



# The Ethics of Bankruptcy (Professional Ethics)

*Jukka Kilpi*

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The fundamental ethical problem in bankruptcy is that insolvents have promised to pay their debts but can not keep their promise. *The Ethics of Bankruptcy* examines the morality of bankruptcy. The author compares and contrasts the Humean doctrine of promises as useful conventions with the Kantian view of autonomous agency constituting promissory obligations; he explores ethical concerns raised by forgiveness, utilitarianism and distributive justice and the moral aspects of insolvents' contractual, fiduciary, tortious and criminal liability. Finally, the author assesses recent bankruptcy law reforms. Bankruptcies severely hurt creditors and society. For the insolvents and their families the experience is painful and stigmatising, yet philosophers have paid little attention to the moral aspects of this violent social phenomenon. *The Ethics of Bankruptcy* is the first comprehensive study that employs the tools of ethics to examine the controversies surrounding insolvency, which makes valuable and sometimes controversial reading in a decade recovering from the Recession.

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