

## Conflict and Cooperation in the Crafting and Conduct of Foreign Policy

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The Article discusses how foreign policies are crafted and conducted in the Philippines through the interplay of the powers of the three branches of government — the Executive, the Legislative, and the Judicial departments. It analyzes what are the foreign relations powers of these three branches of government and how they act within their constitutionally granted powers in shaping the creation and implementation of foreign policies in the country. This also involves a review and reevaluation of jurisprudence and developments such as in *Tañada v. Angara* and the recent developments in the R.P.-U.S. Visiting Forces Agreement, Joint Marine Seismic Undertaking with China and Vietnam, and the Philippine Baselines Law.

The Article also discusses how these cases and similar ones have had an impact on the role of the Executive branch in the conduct of foreign affairs and how the Judicial branch of government has served as an arbiter to resolve the constitutionality of these foreign affairs issues, and not the propriety or wisdom of the measures.

The Article concludes with several postulates based on the Author's analysis and discussion. First, the initiative in the crafting of a foreign policy and its execution is with the executive branch, but the legislative branch has a lot of influence in its creation. This partnership often results in struggles and conflict, hence the need for cooperation to successfully formulate and implement a foreign policy. Second, it the judicial branch of government that serves as an arbiter between the executive and legislative branches in their conflict. The courts may generally be reticent in exercising judicial review over foreign affairs issues, but they play a significant role in determining the constitutionality of the undertaking of the foreign policy.