

History of Hunting Law in Modern France: From Hunting Rights, Hunting Permission to Right of Non-Hunting

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Abstract

The Revolution abolished hunting privileges and re-established the relationship between hunting rights and land ownership as legislators tried to realize the value of hunting in terms of equality and freedom. Under capitalism, given the people's yearning to hunt and the need for crop protection, the popularity of hunting grew rapidly, however, with the introduction of financial and security considerations, the right to hunt became subject to authorization and other control measures. At the beginning of the 20th century, the establishment of the law of associations in 1901 multiplied the number of groups and organizations with a hand in hunting and wildlife protection, while the 1964 Verdeille Law stipulated that the exercise of hunting rights was separate from land ownership. As a result, it became difficult for landlords who opposed hunting to refuse access to those wishing to hunt on their property. Not until the European Court of Human Rights judgment in 1999 was a right to non-hunting officially recognized, influencing the amendment of domestic law. This paper argues that research on hunting rights ought to consider the significance of hunting equality in a democratic society from the perspective of the right to freedom and property rights.

Key Words: French legal history, hunting rights (*droit de chasse*), right to hunt (*droit de chasser*), property rights (*droit de propriété*), right of non-hunting (*droit de non-chasse*)