

REPUBLIQUE ALGERIENNE DEMOCRATIQUE ET POPULAIRE
MINISTERE DE L'ENSEIGNEMENT SUPERIEUR ET DE LA RECHERCHE SCIENTIFIQUE
UNIVERSITE MENTOURI, CONSTANTINE

**Ottoman Algeria in Western Diplomatic History
with Particular Emphasis on Relations with the
United States of America, 1776-1816**

By

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**Dissertation submitted to the Faculty of Letters and Languages
Department of Languages, University Mentouri, Constantine
in fulfillment of the requirements for the degree of
doctorat d'Etat**

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December 2008

DEDICATION

To the Memory of my Parents

ACKNOWLEDGEMENTS

First of all, I would like to thank my supervisor Dr Brahim Harouni for his insightful and invaluable remarks as well as his patience which proved to be very decisive for this work. Without his wise advice, unwavering support, and encouragement throughout the two last decades of my research life this humble work would have never been completed. However, this statement is not a way to elude responsibility for the final product. I alone am responsible for any errors or shortcomings that the reader may find.

Financial support made the completion of this project easier in many ways. I would like to express my gratitude for Larbi Ben M'Hidi University, OEB with special thanks for Pr Ahmed Bouras and Dr El-Eulmi Laraoui. Dr El-Mekki El-Eulmi proved to be an encyclopedia that was worth referring to whenever others failed. Mr. Aakabi Belkacem is laudable for his logistical help and kindness. My home Mentouri University, Constantine deserves no less recognition and tribute.

I would like also to thank the Fondation des Sciences de l'Homme at Paris, France for its accommodating and supportive environment. I am especially indebted to Pr Maurice Aymard who provided administrative support and intellectual debate during occasional research meetings over the past three years. Without that I would not have been able to fully develop some of the most important points of this work. No words can appropriately thank Mrs. Brigitte Dufeutrelle whose steady follow up throughout the preparation of this work made its accomplishment possible. The succinct criticisms and insights provided by Pr Pierre Melandri from the Fondation Nationale des Sciences Politiques, Paris are greatly appreciated. Special thanks go to the staff of the libraries FMSH, FNSP, and BULAC at Paris, France.

Initially, a Fulbright Program scholarship made the actual research work an envisageable project. Acknowledgments are due to the officers of the National Archives Record Administration at Washington, D. C. and College Park, Maryland and to the officers of the Library of Congress in Washington, D. C., USA who introduced me to the file systems of NARA and LOC and made historical research in early Algerian-American relations an agreeable task for me. To my advisor diplomatic historian Pr. Wayne S. Cole, Professor Emeritus at the University of Maryland at College Park, MD I would like to express my gratitude and respect. He made the study of diplomatic history an even more enjoyable matter and provided some of the published material used in this work from his personal library. I am particularly grateful to my former roommate Mrs. Pamela P. Rittenhaus who made the sight of the flag of Rais Hamidou at the U.S. Naval Academy, Annapolis, MD possible for me. Perhaps, was it the sight of that trophy flag which inspired the idea of this thesis?

Among my colleagues, I would like to express my greatest consideration for Dr Samir Laraba who accompanied my first steps of research at Paris and Dr Abdelhak Nemouchi whose encouragements and high spirit were a relief at moments of gloom. My colleague Mr. Nasr Eddine Megherbi accompanied my professional life but was particularly instrumental about a year ago in relaunching this endeavor. I feel more obliged to indicate my appreciation for Pr Zahri Harouni who with great welcomes bore by many phone calls and Pr Lamine Kouloughli who unfailingly supported my professional carrier and comforted my personal grieves. I am especially obliged to Mrs. Houda Bahri and Mr. Abderahmane Dalichaouch who have been loyal friends from the very beginning.

Last but definitely not least, my hearty gratitude and recognition go to my family who for decades had to put up with my academic pursuits. Without the endless patience with my moods and countless words of encouragement this year of my brothers and sisters, brothers and sisters-in-law, nephews and nieces, this Dissertation would never have seen daylight. My special love goes for cute Saddam El-Houcine Maameri who could not understand my long absences. My family has always been the port of departure and destination in my historical adventures and a safe place after the allure of daring Algerian corsairs and perfidious Uncle Sam. Those are the most important persons worth returning to.

November 2008

LIST OF ABBREVIATIONS

<i>ASP/FA</i>	<i>American State Papers, Class I: Foreign Relations, 1789-1828.</i>
<i>ASP/NA</i>	<i>American State Paper, Class VI: Naval Affairs, 1794-1825.</i>
<i>CMPP</i>	<i>A Compilation of Messages and Papers of the Presidents, 1789-1897.</i>
<i>CPPJJ</i>	<i>The Correspondence and Public Papers of First Chief-Justice of the United States.</i>
<i>DCAR</i>	<i>The Diplomatic Correspondence of the American Revolution</i>
<i>EN</i>	<i>The Emerging Nation: A Documentary History of the Foreign Relations of the United States, 1780-1789</i>
<i>LDC</i>	<i>Letters of Delegates to Congress, 1774-1789.</i>
<i>LWJM</i>	<i>Letters and other Writings of James Madison.</i>
<i>NDBW</i>	<i>Naval Documents Related to the United States Wars with the Barbary Powers</i>
<i>PTJ</i>	<i>The Papers of Thomas Jefferson.</i>
<i>SaL</i>	<i>The Public Statutes at Large of the United States of America, 1789 to 1845.</i>
<i>SJ</i>	<i>Secret Journals of the Acts and Proceedings of Congress</i>
<i>SPPD</i>	<i>State Papers and Publick Documents of the United States</i>
<i>USDC</i>	<i>The Diplomatic Correspondence of the United States of America, 1783-1789</i>
<i>USRDC</i>	<i>The Revolutionary Diplomatic Correspondence of the United States.</i>
<i>WBF</i>	<i>The Writings of Benjamin Franklin</i>
<i>WGW</i>	<i>The Writings of George Washington.</i>
<i>WJA</i>	<i>The Works of John Adams.</i>
<i>WJM</i>	<i>The Writings of James Madison</i>
<i>WJMPPP</i>	<i>The Writings of James Monroe, Including Public and Private Paper</i>
<i>WJQA</i>	<i>The Writings of John Quincy Adams</i>
<i>WTJ1</i>	<i>The Writings of Thomas Jefferson</i>
<i>WTJ2</i>	<i>The Writings of Thomas Jefferson Containing his Autobiography</i>

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INTRODUCTION

A. THESIS

This study examines the history of diplomatic relations of the Ottoman regency of Algiers with the western powers from its foundation in 1519 to its collapse some three hundred years later. Particular emphasis, however, is put on relations between Algiers and the United States during the period 1776-1816 to illustrate a continuity of the clash between Algiers' corsairing diplomacy, on one side, and what has traditionally been called 'gunboat diplomacy', on the other. The study denotes also a shift of in the use of this form of coercive diplomacy vis-à-vis Algiers, in particular, and naval patrolling of the North African coast, in general, from the great European powers to the United States which commenced an era of continuous U.S. Navy presence in the region that has extended up to today. The argument of the thesis consists basically of two elements: emphasis upon the traditional confrontation between Islam and Christianity and persistence of stances against Algiers throughout the whole period of its existence; and spreading out of western anti-Algiers antagonism to the United States, albeit under the guise of national interest, until the colonization of Algeria. This thesis, therefore, approaches Algerian

corsairing from within the context of traditional European policies that found prolongation in foreign policy principles of America's rising New Diplomacy. The purpose is to reassess the 'pirate state' myth which the westerners created and exploited towards the fulfillment of an ideology involving a complex set of religious, economic, and political agendas.

