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ON THE HALAKHIC BASIS FOR WEARING BLACK HATS

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“**B***igdei adam meramzim al midotav shel adam*—A person’s clothing is reflective of his character,” says the *Maharsha*.¹ The clothing that a person wears is highly representative of who he is and can reveal a great deal about who he or she wants to be. Despite the fact that this subject is rarely explored in a serious way, it is a very deep and nuanced issue. Oftentimes the things that seem most superficial can actually reveal deep insights and reflect very significant truths. While there are many values that inform this decision, we will analyze the halakhic reasoning regarding the wearing of a hat by men, as it can serve as an enlightening study of different approaches to Jewish practice, ideologies, and responses to modernity. We will approach this topic by focusing on five issues relevant to this topic, advancing different approaches to each one: *kavod* or honorable attire, distinction from people who are not Jewish, *atifah* or head wrapping, wearing a double covering of one’s head, and the role of customs. While many observant women also wear hats for very different reasons, the focus of this paper is on the wearing of hats by men, though it is hoped that both men and women will be able to find interesting and relevant ideas therein.

REASON 1: *KAVOD*

A fundamental necessity of prayer is maintaining consciousness toward whom one is praying, “*Da lifnei mi atah omed (Berakhot 25b)*.” Maintaining this awareness and *kavanah* during prayer requires much preparation and work. Based on the verse, “Prepare to meet your God, Israel, (Amos 4:12)” the Talmud states that part of preparation for prayer is dressing appropriately (*Shabbat 10a*). For example, the Talmud states that Rava Bar R. Huna would don fine footwear when he prayed. Specifically, the correct demeanor during prayer varies in accordance with local protocol.² Whatever way people of one’s

¹ *Maharsha, Shabbat 77b*.

² *Beit Yosef, Orach Hayim 95:3*.

locale would dress to appear before a king or other such eminent person, is how one should dress during prayer. Along similar lines, the Shulhan Arukh states that we should wear nice clothing for prayer, that is specific and special for prayer.³

Many halakhic sources claim that in addition to simply wearing clean and respectable clothing, the appropriate attire for prayer is specifically a hat and jacket. According to the *Hayei Adam*, one must don a hat in addition to his *kip-pah*, in order to be dressed in the way they dress in public.⁴ The primary intention behind this source for dignified dress during prayer is that a person should not simply wear the casual clothing that they would wear around their house or to sleep, but must get dressed up to some extent in order to address *Hashem*.

According to the Mishnah Berurah the clothing worn for prayer must be even more formal and distinguished than the clothing one normally wears in public, as he states that, “In our times, one must place a hat on his head when he prays, so that he will be dressed in the manner which he is dressed when he goes about in the street. One should not pray merely with the small cap worn underneath the hat, since it is not the practice to stand like that before respected people.”⁵

Despite the reality that hats are not customary in our time, and there is room for leniency in this issue, many contemporary *poskim* do require⁶ or advise⁷ the wearing of a hat, particularly for prayer. The *Arukh haShulhan* claims that regardless of the fact that many of the clothing improvements that must be made for prayer are dependant upon the custom of one’s particular time and place; this does not apply to the covering of one’s head for prayer.⁸ The *Arukh haShulhan* then goes on to say that, “In our countries we do not only pray with our heads covered by a small covering, but with a hat, such as is worn in the street.”⁹ It is hard to say if the *Arukh haShulhan* would still require a hat in a society that generally does not wear hats. Nevertheless, this source is used to argue that the obligation still applies, because of the fact that his statement is prefaced by the claim that this requirement is not dependant on local custom.

Another contention used in favor of maintaining the custom of wearing a hat is to move the definition away from the subjective definition of a particular time and place, to an objective definition. It is the position of some that while dignified dress is no longer a hat, there has been such a decline in the ritualization of respect today that we can no longer use modern standards of *kavod*. Based on this premise some feel that we should not gauge ourselves by modern standards, but must maintain the standards of earlier times, before styles became so casual.

³ Shulhan Arukh, *Orah Hayim* 98:4.

⁴ *Hayei Adam*, *klal* 22:8.

