

Challenge for the French Law of Torts in the New Century

--Taking the Recent Development of Traffic
Accident Compensation Law for Example

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Abstract

This article tries to explain why the french civil law of torts can, without essential modifications of texts, accommodate to different ages and maintain its norm structure until this day. Nevertheless, with the coming of the twenty-first century, the french civil law of torts seems to have difficulties in dealing with more complicated social problems.

The main point of this article emphasizes the tendency of the french civil law of torts for a more and more strict liability. The necessity to improve the legal status of the various accidents victims explains this tendency. But this tendency has its limits and can not satisfy three essential demands as follows : 1, freedom of actions for the defendant ; 2, efficient compensation of damage for the plaintiff ; 3, reasonable distribution of judicial resources.

At the beginning of the twenty-first century, the role of the law of torts in face of various accidents is a problem worth of thinking seriously. How to create a model which cooperates the law of torts with other compensation systems like liability insurance, life insurance, property insurance, social security etc. is really a challenge.

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