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**THEORY OF PROPORTIONAL LIABILITY AS A CONCEPT OF THE FAIR SHARING OF TORT LIABILITY – AN INTRODUCTION TO THE ISSUE**

The article is devoted to the operationalization of the principle of justice in the context of tort liability. The analysis was focused on a particular case of tort liability in which it was impossible to determine which of the potential reasons attributed to various entities had caused a damage. It could not be stated with the required probability (ie. according to the standard of proof of a causal link in the particular legal system) but there were no doubts that one of the potential reasons had caused the damage. Against the background of this case the Author has presented the construction of proportional liability, which is a concept of fair sharing of tort liability that has been developed in recent decades by the jurisprudence of foreign courts.