⁵ Mishnah Berurah, *Orah Hayim*, 91:5.

⁶ Responsa *Mishnah Halakhot* 13:133.

⁷ Responsa *Tzitz Eliezer* 13:13; Responsa *Yehave Daat* 4:1.

⁸ *Arukh haShulhan*, *Orah Hayim*, 91:5.

⁹ *Ibid.* 91:6.

Similarly, according to the *Pahad Yitzhak*, the true test of *kavod* to *Hashem* is the way the *kohanim* dressed at the time of their service in the Temple. The *Pahad Yitzhak* argues that due to the fact that the *kohanim* completely wrapped their heads at this time, we see that true Jewish respect is to cover one's head. Consequently, despite the fact that it has become the opposite of common practice, the tradition of head covering as a show of respect must continue.¹⁰

Though the *Pahad Yitzhak* is simply referring to head covering in general, many argue for specifically maintaining the wearing of a hat in our days based on a statement of the *Levush*. The *Levush* rules that since it is considered lightheaded to have an uncovered head in a synagogue, one should thus wear a hat, because it will imbue the individual with fear, humility, and seriousness before *Hashem*.¹¹ A hat is thus seen as having its own intrinsic value, regardless of common practice. Thus, even if it is the practice to greet people of stature without a hat, Jews are nevertheless to wear a hat for unique reasons of modesty, and holiness, rather than reasons of fashion or pragmatics.¹² We are called to maintain particular standards of dress and behavior, despite changes in prevailing customs.

The obvious difficulty for many contemporary Jews is how one ought to dress for prayer in a society that has not only stopped wearing formal hats in the street, but no longer views the wearing of a hat as an indication of formality and respect. Indeed, despite the objection to this change we saw above, some contemporary *poskim* do clarify that the requirement to wear a hat is dependant upon one's personal custom. The recently written *Shaarei Halakhah* thus states that only "one who usually wears a hat when going out should wear one when praying."¹³ Many contemporary Jews have accepted the fact that since we are no longer accustomed to going out, or to meeting honored people while wearing a hat, there is likewise no obligation to wear one for *tefillah*. Rather, it may be argued that one should wear whatever they considered dignified dress, such as a jacket or a tie.¹⁴

Since we may acknowledge that times change, and that to some extent, religious Jews have to change with the times in order to be relevant to the world at large as well as future generations of Jews. Thus, because conceptions of *kavod* have changed, something besides a hat is needed to make a person feel respectful while standing before *Hashem*. Indeed, because our society is not formal, one may argue that such formality is no longer halakhically mandated. In fact,

¹⁰ R' Yitzchak Lampronti, *Pahad Yitzhak*, *Ma'arekhet Gimmel*.

¹¹ *Levush*, *Orah Hayim* 151:6.

¹² *Shulhan Arukh haRav*, *Orah Hayim* 46:2, Mishnah Berurah, *Orah Hayim* 46:9.

¹³ Rabbi Ze'ev Greenwald, *Shaarei Halakha*, (Jerusalem: Feldheim Publishers, 2002), 18.

¹⁴ Aharon Ziegler, *Halachic Positions of Rabbi Joseph B. Soloveitchik*, (New Jersey/Jerusalem: Jason Aronson Inc., 1998), 82.

Rav David Tzvi Hoffman records that when he first went to the school of Rav Samson Raphael Hirsch, Rav Hirsch instructed him not to wear his hat there, because it had become improper to wear one in front of important people in that locale.¹⁵

Though some Jewish communities have maintained the standard of wearing hats, if we are to continue to wear a hat only for purposes of *kavod* in societies where they no longer represent *kavod*, we run the risk of losing the original intent of the custom and developing distorted or empty ritualistic reasons for doing things.

REASON 2: DISTINCTION

Rambam states that one must be separate from the outside world in the way they dress, otherwise transgressing the prohibition of emulating non-Jews (*bukat akum*) if one were to dress similar to them.¹⁶ Indeed, there is a deep human desire to be different and unique in some way, which is intensified by a specifically Jewish yearning to be an “*am levadad yishkon*-a nation that dwells alone (Numbers 23:9).” Many Orthodox Jews are of the opinion that Jews are intended to emphasize, and be proud of their uniqueness in the world. Dressing differently serves to separate the Jew from the non-Jew preventing assimilation, and helping the Jew feel special and unique.