B. IMPORTANCE

America was under attack: American citizens were innocent victims of piracy and were held hostage for ransom abroad; the American government blackmailed; its overseas businesses jeopardized, and even its flag insulted by 'state-sponsored terrorists' with 'turbans around their heads' who, in American opinion, envied America's freedom and extorted its money. Although familiar as might seem, this hullabaloo took place not at the beginning of the 21st century but at the end of the 18th century and refers to United States' relations with the Muslim states of North Africa—commonly referred to by westerners as the 'Barbary States'. In 18th century-terminology, this phraseology simply meant that American ships were captured by Muslim corsairs and their crews were taken prisoners of war and enslaved while waiting for ransom or exchange; commerce in the Mediterranean was subjected to peace treaties which strictly defined trading privileges and charges attached to them; maritime circulation was regulated by passports; and consular presents were required according to custom. Incidentally, the Americans know how to turn a

crisis, real or machinated, into an opportunity to advance political programs by a few neat but dramatic twists of the historical truth.

Diplomatic relations of the United States with the ‘Barbary States’ in general, and Algiers particularly, is a minor episode in early American history; yet, numbers of American historians and so-called area specialists in Arab-American relations have inflated it to greater proportions since the 9/11 events. Today, there is a largely-established consensus in the United States that attributes the shaping of American foreign policy, particularly the use of military force abroad, to that early encounter with the so-called ‘pirates of the Barbary Coast.’ This large consensus is established on interpretations that are solely based on American archival material and are most often presented from a contemporary American perspective; therefore, the final product sounds more like an American unilateral truth, filled up with bias and mistakes, than a balanced study of two different cultures and systems of government that clashed in an utterly different international context at the end of the 18th and beginning of the 19th centuries—and continue to clash today. In general, it may be stated that studying early American history in the light of 21st century’s views is apt to lead to perversions of historical truth.

But, by taking the same material and looking at it from a different angle, one may probably come to a different conclusion about what the actual truth was; and this is precisely the objective of this research work. The historical observer, who is also the researcher here, instead of securitizing the history of diplomatic relations between Algiers and western powers from locations

situated in the United States or Europe, chose to establish his post of observation on the shores of Algiers and look at the opposite direction but without allowing for analysis to deviate from objectivity or be cut from western realities—the material serving for research being exclusively western in nature, or almost.¹ This is what one may call a trans-Mediterranean-Atlantic approach. While doing so, the researcher hopes to approach the past from a different angle and contribute a different perspective or as one American historian put it:

In the domain of history a shift in the angle of observation will often bring into view new and important vistas and will create such new impressions of old scenes as to alter our ideas of the whole landscape.²

To understand today's uneasy, and often hostile, American attitudes towards Muslims, one may need to go back to that early period to attempt to bring to light the origins of anti-Muslim bias, animosity, and aggressiveness in United States foreign policy. One may also find it interesting but also useful to return to the past to understand how Americans use it today to explain, analyze, and justify their present military interventions in the Muslim world. As the international environment has changed since those remote days so have approaches to and interpretations of the 'Barbary' episode in American history. What used to be seen as piracy is presented today as terrorism and in both cases policies were developed to deal with both perceptions as such.³

¹ Except for a handful of secondary sources (probably less than 1% of the total material used here), the rest of the material of research consists primarily of American state records and works undertaken by westerners.

² Charles M. Andrews, "Colonial Commerce," *The American Historical Review*, 20: 1 (Oct., 1914), p. 43.

³ The debate linking current terrorism to Muslim 'pirates' of the 18th century seems to have been first launched by the American military historian Glenn Voelz in the aftermath of the 9/11 attacks but the

Instead of mere threats that were met, and have to be met, with the appropriate solution, which according to the American point of view resides in the forceful use of military power, one may rather consider the confrontation between the United States and Muslims—past and present—as part of a wider clash between two differing civilizations: an oriental Muslim civilization and a western Christian one. And until the Americans could bridge the gap between the two by understanding and respect of the other’s religion, culture, and other human dimensions, the clash would probably persist because it is fueled with much prejudice, distortion, and ignorance. Much of the early clash with Algiers precisely stemmed from American ignorance about Muslim culture and traditions. More, American self-centeredness and aggressive inclinations seem to have been at the origin of the clash. As the Americans forced the way to the region armed with their own ideals and biased perceptions, bombastic nationalism and arrogance, and insatiable interests and naval might they failed to acknowledge its particularities and caused lasting damages.

C. METHODOLOGY AND SOURCES

This research work begins with a look into the religious and historical background which then served as a crucible for the emergence of the practice of corsairing as retaliatory warfare to counter Christian assaults against Algiers.

analogy was articulated earlier as may be seen in Richard Leiby, “Terrorists by another Name: The Barbary Pirates,” *Washington Post*, 15 October 2001, p. C01 and Russell Kirk, “The New Barbary Pirates,” *Human Events*, 27: 47 (Nov., 1967), p. 13 respectively. The analogy was taken to its paroxysm in Joseph Wheelan, *Jefferson’s War: America’s First War on Terror, 1801–1805* (New York: Carroll & Graf, 2003) and Frederick Leiner, *The End of Barbary Terror: America’s 1815 War against the Pirates of North Africa* (New York: Oxford University Press, 2006). Leiner went as far as to consider corsairing as ‘state-sponsored terrorism.’

At a time the clash between Islam and Christianity reached a zenith, the Christians sanctioned their corsairs as rightful warriors while they decried Muslim corsairs as pirates. For this reason, the thesis sets out to demonstrate that, by Europeans' own legal and religious standards, Algiers can by no means be considered as a pirate entity and that it was a corsairing state. Then it proceeds to give an overview of diplomatic relations between Algiers and the major European powers with the purpose of defining the foundations of corsairing diplomacy along with the prevailing laws and usage of nations. Those principles were fashioned over a period of almost two centuries by the Mediterranean countries and other European powers and were still in usage when the United States emerged as an independent country after 1776. An examination of the period 1776-1816 provides the context surrounding early contacts between Algiers and the United States and denotes a progressive move among American policy-makers from sniveling and duplicity to trampling centuries-long laws and customs of the Mediterranean region to finally plain naval aggression against Algiers in the name of national interest but under the guise of meliorism. A discussion of America's New Diplomacy as a concept provides a framework for a critical examination of the founding principles of American foreign policy. It reveals features of jingoism, or belligerent nationalism, that were exhibited through feelings of superiority and tendency towards aggressiveness in foreign policy that became America's guiding line in matters relating to relations with militarily weaker countries.

