraim D. Becker, Ph.D.

A Reader asks:

Dear Rabbi,

This question has been bothering me: First, the law of "building a fence around the Tora". I understand the need for the fence (to help guard Jews against breaking the actual mitzvot of the Tora), but isn't wrong to say that the thicker the fence the better (which religiousness seems to make a given)? I mean you could sit in a chair all day (leaving out for now the mitzvot requiring action), so that G-d forbid you break some law, and that would mean being the best Jew you could be. (This also carrying with it the side effect of complete withdrawal from society). Isn't it the other way around, and a religious person should live with society as much as religion permits it... minimizing the restrictions on to just those that the Torah and Talmud actually decree, as opposed to making as many precautions and restrictions as possible? ...is this really learning not to break the law? Not breaking the law is being confronted with the opportunity of breaking it, and still keeping it, as opposed to hiding from such encounters, and walking around with your eyes on the ground so that you don't G-d forbid, see anything that would make you do wrong. (and don't shrinks always tell you confronting a problem is better than running?)

Dear Reader,

Your question touches on a fundamental issue of the nature of our free choice. The "fences" which the Rabbis have mandated to protect us from breaking actual Torah laws are designed to protect one aspect of ourselves (our soul) from another aspect of ourselves (our primitive drives). In the end, the issue comes back to free choice.

Endless rivers of ink have been spilt in the effort to define human free choice. The answers which have come back range from behavioral, deterministic assumptions which limit one's inherent freedom to choose to those which proclaim a person's absolute personal freedom and which wax eloquent trying to explain away our natural limitations (how free can I be if every choice I make precludes my ability to make any other, often permanently!).

Try this on for size: There are specific behaviors (known as the positive mitzvos) which, if performed, and others (known as the negative mitzvos), if avoided, which allow maximum opportunity for the

exercise of free choice. These actions serve the purpose of creating transcendence (carrying out G-d's Will in the world) and avoiding the creation of compulsivity (associated with indulging in actions contrary to G-d's Will). In essence, the behavioral component of our lives; that which we are commanded to do and to avoid doing, is set up in order to optimize our chances for being able to choose in the cognitive realm of thought, will and intent. If a person were to over-indulge in those areas which he is instructed to restrain himself or were he not to carry out those acts which, by their very performance, create transcendence, he would be unable to choose to serve and love G-d, care about others' needs and feelings, study for its own sake, put tomorrow's goals ahead of today's needs, etc. He would, instead, be shackled by his compulsivity (thus becoming rather predictable in the realm of Divine service); the antithesis of free choice.

If the Rabbis step in to guard these behaviors, they are not so much reducing our freedom to choose as they are, paradoxically, insuring, (under instructions from the Torah to so insure) that free choice will remain intact and available to the person, given the ebb and flow of our daily lives.

Rather than go on about this, I'll send out this offering and look forward to questions which, in turn, lead to further clarification of the matter, with G-d's help.

Wishing you an uplifting Purim!