

عنوان مقاله:

Humanitarian Reasons' in the Debt Relief of Natural Persons in Contemporary Polish Insolvency Law in the Light of Judeo-Christian Tradition and Philosophy

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خلاصه مقاله:

The study refers to the competence given to commercial courts in Poland to be guided by "humanitarian reasons" in matters regarding the debt relief for insolvent natural persons. Humanitarian reasons allow the omission of general legal standards. The general clause "humanitarian reasons" can be clarified by referring- inter alia- to the Judeo-Christian traditional concept of debt relief and philosophy. However, Poland is a secular state. In Mosaic law, the debt relief was systemic in nature due to the construction of the sabbath and jubilee years. In Christian ethics, human dignity, forgiveness and mercy have an important place. The influence of Judeo-Christian tradition in Poland on the concept of humanitarianism is a fact. Irrespective of the personal beliefs of the body applying the law and the specific addressee of the court ruling, Judeo-Christian tradition allows for the formulation of directives as to the judicial interpretation of the term "humanitarian" in a secular state.

کلمات کلیدی:

Bankruptcy law, humanitarian considerations, debt relief, sabbath year, jubilee year, Forgiveness

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