A detailed analysis of the three peak events which took place in 1786, 1795, and 1815 provides the concrete historical context in which American economic and military overseas expansionism occurred. Based on the founding principles of corsairing diplomacy, the analysis refutes arguments of any Algerian attacks against the United States and proceeds to elaborate a 'Dey-pawn theory' that attempts to look into a complex system of international relations that was cloaked in intrigues and secrecy as it was typical of 'power politics' of that time. The aim is to explain the new role which the rival colonial powers attributed to the obsolete Turkish rulers of Algiers at a time Algiers had already lost the protective shield of its navy and corsairing was on the decline. The thesis also reveals that the Christian-culture imbued Americans had displayed aggressive attitudes and signs of contempt and perfidy vis-à-vis Algiers long before any actual contact took place between the two countries. Finally, this research concludes that the unfolding events of 1815 bear all the ingredients of gunboat Diplomacy and shows that American inherent aggressiveness, deceitfulness, and greediness could not be better displayed than at the mouth of the cannons of American naval officers.

Structurally, since much of the flavor and probative value of history may be lost when one paraphrases first-hand accounts of historical actors, the thesis makes deliberate and liberal quotations from the original sources. In addition, it includes a number of tables that have been constructed from scratch either for the purpose of illustration, expansion, or summarization of an ongoing argument. Conscious that the inclusion of such tables in the body of the text

may interrupt the flow of reading, one may nevertheless think that, for practical reasons, they should be ready at hand in case they were needed; otherwise, one may easily skip them by turning to the next paragraph without having the feeling that something might have been left out. In terms of sources, the thesis intentionally and overwhelmingly, but somehow forcibly, uses American primary sources to show that a second reading of the same documents from a different perspective may likely lead to different conclusions. Finally, one may not pretend to resurrect the past—after all, it is researched from a 21st century distance. But for the sake of objectivity, one will try to interrogate the documents through the lenses of the period under study while acknowledging that subjective and personal factors, such as the cultural background, are part of all research. No matter how much one might wish to control the research process, the self intrudes and projects itself on the enterprise.

Existing literature relating to early Algerian-American relations especially that published at the turn of this century considers that corsairing operations of the Algerian fleet were piracy—worse, they are assimilated to terrorism—therefore it gives legitimacy to America’s aggressive diplomacy and particularly the gunboat show of 1815-16.⁴ No source critically examines the operations of America’s ‘squadron of observation’ as an early example of Gunboat Diplomacy. This is particularly true of what might be considered as

⁴ Samples include: Frank Lambert, *The Barbary Wars: American Independence in the Atlantic World* (New York: Hill and Wang, 2005); Joshua E. London, *Victory in Tripoli: How America’s War with the Barbary Pirates Established the U.S. Navy and Built a Nation* (Hoboken, NJ: John Wiley & Sons, Inc., 2005); and Michael B. Oren, *Power, Faith, and Fantasy: America in the Middle East: 1776 to the Present* (New York: W. W. Norton, 2007).

the two leading and most influential works that investigated American diplomatic history with Algiers.⁵ Ray Irwin's *Diplomatic Relations of the United States with the Barbary Powers* is a classical history work that puts forward the 'heroic' role the United States played in the suppression of a 'nest of pirates;' this work was carried exclusively from the reading rooms of the Library of Congress in Washington, D. C. Richard Parker's *Uncle Sam in Barbary* is a nuanced account and is the culmination work of a carrier diplomat who is better knowledgeable about the Arab World and its culture. Although Parker injects some fairness and unbiased analysis in his account, yet, he does not deviate from the established consensus and approaches Algiers as a pirate state.

These two works have much inspired a counter-argument that is presented by this thesis because while re-reading the same American government documents one had the preliminary impression that all has not been said about early American diplomatic history. Therefore this thesis strove to put forward documents that were either overlooked by American historians or have not been published until recently.⁶ Partly for this reason, the researcher opted for using exclusively American sources. The second reason motivating this option is that research undertaken so far at the Bibliothèque Nationale Algérienne at Algiers has revealed that no documents relating to Algiers'

⁵ Ray W. Irwin, *The Diplomatic Relations of the United States with the Barbary Powers, 1776-1816* (Chapel Hill: University of North Carolina Press, 1931) and Richard B. Parker, *Uncle Sam in Barbary: A Diplomatic History* (Gainesville, FL: University Press of Florida, 2004).

⁶ Many of the key documents appeared for the first time in Mary A. Giunta, ed., *The Emerging Nation: A Documentary History of the Foreign Relations of the United States under the Articles of Confederation, 1780-1789*, 3 Vol. (Washington, D.C.: National Historical Publications and Records Commission, 1996).

relations with the United States could be found and there is a wide inclination among historians to believe that they are non-existent; and even if available, they are inaccessible because of the language handicap of the researcher.⁷ In general, the major difficulty the researchers encounter today is the absence of archives on the Algerian side; but it seems that the Turkish rulers of Algiers were not keen on developing or preserving archives as a contemporary of the Deys observed.⁸ All that reached researchers today cover mainly the religious and individual domains such as *waqf*, marriage, and inheritance.⁹ Therefore, the primary sources of this work are entirely based on American archives. One Turkish document, however, survived from that period and it has been adopted here to serve the purpose of comparison.¹⁰

American government publications relating to foreign relations of the United States which cover the investigated period, 1776-1816 are numerous; the first series were published in 1819, the last in 2000. These series contain a considerable number of documents pertaining to Algiers. Documents from the Continental Congress and Confederation period, 1776-1789 appear in *Secret*

⁷ This research has revealed the existence of three documents only which appear in translated form: a letter from *Wakil Khardj* Sidi Hassan, minister of the marine, to Congress (1787); later, as Dey, he sent another one to George Washington (1795); and finally Dey Omar Agha sent another letter to James Madison in 1815 which circulates today in American historical writings as an example of 'diplomatic curiosity.'

⁸ In 1792, James L. Cathcart, American captive and Christian secretary to the Dey recorded in his captivity account that the archives amounted to almost null. James L. Cathcart, *The Captives: Eleven Years a Prisoner in Algiers*, compiled by his Daughter, J. B. Newkirk (Laporte, Indiana: Herald, 1899), p. 195.

⁹ Daniel Panzac, *Les corsaires barbaresques: La fin d'une épopée, 1800-1820* (Paris: CNRS Editions, 1999).

