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***IN VITRO* AS A LEGISLATIVE HARD CASE**

The regulation of *in vitro* fertilization, as the analysis of both international (usually soft) and national law indicates, often resembles an attempt to solve the Gordian knot. There is no easy solution so finally it must be cut. The problem is that even its intersection makes some difficulties. It turns out that the knot can be cut in several ways, and each of them can be equally good or ... equally bad. The axiological system of a democratic state based on the rule of law *in abstracto* allows several ways to regulate *in vitro* fertilization, which are inherent in its foundations. In the article, two basic - mutually exclusive – models of *in vitro* fertilization and more widely medically assisted procreation, which have been discussed inter alia by the Council of Europe, have been reconstructed and analyzed. Both of them correspond to generally perceived standards of human rights, democratic principles and the rule of law. Both are internally consistent and make a comprehensive regulation possible. However, in order to choose between them at the theoretical level, fundamental ideological choices must be made first. At the legislative level it is required to reconstruct anthropological and axiological assumptions underlying the particular legal system, including constitutional norms as the most important.