
Human Dignity, the Rule of Law, and Repressed Memories

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Criminal proceedings that involve complaints based on repressed memories raise various problems. In this article, we focus on the problem of expert testimony regarding the veracity of such memories. In our view, decisions of the Israeli Supreme Court in cases involving repressed memories reflect a conception of the criminal process that does not give due weight to the values of human dignity

The article points out the implications of the effect of moral panic: the infringement of dignity and equality on the one hand, and the reduction of the number of offenses subject to the panic on the other. The article discusses at length the challenges that the criminal justice system faces in dealing with these implications