

Adapting Postmortem Insemination to the Philippine Setting: An Analysis of its Legal Consequences

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This Article examines the use of artificial insemination as a means of reproduction and the consequences of such on Philippine law. More specifically, the Author focuses on the use of artificial insemination to conceive a child after the death of the father. The Article, written prior to any known occurrence of postmortem insemination in the Philippines, anticipates the situation wherein a child is conceived and born well after the death of the father, and the implications on Philippine law should that child demand his rights.

Among the controversial issues the Author addresses are the status and inheritance rights of the child and how Philippine law currently fails to recognize those rights. The legal issues the study faces are dealt with in a way that recognizes the fundamental liberty of couples to have offspring, thus the moral and ethical considerations behind postmortem insemination are not touched upon. The Author gives validity to the rights of couples to use postmortem insemination and concludes by suggesting amendments to Philippine law which would recognize the rights and demands of children born from such a situation.