

January 2019 SESSION



***“Jews and the Culture Wars: Consensus and Dissensus in Jewish Religious Liberty Advocacy”***

**Michael Avi Helfand**

ASSOCIATE DEAN FOR FACULTY AND RESEARCH, PROFESSOR OF LAW,  
PEPPERDINE SCHOOL OF LAW

In the recent culture wars, traditionalists and progressivists have clashed over dueling conceptions of family, sexuality and religion—manifested in debates over abortion, contraception, and same-sex marriage. Caught in this conflict has been a political and cultural reassessment of religious liberty; the public salience of religious liberty has waned as it has clashed with the rights of women and LGBT people. In this new and uncertain environment, both popular and academic press have turned to the place of the American Jewish community within these culture wars over religious liberty. Given its status as one of America’s prototypical religious minorities—historically committed to both religious and minority rights—both sides of the culture wars have sought to claim the Jews as their own. And yet, the history of Jewish advocacy around religious liberty presents a far more complicated picture. This Article aims to paint that picture by examining amicus curiae (“friend of the court”) briefs filed by Jewish institutions before the Supreme Court in religious liberty cases. In so doing, it tells a very different story—one that has now become far more divided over the core commitments of religious accommodation.

Dr. Michael (Avi) Helfand is an expert on religious law and religious liberty. A frequent author and lecturer, his work considers how U.S. law treats religious law, custom and practice, focusing on the intersection of private law and religion in contexts such as religious arbitration and religious contracts. He is currently Professor of Law and Associate Dean for Faculty and Research at Pepperdine University School of Law as well as co-director of Pepperdine University’s Diane and Guilford Glazer Institute for Jewish Studies. He also serves as a Research Fellow at the Shalom Hartman Institute of North America. He received his J.D. from Yale Law School and his Ph.D. in Political Science from Yale University.

Monday  
**JAN 28**  
2019

---

**BERKELEY LAW**  
Warren Room, Boalt Hall  
3:30 - 5:00 PM

---

A light reception will be provided. Please RSVP to Rebecca Golbert:  
[rlgolbert@law.berkeley.edu](mailto:rlgolbert@law.berkeley.edu)