However, many authorities rule that this requirement not to dress like non-Jews is only clothing that is specifically non-Jewish attire, which is either not worn for any specific reason, something that is immodest, or somehow idolatrous, and Jews do only to copy the non-Jews.¹⁷ Furthermore, because most Orthodox men wear *kippot*, that alone may fulfill the requirement to dress differently, though to a different degree.

REASON 3: ATIFAH

Both Rambam¹⁸ and the Shulhan Arukh¹⁹ state that it is “the practice of all Torah scholars and their students is to pray only when they are *atufim*.” The primary fulfillment of “*atifah*” is generally understood to be covering one’s head.²⁰ While the simple translation of *atifah* is simply to cover or wrap one’s

¹⁵ R’ David Tzvi Hoffman, Responsa *Melameid Leho’il*, 56.

¹⁶ Maimonides, *Mishneh Torah, Hilkhhot Avodat Kokhavim*, 11:1.

¹⁷ Responsa *Shut Maharik*, 89; *Rema*, Shulchan Arukh, *Yorah Deah* 178:1.

¹⁸ Maimonides, *Mishneh Torah, Hilkhhot Tefillah*, 5:5.

¹⁹ Shulchan Arukh, *Orah Hayim*, 92:6.

²⁰ *Torat Kohanim, Tazria*, Ch. 12; *Hiddushei haRitva, Mo’ed Katan*, 24a.

self, this *halakhah* is used in reference to wearing a hat in addition to a yarmulke in many contemporary halakhic sources, because of a hat's increased ability to fully cover, or "wrap" one's head.

The Talmud states that any *kos shel berakhah* requires ten things, one of which is "*Ituf* (*Berakhot* 51a)." Based on this need for *atifah*, Rav Avraham Hayarkhi (1155-1215) states that in his days there were those in France who would put a hat on their heads in order to say grace after meals.²¹ Though customs have varied throughout the ages, most later halakhic authorities maintain that a "God-fearing" person should not recite *birkhat hamazon* while only wearing a *kippah*, but should also put a hat on his head.²² Similarly, due to the requirement of *atifah*, some *poskim* maintain that *kiddush* may only be recited, and heard, while wearing a hat in addition to one's *kippah*.²³

There is a similar requirement for mourners to have *atifat harosh*²⁴ which the *Arukh haShulhan* advises a person to achieve through the wearing of a hat.²⁵ One may therefore argue that even in our times the requirement to pray with *atifah* is best achieved through the wearing of a hat. One could then conclude that because of *atifah*, there is a halakhic basis for wearing a hat any time a person is involved in a *kos shel berakhah* or *tefillah*.

On the other hand, there are various reasons why many do not see a hat as being necessary for the obligation of *atifah*. Similar to the issue of proper *kavod*, definitions vary, and it is hard to define exactly what constitutes *atifah*.²⁶ According to the Talmud, "*Kol atifah she'eina ke'atifat Yishmaelim, einah atifah*—any *atifah* [of the head] that is not like the *atifah* of Ishmaelites is not a proper *atifah* (*Moed Katan* 24a)." Based on this source, it would seem that one would be obligated to wrap their entire head and much of the face in order to attain *atifah*.²⁷ However, as this sort of wrapping became abnormal, Rashi²⁸ and

²¹ R' Avraham Hayarkhi, *haManhig*, *Hilkhos Seudah*, *Din* 14.

²² Basing himself on a various Rishonim, the Bach (1561-1640, Poland) in *Orah Hayim* 183:3 (5), may be the first to actually rule that one must specifically wear a hat in addition to the head covering that they are already wearing, in order to fulfill the requirement of *atifah* for *Birkat Hamazon*. The Bach argues that this additional head covering brings a person to greater *kavanah*, humility, and fear of heaven. The requirement to wear a hat for this purpose is codified by most later Aharonim, see for example: *Magen Avraham* 183:5; *Shulhan Arukh haRav* 183:6; *Mishnah Berurah* 183:3 (11); *Arukh haShulhan* 183:4; *Kitzur Shulhan Arukh* 44:6; *Yehaveh Daat* 4:1.

