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Negotiated Federalism: Intergovernmental Relations on the Maritime Frontier, 1789–1815

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The U.S. Constitution was designed to produce a profound alteration in the structure of the American federal polity by giving the U.S. government the power to raise its own money and enforce its own laws within the states. But when federal officials began to implement the new constitutional order across the union in 1789, they realized that this process required the participation and consent of state governments, whose legislation, investment, and manpower were needed to allow federal laws to take effect. Because of the power that state governments continued to wield, the successful institution of federal authority within the states relied on intergovernmental negotiation. The Atlantic port cities presented a crucial test case for this negotiated federalism, as the federal government sought to exercise power in spaces where state authority was already entrenched. In the course of setting up the customs and lighthouse services, rebuilding coastal fortifications, and enforcing neutrality and embargo regulations, early federal officials encountered the limits of federal power within the states, and developed intergovernmental negotiation strategies that allowed them to execute federal law in the ports. This negotiated federalism would become fundamental to the governance of the American union.