

## CHAPTER III

### INFORMAL NEGOTIATIONS

BEFORE the adoption of the federal Constitution American nationality had found expression in the Declaration of Independence and successful revolution against the British Empire; but the national vigor had not been strong enough in the hour of victory to bring together in permanent union the thirteen sovereign states, nor had there been a Prussia among the states nor a Bismarck among the statesmen of the Revolution to strike such a union while the irons were hot. \* National unity was finally achieved through the peaceful deliberations of a representative body of American statesmen and business men who had gone through the trying experience of seven years of unconstructive government under the Articles of Confederation and were face to face with foreign contumely, domestic anarchy and business chaos.

Great Britain's continued occupation of the frontier forts and her disinclination to enter into a treaty of commerce had been due to the ineffectiveness and weakness of the American Confederation and to the uncertainty of its continued existence. The new Constitution by giving the power of commercial legislation to the federal Government now made possible a national commercial policy and the enactment of navigation laws in reprisal against the systems of foreign nations. By instituting a Supreme Court and pronouncing treaties the law of the land, it gave a guaranty of their execution which had not been possible when each state clung to its pristine sovereignty, including the right to make its own tariff and navigation laws. It was now possible for the United States Government, through the jurisdiction of the Supreme Court, to remove the obstructions which some of the states in their exasperation had put upon the recovery of British ante-bellum debts.