²³ Neuwirth, *Shemirat Shabbat Kehilkatah*, 47:27 & footnote 131 (Hebrew edition).

²⁴ *Moed Katan* 15a; Maimonides, *Mishneh Torah*, *Hilkhos Avel* 5:19.

²⁵ *Arukh haShulhan*, *Yoreh Deah* 386:1.

²⁶ See *Mishnah Berurah*, *Orah Hayim* 8:2 (3) where he says that wrapping of the **body** is the *ikar atifah*.

²⁷ *Rabbeinu Hananel*, *Moed Katan*, 24a.

²⁸ *Teshuvot Rashi*, *Siman* 339.

Tosafot²⁹ noticed that if it were continued it would simply cause a person to be ridiculed. The practice of “*Atifat Yishmaelim*” was thus discontinued, and as we have seen, the wearing of a hat eventually became acceptable *atifah*. It may accordingly be argued that since the definition of *atifah* clearly evolves with time and place, it can surely evolve past the wearing of a hat, and as the simple understanding of *atifah* in the “*kos shel berakhah*” *gemara* implies, any head covering should suffice.

Furthermore, even those sources that do require a hat for *atifah* do not make it into an obligation. Rather, it is described with words like “*yire shamayim*-a God fearing person should . . .” or that it is “*nakhon*” or “*ra’ui*” meaning that it is proper, but not an obligation. Indeed, when Rambam codifies the issue of *atifah*, it is recorded along with the need to don respectable attire (dealt with above), and he clearly points out that neither requirement is “*me’akeiv*,” meaning that the prayer is still perfectly acceptable if one does not do either of them.³⁰ Those who choose not to wear a hat can thus argue that it is not desirable to begin requiring people to do something that is simply a good thing to do, because in general we should not permit the forbidden or forbid the permitted (*Berakhot* 28b).

REASON 4: DOUBLE COVERING

The *Talmud Yerushalmi* praises a person who is “*mit’atef*” for a “*kos shel berakhah*” by comparing him to the *malachei hashareit*-ministering angels (*Yerushalmi, Berakhot*, cap. 7, p. 11). The source for this statement is the vision of Isaiah in which he states that he saw angels standing above him, each with six wings, “with two it would cover his face, with two it would cover its legs, and with two it would fly (Isaiah 6:2).” There are in fact Rishonim who rule that it is appropriate to cover one’s head for *Kiddush* and *Birkat Hamazon*, based specifically on this source.³¹

As we see from the fact that the angels covered Isaiah’s face with two wings, this source in the *Yerushalmi* leads us to a fourth reason people wear hats, the idea of “double covering,” which is generally achieved through wearing a hat on top of one’s *kippah*. Special care to wear two coverings on one’s head is especially emphasized in *Kabalah* and *Hasidut*. Though the reasons tend to be outside the arena of halakhic obligation, it can be instructive to examine some of them, because Hasidic and Kabbalistic sources function with the assumption that in addition to specifically technical halakhic reasons for fulfilling *mitzvot*, there is also a deeper, spiritual reason or motivation why they must be observed.

²⁹ Tosafot, *Moed Katan* 21a.

³⁰ Maimonides, *Mishneh Torah, Hilkhot Tefillah* 5:1.

³¹ *Ravya, Siman* 514.

