

Does the Benefit of Paragraph 2 of Article 271 of the New Civil Code Extend to Spurious Brothers or Sisters of the Full Blood?

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28 ATENEO L.J. 96 (1983)

*KEYWORD(S): ARTICLE 271 OF THE NEW CIVIL CODE, RECOGNITION,
JUDICIAL DECLARATION, NATURAL CHILD, SPURIOUS CHILD*

SUBJECT(S): PERSONS AND FAMILY RELATIONS, SUCCESSION

The second paragraph of Article 271 of the New Civil Code states that “[i]f a natural child is recognized or judicially declared as natural, such recognition or declaration shall extend to his or her brothers or sisters of the full blood.” In relation to this, the Author claims that such recognition or judicial declaration does not extend to the natural child’s spurious brothers or sisters of the full blood. Among others, he bases his position on the fact that in the hierarchy of filiation, a natural child occupies a higher position than a spurious child resulting in better rights and privileges in favor of the former. This, he says, is readily seen in the law on succession. The benefit under Article 271 given a natural child may thus be treated as another advantage which distinguishes him from a spurious child.