¹⁰ The treaty of 1795 is the only document written originally in Turkish and translated to English which survived from the period. Today it is kept in the files of the Department of State. For a description of the document see Hunter Miller, ed., *Treaties and other International Acts of the United States of America*, vol. 2: 1776-1818 (Washington, D.C.: Government Printing Office, 1931), (Accessed 8 March 2008), available at *The Avalon Project at Yale Law School*, <http://www.yale.edu/lawweb/avalon/diplomacy/barbary.htm#r>

Journals of Congress (4 vol.), 1820-21; *Journals of the Continental Congress* (25 vol.), 1904-37; and *Letters of Delegates to Congress* (26 vol.), 1976-2000.¹¹ Diplomatic correspondence for the same period is located in Jared Sparks' *The Diplomatic Correspondence of the American Revolution* (12 vol.), 1829-1830; Francis P. Blair's *The Diplomatic Correspondence of the United States* (7 vol.), 1833-37; Francis Wharton's *The Revolutionary Diplomatic Correspondence of the United States* (6 vol.), 1889; and Mary A. Giunta's recent publication *The Emerging Nation* (3 vol.), 1996.

The *American State Papers* series is a valuable source because it includes all government documents covering the period 1789-1816, including executive and legislative documents. The series is the forerunner of the *Foreign Relations of the United States* (FRUS) series which did not start publication until after 1861. It also includes congressional documents prior to 1817 date at which *The United States Congressional Serial Set* which contains the House of Representatives and Senate documents and reports started publication. The first collection is *State Papers and Publick Documents* (12 vol.), 1819; this edition is the earliest publication of the American government and was published by an act of Congress voted in 1818. The second collection which includes *American State Papers, Class I: Foreign Relations, 1789-1828* (6 vol.) and *American State Papers, Class VI: Naval Affairs, 1794-1825* (2 vol.) was published between 1832 and 1861.

¹¹ *Journals of the Continental Congress* and *Letters of Delegates to Congress, 1774-1789* are available at <http://lcweb2.loc.gov/ammem/amlaw/lwdg.html>

Finally, other series cover miscellaneous fields: *The Public Statutes at Large 1789-1845* (8 vol.), 1845-1867 series includes all the enactments of Congress; therefore all the treaties signed with Algiers are included in it and they are three only. *A Compilation of Messages of the Presidents* (10 vol.), 1896-1899 includes all the messages of the presidents of the USA to Congress; volumes 1 and 2 cover the researched period. *Naval Documents Related to the United States Wars with the Barbary Powers* (6 vol.), 1939-44, published by the Office of Naval Records, Department of the Navy, is a valuable collection because it includes all the reports of the naval officers who came in contact with Algiers between 1794 and 1816.

In addition to the above mentioned official collection, this work investigates unofficially published collections. These include a variety of material including the writings and memoirs of the American political actors as well as various collections of treaties—American and European. Primary sources also include autobiographies, memoirs, journals, and travel accounts whose writers had been, in one way or another, in contact with Algiers at different periods of its existence.

D. CHAPTER OUTLINE

Chapter I of the research work sets the religious and historical framework in which the Ottoman province of Algiers was created. It argues that the rise of Muslim corsairing was an immediate consequence of Spanish Reconquista and conquest of the North African cities, itself a projection of the

crusades of the medieval ages. The farsighted Turkish founders of Algiers gave it a highly structured navy that eventually became a match to European navies and could repel attacks on the Algerian coast.

Chapter II examines the distorted images about Algerian corsairs which westerners constructed over centuries of hostility towards Islam and perpetuated into the 21st century. Then the chapter proceeds to question the very nature of those images based on the laws of nations as elaborated by western jurists and pioneers of international law and concludes that far from being pirates the Algerian seamen were corsairs obeying strict rules of corsairing then viewed as a legal act of war.

Chapter III accounts for the rise and decline of corsairing diplomacy. By providing an analysis of the bilateral treaties signed throughout the 17th and 18th centuries, the chapter permits a definition of the four leading principles which regulated diplomatic relations between Algiers and the leading Christian powers and which include mainly passports, captives, and annual payments in the form of naval materials. Those principles were still in vigor when the United States entered the Mediterranean area as a commercial rival. The third chapter also focuses on the method through which negotiations were carried and considers it as a precursor of gunboat diplomacy.

Chapter IV emphasizes the continuity of those principles throughout America's colonial period whereby American shipping benefited from Great Britain's advantageous treaties with Algiers. It also demonstrates that after independence the Americans attempted to defraud the Deys of Algiers, and by

the same way the Mediterranean system of trade, by making lucrative businesses without having to conclude treaties and assume charges.

Chapter V discusses the founding principles of American foreign policy and looks at Algiers through American lenses. In addition to a chaotic diplomatic machinery and financial weaknesses of the Confederation Congress, the chapter depicts the place Algiers occupied in European and American foreign policy and comes out with the conclusion that it was no more than a pawn which was moved on the chessboard of shrewd players.

Chapter VI moves to detail one of three major events in Algerian-American relations: the crisis of 1786. It starts with an account of a routine act of capture of two American ships and ends by an assessment of that first official contact. It also provides an analysis of the prevailing conditions and shows how Algiers was transformed to fodder in a huge federalist propaganda machine. The American politics of fear which fabricated and inflated an 'Algerine scare' permitted the adoption of the Constitution of 1787.

Chapter VII centers on the treaty of 1795. It describes the general circumstances which led to its conclusion and reveals persistence of the Dey-pawn theory. Stress is put on the terms of the treaty which, although overwhelmingly advantageous to the United States, were not respected in matters of payments and prescribed delays and led to further complications in relations between Algiers and the United States.

Finally, Chapter VIII covers the closing period 1798-1816 and provides an analysis of the major events which culminated in the American show of

naval force of 1815. The thesis interprets it as an example of what has traditionally been called gunboat diplomacy. It also suggests that American aggressive overseas expansionism, far from being the product of the closing years of the 19th century, is in fact deeply-rooted in the history of the United States and first found expression in the ‘Barbary Wars’ of the opening years of that same century.

The conclusions of this thesis may surprise traditionalists. Research has revealed that Algiers was not a pirate state but that it was a corsairing state; therefore the acts of the Muslim corsairs had legitimacy in as much the same way as those of Christian privateers. Consequently, it argues that the piracy and slavery arguments that were put forward by Europeans in general and Americans particularly to justify naval attacks against Algiers were but a guise which served to legitimate aggression in order to advance their diverse economic interests and colonial designs.