Indeed, Kabbalistic tradition holds the wearing of two head coverings in high regard. The *Tzitz Eliezer* recounts a story of a certain Rav Yisrael Neigera, a contemporary of the Ari. One *Shabbat* night, the Ari heard Rav Neigera singing beautiful *zemirot* and perceived thousands upon thousands of angels descending to hear this holy music. All of a sudden, the Ari saw that one angel came and stopped all the rest from descending because Rav Neigera was singing with his arms uncovered, and with only a small head covering, rather than a hat on his head. The Ari then immediately sent two of his students to inform Rav Neigera, who began to tremble and immediately put a hat on his head and sat with great *kavod*, which caused the angels to resume descending from heaven.³²

According to the Lubavitcher Rebbe,³³ one Kabbalistic reason for maintaining two head coverings is that the *kippah* or initial head covering is worn in order to represent the “*hayah*”—level of the soul. In the Kabbalistic five level system of the soul, the *hayah* is the part that is “*makif*,” that hovers, just over a person, as opposed to the lower three levels of the *nefesh*, *ruah*, and *neshamah*, which are “*memalei*,” or actually permeate into the physical person. Wearing a head covering is thus seen as the symbol of the *hayah*—level of the soul, which is above our bodies, or slightly outside of and beyond one’s physical self.

When a person prays or does any holy activity, the fifth and highest level of the soul, “*Yehidah*,” comes into play in an active way. The *Yehidah* hovers even higher than *hayah* and is totally bound up with Godliness, bringing a person to the experience of connection with *Hashem* known as “*deveikut*.” This experience is represented with a second head covering, namely a hat. The terms for the two hovering parts of the *neshamah* are “*makif elyon*” and “*makif tahton*.” We always have the awareness of the *hayah*, *makif tahton*, when we wear a *kippah*. At holy moments we also become aware of the *makif elyon*, the “*yehidah shebanefesh*,” by wearing a hat.

Many similar ideas have been put forth for the spiritual symbolism of double covering. For example, the Belzer Rebbe states that people should maintain two coverings on their heads because the letters of the word “*yarmulka*” can also spell out the words “*Yirah Elokim*.” Due to the fact that there is a “higher fear” and a “lower fear” of God, we are to symbolize and remind ourselves of this by wearing two coverings on our heads.³⁴

Along similar lines, the Maharsha is an oft-quoted source for the benefit of wearing a double covering on one’s head. Based on two stories in the Gemara, the Maharsha reasons that not only is it true that the bigger the head covering, the bigger the fear of heaven, but adding an extra head covering leads a person to an extra level of fear.³⁵

³² Responsa *Tzitz Eliezer*, 13:13.

³³ *Sefer Hitvadyot* 5748, vol. 4, p.164.

³⁴ Lewy, *Minhag Yisrael Torah, Orach Hayim* 2:6 (See there for other reasons).

³⁵ *Maharsha, Shabbat* 156b.

Many sources maintain that a head covering for men is simply “*middat hasidut*,” and not a *biyuv*—obligation.³⁶ Many will thus argue that those who do not choose to wear a double covering are in fact doing a very good thing by covering their heads at all times, and to require more is excessive and even oppressive. Thus, maintaining the good practice of covering the head, yet not going so far as to require an additional hat represents the Maimonidean ideal of moderation.³⁷

Furthermore, *Nedarim* 30b states, “Men sometimes cover their heads and sometimes not; but a women’s [head] is always covered, and children are always bareheaded” suggesting that not all Jewish men in Talmudic times covered their heads. Some sources have trouble accepting this, and argue that it must be that men did cover their heads at all times with one covering, and those great people who are referred to as covering their heads elsewhere in the Talmud,³⁸ simply added a second covering onto their constant one.³⁹ Others interpret this quote from *Nedarim* according to its plain sense: Not everyone covered their heads, and those who did had but one covering on their heads.⁴⁰ It is difficult to accept that modern people should be required to do more than was done in the times of the Talmud by wearing a double covering, simply based on a questionable interpretation of an otherwise lenient quote.

