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International Law—Present Status of the Act of State Doctrine and Its Effects upon Private Foreign Investment

Every sovereign state is bound to respect the independence of every other sovereign State, and the courts of one country will not sit in judgement on the acts of the government of another done within its own territory. Redress of grievances by reason of such acts must be obtained through the means open to be availed of by sovereign powers as between themselves.¹

This statement in *Underhill v. Hernandez* has come to be recognized as the classic pronouncement of the Act of State doctrine. In essence the United States Supreme Court held that a victim of expropriation by a foreign power could recover only through action by the Executive branch. Thus State Department negotiations and