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Can the Jewish Concept of Repentance Play a Role in Israeli Law?

This article explores if and how the idea of repentance, a central Jewish value, can be utilized in Israeli law as a consideration to be taken into account in different stages of the criminal process. According to both Jewish and Israeli law, repentance does not provide a blanket exemption from punishment. This article presents possible ways to implement the idea of repentance in Israeli law with examples from court rulings. The argument is that the idea of repentance can be relevant in situations where the judge has room for discretion. It can inspire the judge, but it is not applied through specific rules or doctrines. It can be argued that this removes the discussion from the realm of Jewish law. However, the author argues that it is particularly the fundamental principles and the worldview that give expression to traditional Jewish ideas, such as the recognition of the human power and ability to change, that make it possible for Israeli law to adopt and implement the concept, more so than specific halakhic rules.