Others argue that the practice of wearing two head coverings originated in eighteenth century Germany, when the local nobles and heads of state would visit synagogues. Their presence in synagogue brought up the sensitive issue of removing one’s head covering as a sign of respect for the nobility. Various sides were taken on the issue of whether or not one was permitted to remove one’s head covering inside a synagogue in such a situation. The solution of a double covering was suggested by R’ Yaakov Emden, to allow the removal of one’s hat while still keeping one’s head covered.⁴¹ Similarly, some have suggested that the practice of wearing a double covering, specifically a *kippah* under a hat, was begun by the Hasidic elite as well as other “ultra-orthodox” leaders in Hungary to counter the desire of the Reform movement to fully integrate with non-Jewish society by removing their head coverings.⁴² These examples suggest that

³⁶ See for example: *Orhot Hayim Hilkhot Tefillah*, *Siman* 48; *Kol Bo*, #11; *Tashbeitz*, #547; *Beit Yosef Orah Hayim* 91; *Biur Ha’Gra*, *Orah Hayim* 8; *Responsa Yehave Daat* 4:1; *Responsa Iggrot Moshe*, *Orah Hayim* 4:2.

³⁷ Maimonides, *Hakdamah leMesekhet Avot*, Ch. 4; Maimonides, *Mishneh Torah*, *Hilkhot Deot*, 1:4.

³⁸ For example: *Kiddushin* 8a; *Kiddushin* 31a; *Shabbat* 118b.

³⁹ See for example: *Beit Yosef Orah Hayim* 8:4; *Tzemah Tzedek*, *Piskei Dinim Orah Hayim* 2.

⁴⁰ See for example: *Biur haGra*, *Orah Hayim* 8, *Responsa Iggrot Moshe Orah Hayim* 1:1, *Responsa Yehave Daat* 4:1.

⁴¹ Yaakov Emden, *Siddur Bet El-Amudei Shamayim* (Altona, 1745), 41b.

⁴² Yitzhak Zimmer, *Olam KeMinhago Noheig* (Jerusalem: Merkaz Zalman Shazar, 1996), 32.

there is neither a firm halakhic basis nor contemporary relevant reason to continue this out-dated and reactionary practice.

Furthermore, regarding the issue of “double coverings,” some contemporary Jews are generally uninspired or even antagonistic of *Kabalah*. While it is true that there are many normative Jewish practices that have Kabbalistic sources, the ability of a Kabbalistic idea to have any impact on many Modern Orthodox Jews is minimal. There are many reasons for this ambivalence. Firstly, *Kabalah* is not generally considered to be part of the halakhic canon, which leads to a great skepticism in deriving obligations from non-explicitly halakhic sources, such as the material we have seen on double covering. Furthermore, because Modern Orthodox Jews live in a society that is steeped in rationalism, Kabbalistic mysticism seems like foreign superstition to some.

REASON 5: *MINHAG*⁴³

One tenet that has kept the wearing of black hats alive is the simple aversion to change. The Hatam Sofer was one of the primary organizers of *haredi* ideology, and as he fought against enlightenment and reform in the nineteenth century he was famous for propounding the dictum, “*hadash assur min haTorah*,” any innovation not sanctioned by Jewish tradition is seen as decidedly harmful to Judaism.⁴⁴ The *Hatam Sofer* felt that people should be particularly careful not to change their Jewish names, language, or clothing.⁴⁵ This ideology is still alive, as Rav Shach stated in the late twentieth century, “Anything but our traditional mode of behavior as learned from past generations, weakens *Klal Yisroel*.”⁴⁶ Because changes are considered fatal to Jewish survival and vitality, some believe that even the most minute *minhag* must be retained at all costs. In this way, Haredi ideology can be seen as a reactionary movement, which tightly holds on to the past as a way of resisting reform.

In addition to reaction to modernity, traditional dress serves as a way of feeling tied to the past, as well as in line with the lifestyle of one’s ancestors. Many

⁴³ It should be noted that in previous generations these hats were not necessarily black. We simply refer to them as “black hats” throughout this piece because black has become the most common color of these hats today, and is a colloquial term, such as “the black hat community” or one is a “black hatter.”

⁴⁴ First stated in a letter of the Hatam Sofer, printed in *Darhei Hahorah*, Chp. 6, pg. 269. This idea is not without precedent, Rambam, for example, ruled that one of the reasons a person should not wear a *Tallit* with a *pasuk* embroidered on it is because it is a “*hiddush vestia, shelo haya kemoto beyisrael*.” (*Teshuvot haRambam, Siman 268*).