Part One

Algiers in European Diplomatic History:

Crusading vs. Corsairing Diplomacy

CHAPTER I

Foundations of Corsairing: A Religious and Historical Background

The soldiery abandoned themselves to all the brutal license and ferocity, which seem to stain religious wars above every other... The sun, which on the preceding morning had shed its rays on Oran, flourishing in all the pride of commercial opulence, and teeming with a free and industrious population, next rose on it a captive city, with its ferocious conquerors stretched in slumber on the heaps of their slaughtered victims.¹

William H. Prescott (1856)

Introduction

Corsairing was the foremost element which shaped relations between Ottoman Algeria and the United States of America. As such, it necessitates consideration so that the different elements which served as a basis for those relations may be determined. The aim here is not to account for the historical development of corsairing but to set the general framework in which Algerian-American relations were formulated starting from the emergence of the United

¹ William H. Prescott, *History of the Reign of Ferdinand and Isabella, the Catholic*, volume 3, 12th edition (Philadelphia: David Mckay, Publisher, 1856), p. 278.

States in the 1770s down to the conquest of Algiers in 1830.² Corsairing emerged and developed in a complex historical and religious background and left lasting imprints not only the history of Algeria but also on its diplomatic relations with the western countries generally and the United States particularly. Although Algerian-American relations did not take place until corsairing was on the decline, yet they were profoundly affected by a deeply-rooted corsairing diplomatic tradition that took form during the period of Ottoman rule in Algeria. Therefore, it is essential to place corsairing within the appropriate religious and historical context because it helps understand those early short-lived relations.

Ever since the emergence of the Ottoman province of Algiers early in the 16th century to its collapse some three hundred years, its history, and that of the Mediterranean Basin in general, was a history of confrontation between two religions: Islam and Christianity. The religious divide was so neatly set that one may imagine the southern and eastern shores of the Mediterranean colored green to denote their adherence to Islam while the “Northern and Western shores should be, if not one color, bedecked with flags bearing a cross” to denote their adherence to Christianity.³ To the religious strife, one may graft the struggle for power, naval and commercial, that characterized the history of the Mediterranean world. The frontiers between the two divides might have

² The adjective ‘Algerian’ is used here to indicate someone or something pertaining to the regency of Algiers, the political entity as existing between 1519 and 1830. In western writings, the terms ‘Barbary Coast’ and ‘Barbaresques’ were generally used. By late 18th century, when the Americans entered in contact with the region, they used the term ‘Algerine.’

³ Susan Rose, “Islam versus Christendom: The Naval Dimension, 1000-1600,” *The Journal of Military History*, 63: 3 (Jul., 1999), p. 561.

occasionally shifted to either shore according to the strength of the protagonists, but in general, the essence of the struggle had remained intact. Some consideration of two of the major phases in Mediterranean history, Crusades and *Reconquista*,⁴ helps us understand the general context in which Ottoman Algeria was evolving when its navy first encountered American traders in the Mediterranean during the last quarter of the 18th century.

1. The Spanish Conquest of North Africa

The Crusades had exercised a heavy influence on the political and naval history of Ottoman Algeria as well as that of the rest of the Mediterranean Basin countries, particularly Spain. At the turn of the 16th century, Catholic Spain took over crusading leadership. Animated by a deep religious hatred for Muslims, it submitted the North African coast to constant assaults. In 1492, after taking control of Granada, the last Muslim kingdom in the Iberian Peninsula, the Spaniards massacred thousands of Andalusians and pursued those who escaped extermination to North Africa. Unable to handle the growing danger, the inhabitants of the city of Algiers called for the help of two Muslim corsairs, the Barbarossa, whose reputation as faith fighters against the Christian crusaders had already preceded them. The Barbarossa came to the rescue but quickly realized that the geo-political and religious stakes were greater than they had thought. Subsequently, Khayreddin Barbarossa placed El-Jaza'ir, the kingdom he founded with his brother Arruj, under the protection of

⁴ Non-English terms when used for the first time are indicated in *italics*; a short explanation of their meaning is included in the glossary.

the Ottoman Empire. Then, he set out to expel the Spaniards from Algerian territory and contain their incursions on its coastal cities. The task, however, proved to be difficult.

1. 1. From Crusades to Reconquista

In fact, Algiers was not fighting against a single enemy but against Christendom, an anti-Islam Christian entity which origins can be traced back to the early clashes between Crescent and Cross.⁵ Since the early Medieval Ages, a number of kingdoms from Central and Western Europe had joined in a Holy Roman Empire which animosity towards Islam peaked during the Crusades. Between 1095 when the First Crusade was launched, and 1291 when the Crusaders were finally expelled from the Holy Lands, the chroniclers identified eight different crusading expeditions.⁶ Those were organized with the aim of taking possession of Jerusalem but were transformed into conquest expeditions that sought control of the whole Middle East area. All, however, ended either inconclusively or in failure.

The Crusaders unleashed their hatred on the whole region and committed atrocities that, even today, remain connotative of crusading barbarism and cruelty. Irrational as it might seem, the crusaders—in addition to systematic destruction and pitiless massacres of Muslim populations—resorted

⁵ For Christians, 'Christendom' is concurrently a polity, religion, and ideal; in its wider sense, it is used to describe the "part of the world which is inhabited by Christians." Urquhart, Francis, "Christendom," *The Catholic Encyclopedia*, Vol. 3 (New York: Robert Appleton Company, 1908). (Accessed 26 May 2008). <http://www.newadvent.org/cathen/03699b.htm>

⁶ The Crusades are a succession of military expeditions launched by the Christian powers against the Muslims in Palestine and the neighboring areas. For a full account based on Muslim sources, see Amin Maalouf, *Les Croisades vues par les Arabes* (Paris: J. C. Lattès, 1983).

to fanatical cannibalism as shown in the events which followed the fall of the city of Ma'arra, Syria. In 1098, the Franc Chronicler, Radulph of Caen, reported horrific scenes of barbarism: "In Ma'arra our troops boiled pagan adults alive in cooking-pots; they impaled children on spits and devoured them grilled."⁷ Another Franc, Albert of Aix, who took part at the battle for Ma'arra wrote: "Not only did ours [troops] not shrink from eating killed Turks and Saracens but they also ate dogs!"⁸ Such horrible acts, which could only be explained by blind religious hatred, tarnished Muslims-Christians relations.

Centuries later, animosity persisted and the religious gap kept growing. Indeed, the Crusades left an indelible heritage of hatred and savageness towards Muslims. In the Muslim mind, whether Saracens⁹ or Turks who fell to the teeth of the cannibals, the Crusaders could claim nothing of a 'holy' mission against 'infidels' except barbarism and cruelty; or as expressed by an anonymous Muslim poet who survived Ma'arra: "I do not know whether it is a grazing ground for ferocious beasts or it is my house, my native home!"¹⁰ Thus, Muslim's "hatred for Christians is explained, and in part justified, by the fanaticism and cruelty of the latter during the Crusades."¹¹ Ultimately, under the strikes of the Muslims, particularly Sultan Salah Eddin (1137-1193) and the

⁷ Maalouf, *Les Croisades*, pp. 55-56; unknown, "The Cannibals of Ma'arra," 2003. (Accessed 9 June 2008). <http://utah.indymedia.org/news/2003/10/6476.php>

⁸ *Ibid.*, Translations are from the researcher unless otherwise indicated.

