

REFLECTIONS UPON THE REFORMING OF THE INSTITUTION CONCERNING THE DELICTUAL CIVIL RESPONSIBILITY, IN THE CONDITIONS OF THE MODERN SOCIETY

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ABSTRACT: *The institution of the civil delictual responsibility has known major transformations in the last decades as a consequence of setting special regulations of compensation in certain domains of activity, like medical incidents, ecologic damage or injuries generated by faulty products. The problem of fundamental research on this responsibility, by designating the person responsible and by establishing the regime for repairing the victim's damage, has become one of the problems of contemporary doctrine and jurisprudence. A real "crisis of the civil responsibility" (Jourdain, 1996) (Terré, Simler, & Lequette, 1996) is manifested, characterized by the tendency of objectifying the fundament and the marginalization of the fault, a fundament traditionally consecrated in the dispositions of the Civil Code. The significant augmentation of the positive law dispositions on the new hypotheses of the responsibility represents the fertile ground for theoretical and jurisprudential approaches, from the perspective of the law theoretician and practitioner. Our study proposes several reflections on the actual status of the delictual civil responsibility.*

KEY WORDS: *the delictual civil responsibility; damage; the fault victim.*

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