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SYMPOSIUM ON NO-FAULT INSURANCE

Introduction

J. TIMOTHY PHILIPPS*

Although the concept of no-fault insurance is not a new one, it is only in relatively recent years that it has become an issue of substantial controversy. With the publication of *Basic Protection for the Traffic Victim* by Professors Keeton and O'Connell in 1965, the idea of no-fault insurance became the subject of extensive, often acrimonious debate both within and without the legal profession.

Any proposal which threatens long-established interests inevitably becomes a wellspring of emotional argumentation, both pro and con. No-fault insurance most assuredly has been no exception to this general principle. True enough, much of an enlightening nature has been written and spoken on the subject; but it is equally true that much has been not only unilluminating, but also positively obfuscating. Advocates of both sides of the issue have sometimes seemed to fail even to consider the possibility that the other side has some merit.

It is with this in mind that the West Virginia Law Review presents the following symposium. Believing diverse viewpoints concerning an issue of great public importance should have an opportunity to be presented, the Law Review has attempted to include in the symposium a wide range of opinions concerning the merits of the various no-fault proposals. The Law Review does not intend by publishing this symposium to promote or espouse any particular view concerning the merits or demerits of the proposals. Rather, the intent is to present in one place a collection of articles by knowledgeable authors with varying backgrounds and opinions. In that way, it is hoped that the bar as well as the general public will be enabled to reach conclusions concerning no-fault insurance which are both more informed and better reasoned.

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