⁹ Throughout the Medieval Ages, the Crusaders used the term 'Saracens' to refer to Muslims of the Orient—Arabs, Turks, or others who resisted them. In the following centuries, its use was extended to denote Arab tribes in general. In the Byzantine Empire, this term referred to all subjects of the Muslim caliphate. From Crusaders and Byzantines, the term spread into Western Europe where it has survived into modern times. "Saracen," *Encyclopædia Britannica*, from Encyclopædia Britannica 2006 Ultimate Reference Suite DVD. (Accessed 26 May 2008).

¹⁰ Maalouf, *Les Croisades*, p. 53.

¹¹ Ann Thomson, *Barbary and Enlightenment: European Attitudes towards the Maghreb in the 18th Century* (Leiden/New York/KØbenhavn: E. J. Brill, 1987), p. 23.

Mamalik Sultans, the Crusaders were defeated. Retreating to Europe, they swore vengeance and “perpetual crusade against the infidels” with the purpose of eradication of Islam from all the lands where it has established its supremacy.¹²

Prominent among the Crusaders were the military and religious orders of the Knights Templar (1120-1312) and the Knights of St. John of Jerusalem (1098).¹³ Formed in Jerusalem, the Knights of St. John were virulent crusaders throughout the period of atrocities committed against Muslims. In 1291, after the Muslims expelled the crusaders from their last stronghold Acre, Syria, the Knights retreated to Cyprus and in 1310 they seized the island of Rhodes where they settled for over two-hundred years. Once more, and because of their continuing attacks on Muslims, the Ottoman Empire evicted them from Rhodes in 1522. Subsequently, the Holy Roman Emperor and King of Spain Charles V granted them the island of Malta in 1530 where they became known as the ‘Knights Hospitallers of Malta.’¹⁴ From there, they continued attacking Muslims, particularly those inhabiting Algiers, until 1798 time at which Napoleon Bonaparte took hold of Malta and expelled them from it.¹⁵

¹² Hamilton E. Currey, *Sea-Wolves of the Mediterranean: The Grand Period of the Moslem Corsairs* (London/New York: Thomas Nelson and Sons, 1931), p. 282.

¹³ In 1998, at the occasion of the 900th anniversary of the foundation of the order, the government of Malta granted them a 99-year lease on their original fort of St Angelo; for a history see Charles Moeller, “Hospitallers of St. John of Jerusalem.” *The Catholic Encyclopedia*, Vol. 7. (Accessed 9 June 2008). <http://www.newadvent.org/cathen/07477a.html>

¹⁴ Victor M. Milanes, “Charles V’s Donation of Malta to the Order of St. John,” 2006. (Accessed 9 June 2008). http://www.orderofmalta.org/site/pdf/pub/Charlesv_donation.pdf

¹⁵ More about the Knight of St. John could be found in Paul Cassar, “Maltese Corsairs and the Order of St. John of Jerusalem,” *The Catholic Historical Review*, 46: 2 (Jul., 1960), pp. 137-56; Sander Rang and Ferdinand Denis, *Fondation de la Régence d’Alger: Histoire des Barberousses*, vol. 2 (Paris: J. Angé, Éditeur, 1837), pp. 115-18.

The traditional animosity the Crusaders vowed to Muslims reached a zenith by the time the Knights settled in Malta. In early 16th century, the crusaders rallied again under the ‘Alliance of the Christian Princes’ (1500) and the Grand Master of the Knights was nominated Captain-General of the Christian armies with the aim of conducting military expeditions against the Muslims of North Africa.¹⁶ Shortly later, the crusaders joined under the banner of the Holy Roman Empire which was headed by Spain and set out to take revenge, but this time in North Africa. Needless to say that faced with such religious hatred, the Muslims could but reciprocate. So, amidst Christian hostility and crusaders’ attacks emerged the Ottoman regency of Algiers. For the next three hundred years, Algiers was going to stand up to the all-mighty Spain and other Christian powers which assaulted its coastal cities and ports. Ultimately, it relatively succeeded in displacing the frontiers of the battle between Islam and Christianity from its own coast to the high seas and even sometimes to the very shores of Europe. That breakthrough had been possible thanks to a combined strategy of naval warfare and corsairing, a practice legitimated by both religion and existent law.

1. 2. From Reconquista to Conquest

The medieval crusades found a continuation in Spanish Reconquista of the weakening Muslim kingdoms of Andalusia and conquest of not better allotted kingdoms of North Africa. Prior to the advent of the Turks, the Central

¹⁶Currey, *Sea-Wolves*, pp. 51-2.

Maghrib, corresponding to nowadays Algeria, was colored by a multitude of inter-warring kingdoms that were falling apart. Internal conflicts and tribal warfare which erupted earlier had weakened the political unity in the region and the ruling dynasties, Hafsid in the east and Zayanids in the west, lost control in their respective regions. They became easy preys to the Spaniards who, animated by an aggressive, revengeful, and anti-Muslim crusading spirit attacked them relentlessly.

In the west, the decaying kingdom of Tlemcen gave way to the Spanish *conquistadors* who set a foothold in Mers-el-Kebir as early as 1505. In 1509, they took control of Oran and reduced it to the position of a vassal state paying tribute to Spain. In Ténès, a self-proclaimed monarch placed himself under the protection of the Spaniards and recognized Spanish sovereignty.¹⁷ At the center, the city-state of El-Jaza'ir was ruled by a weakening Andalusian dynasty; here too, the Spaniards occupied and fortified the small offshore islet of Beni-Mezr'anna and transformed it to a stronghold which they renamed '*el Peñon d'Argel*'.¹⁸ By doing so, they asphyxiated the economic life of the city; henceforth, the Penon acted as a permanent sword of Damocles over the heads of the inhabitants of Algiers. In the east, Constantine was at the hands of a Hafsid prince who no more recognized the sovereignty of the Hafsid dynasty in Tunis and extended his influence to Annaba and Collo.¹⁹ Hence, faced with

¹⁷ Henri-D. de Grammont, *Histoire d'Alger sous la domination Turque, 1515-1830* (Paris: Ernest Leroux, 1887), p. 18.

¹⁸ F. Élie de la Primaudaie, "Le commerce et la navigation de l'Algérie," *Revue Algérienne et Coloniale* (Juin 1860), p. 189. The islet had an area of about 31 km² and was situated about 300 meters off the shore of Algiers.

