

Title: The Heir Fantastic: Intestate Devolution and the Nonmarital Child's Right of Representation

Facts:

In 2003, Rodolfo C. Aquino petitioned for letters of administration for the estate of his deceased father, Miguel T. Aquino, who died intestate leaving behind properties. Rodolfo claimed that the estate was to be divided among Miguel's second wife, two sons with his first wife—including Rodolfo—, and the heirs of another predeceased son. Angela K. Aquino alleged being the daughter of Arturo C. Aquino (Arturo), Miguel's other predeceased son. Born after Arturo's death, Angela was not married, but there was no legal barrier to her parents' union had Arturo lived. Angela's relationship with the Aquinos, as well as evidence of recognition by Miguel and his family, formed the basis of her claim to a share in Miguel's estate. The RTC granted Angela's petition, considering her an acknowledged child of Arturo, and entitled her to a share in Miguel's estate. This decision was overturned by the CA, which ruled Angela failed to prove filiation and could not inherit due to Article 992 of the Civil Code, barring nonmarital children from inheriting from their parents' legitimate relatives. Angela and Rodolfo then filed separate petitions before the Supreme Court.

Issues:

1. Whether a nonmarital child can inherit by right of representation from their grandparent's estate, despite the prohibition in Article 992 of the Civil Code.
2. Whether the nonmarital child could prove filiation with the deceased parent to entitle them to a share in the intestate estate.

Court's Decision:

The Court held that:

1. A nonmarital child, such as Angela, can inherit from her grandfather by right of representation, notwithstanding her parents' marital status and the "iron curtain" rule in Article 992. The Court reinterpreted Article 992 to harmonize it with constitutional mandates for equal protection, due process, and international obligations protecting the rights and interests of children.
2. Angela must still prove her filiation to partake in Miguel's estate. Given the conflicting findings of the lower courts on her filiation, the Supreme Court remanded the case to the RTC for the reception of evidence, including DNA testing if appropriate, to determine Angela's entitlement.

Doctrine:

The doctrine established is that nonmarital children have the right to inherit from their ascendants by representation, notwithstanding the prohibition in Article 992 of the Civil Code, in light of constitutional and international law principles.

Class Notes:

1. Right of representation – allows descendants to inherit the share that their immediate ascendant would have received if they were alive.
2. Article 992 of the Civil Code – prohibits nonmarital children from inheriting ab intestato from the legitimate children and relatives of their parents and vice versa.
3. DNA testing – a reliable and acceptable means for determining filiation.

Historical Background:

In historical context, Article 992 of the Civil Code was understood to codify societal animosity presumed to exist between nonmarital children and the marital family. This case reevaluates that presumption against modern views on child welfare and equal protection, aligning legal interpretations with updated conceptions of family and legal obligations to protect nonmarital children's rights, including those under international treaties like the U.N. Convention on the Rights of the Child. The decision signifies a pivot from archaic discriminatory practices, reflecting a changing socio-legal landscape and underscoring the judiciary's role in amending outdated doctrines.