⁴⁵ See: Hatam Sofer, *Tzavat Moshe*, where he uses “*Sheim, Lashon, V’Malbush*” to form the acronym “*Shalem*” alluding to Jacob’s successful overcoming of cultural temptations (Gen. 33:18).

⁴⁶ S. Rakow, *A Beacon of Light* (Bnei Brak, Israel: Yeshivat Rashbi, 1995), 277.

simply feel that wearing a hat is a legitimate Jewish *minhag*, and the cultural changes in non-Jewish society are no reason for Jews to stop wearing hats. A nephew of Rav Joseph B. Soloveitchik records that

once, we had to form a *minyán* in the Rav's home. He told one of the family members to please go get his hat. This young man began trying to demonstrate to the Rav that one did not require a hat for *tefillah*. The Rav snapped back at him, "you may or may not be halakhically correct. I do not wish to debate you on the topic. However, I wear a hat during *tefillah* because I never saw my father or either of my grandfathers *daven* without a hat. That itself is sufficient grounds to necessitate a hat."⁴⁷

Indeed, custom carries considerable halakhic weight. Rav Moshe Feinstein held that even if it has no basis, any custom that at least one large Jewish community upholds cannot be a mistake. Due to the principle that Jewish communities behave according to the law, which must have some source, the custom must therefore be carefully observed.⁴⁸ As the saying goes, "*Minhag Yisrael—Torah.*" A Jewish custom is as if it is in the Torah.

Though Modern Orthodoxy shares the traditional emphasis on *minhag*, there is also a desire to "advance," fit in, and keep up with the times. While remaining respectful of *haredi* practice, Rabbi Emanuel Rackman argues that the Haredi response to modernity caused a "freeze in the dynamism of the law" and customs such as clothing styles were only canonized because they coincided in time with the "freeze."⁴⁹ It would follow that all of the reasons we have given for wearing a hat are merely justifications for continuing the custom.

While traditional dress may connect some to what they consider to have been a better time in history, other Orthodox Jews feel that this may fall into the common human trap of romanticizing the past. As *Kohelet* commented thousands of years ago, "Do not say, 'How was it that former times were better than these?' For this is not a question prompted by wisdom" (Ecclesiastes 7:10). The tendency to admire the "good old days" is both historically inaccurate and psychologically unhealthy in that it does not allow a person to embrace and enjoy current reality or motivate them to continue improving the world around them.

⁴⁷ Moshe Meiselman, "The Rav, Feminism and Public Policy: An Insider's Overview," *Tradition* 33:1 (1998): 14.

⁴⁸ Responsa *Iggrot Moshe, Orach Hayim* 4:90:17.

⁴⁹ Emanuel Rackman, *One Man's Judaism* (Jerusalem: Gefen Publishing House, 2000), 19.

CONCLUSION

An individual's values and general worldview are major factors in how he will decide nebulous "halakhic" issues like wearing a hat. Those who opt in favor of a black hat and traditional garb based on the above sources may be guilty of citing *halakhah* only in the service of ideology. On the other hand, one who chooses not to dress this way must ask himself if he is ignoring legitimate Jewish ideals and values, jeopardizing their ability to achieve an intense prayer experience and substantive connection to their heritage.

The issue of dress is not superficial, and is in fact about more than simply communal identity. Because it is more casual and colorful, the "Modern Orthodox" dress represents *ahavah*—love, as opposed to the *yirah*—fear, prevalent in "Ultra-Orthodox" ideology. Modern dress is seen as being more free, happy, and open, though possibly less committed. For example, a T-shirt gives a comfortable and relaxed impression, whereas a suit and tie seems more closed and formal. Though this is obviously a broad generalization, it gets to the primary difference between Modern Orthodoxy and Ultra-Orthodoxy—namely, does one consider modernity and the outside world an opportunity or a threat? The Ultra-Orthodox emphasize caution and the need for a protective wall from the outside world, whereas the Modern Orthodox tend to be more attracted to the potential inherent in modern culture and thought. Either way, may we work together, understand each other, and learn from each other toward a more complete, deep, and calculated service of God.