¹⁹ Primaudaie, "Commerce et navigation," pp. 94-5.

such widespread strife the Spanish crusaders could but rejoice; subsequently, Bejaia fell to the Spaniards in 1510 while Jijel was occupied by their allies the Genoese in 1512. So, due to that general state of weakness and disunity, the Central Maghrib could not resist swarms of crusaders that were unleashed on its shores. One after the other, the major cities and ports fell to Spanish conquest. In less than a decade, Spanish garrisons, called *presidios*, dotted the Algerian coast from Oran to Jijel.²⁰

The Spanish conquest of North African kingdoms did not differ much from the reconquest of Muslim kingdoms in the Iberian Peninsula during Reconquista—except for duration. Reconquista is often presented as a series of military campaigns that officially began in 722 and ended in 1492. The Christians rulers used the argument of ‘prior possession of the land’ to justify attacks on Muslims kingdoms in Andalusia and claimed that they were fighting to re-conquer Christian territory lost to Muslims after the conquest of Tariq Ibn Ziad in 711 AD. This way, they gained support of the Papacy and galvanized armies all over Christendom. By 1236, Cordoba, one of two remaining Muslim kingdoms—besides Granada—fell to combined Christian attacks.

More than just military campaigns, the Reconquista also was a religious and an ideological crusade. Originally, it took the form of mere attacks undertaken by various Christian rulers for power and self-enrichment. Military superiority ensured them victory but they lacked the demographic element necessary for settlement of the conquered territories. Therefore, they attacked

²⁰ For a general description of the different attacks and capitulation of local rulers see Grammont, *Histoire d'Alger*, pp. 27-39.

with the aim of imposing vassalage on the defeated Muslims through the payment of tribute—called *parias*. Later, the church legitimated those attacks as a ‘holy religious war of independence.’ The Papacy encouraged warfare against Muslim ‘infidels’ and even issued bulls offering heavenly pardon for those who took part in it.²¹

Ultimately, once military ‘reconquest’ of ‘Christian lands’ was completed, the Reconquista acquired an ideological dimension and became synonymous of ‘providential destiny,’ or something equivalent to American Manifest Destiny. Implicitly, with this interpretation, the Spaniards invested themselves with a mystical divine Christianizing mission whereby they bestowed on themselves the right to carry warfare beyond the Iberian Peninsula into other non-Christian regions with the aim of transforming those regions into a Catholic land regardless of the claim of ‘prior possession of the land.’²² The Spaniards used this argument to legitimate subsequent conquest of the Americas and North Africa and Christianization, or attempts at Christianization, of the native populations. Applied to the New World, this ideological argument gave them legitimacy as rationally they could not claim ‘prior possession of land.’ In the context of the North African conquest, however, the Spanish conquistadors exploited both the religious and ideological arguments of Reconquista.

²¹ Pope Urban II issued similar bulls for those who headed for Jerusalem in 1094. Bulls, in fact, were initiated in Spain 30 years before the First Crusade. Adam Knobler, “Holy War, Empires, and the Portability of the Past: The Modern Uses of Medieval Crusades,” *Comparative Studies in History and Society*, 48: 2 (Apr., 2006), p. 307.

²² *Ibid.*, pp. 301-2.

According to the notion of ‘just war’ as used by Latin holy warriors, three prerequisites are necessary for proclaiming such deeds as ‘holy war’:

The adversaries must be non-Christian; there must be proof of some prior injury to the Christian faith, the Church, or its believers (such as persecution or the destruction of a church); or, the war must be in the name of re-conquering a lost part of the “Roman” patrimony.²³

This makes the question of Spanish conquest of Muslim lands outside the Iberian Peninsula even more complex and questionable. Put in the context of Reconquista, the religious argument could not stand scrutiny because, in geographical terms, North Africa is definitely not the Iberian Peninsula. In this case, the ideological argument could be seen as a more plausible justification but the Spaniards, already animated by a religious hatred and an avenging spirit going back to the Crusades, were intent upon giving the conquest of North Africa the character of a ‘holy war.’ Consequently, to make the religious argument more acceptable, and therefore mobilize Christians from all over Europe against the Muslim ‘infidels’ of North Africa—particularly those of Algiers, the Spanish politicians, military strategists, ecclesiastics, and historians dug beyond Reconquista into a far-away past. What they had looked for, they found it in the military history of the Roman Empire. By reinterpretations of the Roman conquest of North Africa, they developed an argument that provided them with legitimacy. Because the Roman conquest preceded the coming of Islam, North Africa, therefore, was seen as a lost part of the Roman heritage that had to be re-conquered.

²³ Knobler, “Holy War, Empires, and the Portability of the Past,” pp. 301-2.

1. 3. The Spaniards in North Africa

What the Spaniards had proclaimed as a holy war was in fact part of a political agenda that was meticulously devised by the Christian kings of Spain and executed by successive generations of politicians, strategists, and military men with the support of the church. It was no more than the beginning of overseas expansionism and imperialism that was disguised as holy war to give it legitimacy.²⁴ After eight centuries of a flourishing Muslim civilization at El-Andalus, the kings of Castile and Aragon (Isabella and Ferdinand) united their two thrones with the aim of putting an end to the last Muslim kingdom in the Iberian Peninsula, Granada. Starting from 1407, the Castilian kings had already launched many military campaigns against Granada but reconquest proved to be difficult and drew out for almost a century. By late 15th century, Isabella and Ferdinand relaunched a combined offensive; they did not wait long before they could lay hand on the last jewel of Muslim civilization.²⁵ Weakened by internal rivalries and dubious alliances with the Christians, the Muslims ended up by handing over Granada to the Christian besiegers in 1492.²⁶ The fall of Granada ended the so-called Reconquista and opened a new phase of Spanish conquest and worldwide expansion.

²⁴ Prescott, *Ferdinand and Isabella*, pp. 356-57.

²⁵ Stanley Lane-Poole, *The Moors in Spain*, 8th edition (London: Fisher Unwin, 1888), p. VII-XII; Salah Zaimeche, "Granada: The Last Refuge of Muslims in Spain," *Foundation for Science, Technology and Civilization*, Dec. 2004, pp. 1-20. (Accessed 27 May 2008). <http://www.islamawareness.net/Europe/Spain/granada.pdf>

²⁶ In fact, the line between Christians and Muslims was blurry: Christians fought amongst themselves—as did Muslim. Christian rulers often leagued with Muslim rulers—and vice versa—against rivals. In addition, 'mercenaries' regardless of religious appurtenance fought for whoever paid them more. One of those was Rodrigo Díaz, later known as El Cid. Lane-Poole, *The Moors*, pp. 185-214; also Stephen Clissold, "El Cid: Moslems and Christians in Medieval Spain," *History Today*, 12:5 (May 1962), pp. 322-28.

With the last Muslims expelled from Spain, converted to Christianity in a wave of Inquisition terror, or virtually exterminated at the hands of Reconquista troops,²⁷ the Spanish rulers could now concentrate on overseas expansion. The discoveries of Christopher Columbus brought them gold and glory but also offered them an opportunity for spreading Christianity beyond the Iberian Peninsula. Exulting under New World robbed treasures, Spain set out on a policy of forcible Christianization and genocide against the natives of the conquered empires.²⁸ Simultaneously, it pushed colonial expansion to the shores of North Africa and indulged in pillage and genocide as shown in the barbarities committed against Muslim population following the fall of Algerian ports and cities early in the 16th century. In method and policy the natives of the American continent and Muslims of North Africa became the target of the same conquest and extermination policies.²⁹ In North Africa, however, the outcome was disappointing for the Spaniards. Despite warfare systematic destruction and massacres, raids and kidnappings, and numerous plagues, the Algerian population “did not dwindle as did the Indian population in North America that was subsequently transferred or destroyed.”³⁰

In total disregard of the various motivations underlying the Spanish conquest of the North African coast—religious, ideological, and political—

²⁷ Lane-Poole, *The Moors*, pp. 169-71; Grammont, *Histoire d'Alger*, p. 2.

²⁸ Ramsay Muir, *The Expansion of Europe: The Culmination of Modern History*, 2nd edition (London: Constable and Company, 1917), pp. 17-20.

²⁹ For comparison with English conquests see Leland Conley Barrows, “*Turks, Moors, and Englishmen in the Age of Discovery*,” H-W-Civ, H-Net Reviews, October, 2000. (Accessed 19 May 2008). <http://www.h-net.org/reviews/showrev.cgi?path=32574973114426>

³⁰ Nabil Matar, “Britain and Barbary, 1589–1689,” in Daniel J. Vitus, ed. *Piracy, Slavery, and Redemption: Barbary Captivity Narratives from Early Modern England* (New York: Columbia University Press, 2001), p. 9.

western writers emphatically invoke ‘Muslim piracy’ as the sole reason justifying conquest. According to them Algiers had become a nest of Muslim pirates that raided Spanish shores causing considerable damage; therefore, Spain launched expeditions to end those piratical threats.³¹ This simplistic view, however, is loaded with complex issues. The so-called pirates were no more than the refugee Moors and Moriscos³² who escaped the carnage of Reconquista, Inquisition, and forced Christianization which uprooted centuries-old established Muslims from Andalusia and forced them to exile. In 1478, to enforce political unity, the Spanish rulers expanded Inquisition to Muslims. More, starting from 1492, they introduced policies furthering religious and racial ‘purification.’ “Decrees implementing forced conversion or expulsion of non-Christians appeared as formal policy designed to promote a Catholic, Christian Spain.”³³ What ensued was genocide and terror: countless numbers of alleged ‘Moorish apostates’ were burnt at the stake,³⁴ as the Catholics argued cynically, ‘to avoid bloodshed.’ Inquisition was accompanied by a wave of terror that caused hundreds of thousands more to flee Spain to North Africa for

³¹ Prescott, *Ferdinand and Isabella*, p. 272; Lane-Poole, *Barbary Corsairs*, p. 9-12; Muir, *Expansion of Europe*, p. 81; Grammont, *Histoire d’Alger*, p. 5.

³² The term ‘Moors’ refers to Spain’s Muslims as opposed to ‘Moriscos’ who were forced into Christianity. The term ‘Moor,’ from the Greek adjective *maurus*—meaning dark or black, was originally used to indicate Blacks; later, it was applied to the inhabitants of North Africa of mixed Arab and Berber races. In Andalusia, the name is given to Muslims of mixed Arab, Berber, and Spanish blood. The Moors of Spain ultimately took refuge in North Africa between the 11th and 17th centuries following serial losses of Muslim kingdoms in Spain. Generally, this term denotes ‘Muslim’ and ‘Black’ people in Renaissance Europe. For etymology see “Moor,” in *The Concise English Dictionary*, p. 747.

³³ Andrew C. Hess, “The Moriscos: An Ottoman Fifth Column in Sixteenth-Century Spain,” *The American Historical Review*, 74: 1 (Oct., 1968), p. 3.

³⁴ Zaimche, “Granada,” pp. 14-6. Persecution of Muslims lasted until 1967 when, for the first time in Spain’s history, freedom of religion was instituted.

their lives.³⁵ After 1492, those who found refuge at Algiers either opted for continuing war or engaged in rescue operations to extract other Moors in distress from slaughters.³⁶

1. 3. 1. A Crusading Agenda

The objectives of North African conquest, however, are numerous: more than just the religious goal, they also included political, military, and strategic elements which, put together, assured Spain a dominant position not only in Europe and the Mediterranean Basin but also throughout the whole world.³⁷ First, the Spanish monarchs aimed at the fulfillment of a crusading ideal, that of the annihilation of Islam. Armed with the support of zealous conquistadors and fanatical ecclesiastics such as Cardinal Ximenez de Cisneros, Isabella expelled the Muslims and started organizing for the conquest of North Africa.³⁸ Her death in 1504 only halted the preparations for the invasion but did not end conquest policies. Through an ambitious policy of expansion, she succeeded in maintaining a state of permanent war with Algiers, but also occupation of Algerian lands, for centuries to come. In a codicil to her will, added only three days before her death, she bequeathed to her subjects a heritage of a unique kind: they “must not interrupt the conquest of Muslim North Africa nor cease

³⁵ Hundreds also fled to the Spanish colonies in the Americas. There, they met the same treatment at the hands of the Inquisition persecutors, i.e.: burning at the stake—along with Indians and Protestants. Inquisition began functioning in the New World as early as 1515.

³⁶ Khayreddin Barbarossa alone was responsible for the deliverance of 70,000 Moriscos whom “he rescued, in a series of voyages, from servitude in Spain.” Lane-Poole, *Barbary Corsairs*, p. 60.

³⁷ Muir, *Expansion of Europe*, pp. 7-8; Prescott, *Ferdinand and Isabella*, p. 271.

³⁸ Emrah Safa Gurkan, “Ottoman Corsairs in the Western Mediterranean and their Place in the Ottoman-Habsburg Rivalry, (1505-1535).” A Master’s Thesis, Department of History, Bilkent University, Ankara, June 2006, pp. 36-40.

fighting for Christian faith against the infidels.”³⁹ For many historians, her will was “a precious legacy bequeathed to her people, to guide them when the light of her personal example should be withdrawn for ever.”⁴⁰

In fact, the two documents, will and codicil, were the embodiment of a full political program for future generations to carry out. In it, she stressed the need for unity among the kingdoms of the Iberian Peninsula and maintenance of control over the Strait of Gibraltar.⁴¹ Furthermore, she outlined a policy of expansion into North Africa for which she had already started preparing a plan for invasion. To this political agenda, she insisted upon “the good work of converting and civilizing the poor Indians.”⁴² Less than two decades later, the brute conquistadors led by Hernando Cortez transformed this ‘civilizing mission’ into a mission that brought to an end the flourishing civilization of the Aztecs and exterminated the ‘poor Indians.’⁴³ Beginning from 1505, other conquistadors started occupation of important ports in Algeria, raided its interior lands, and pillaged its wealth. For the next 300 years or so, Isabella’s faithful and pious subjects were to abide by her legacy of religious hatred and astute political design.

More than religious and political designs, the conquest of the Algerian littoral was part of a larger strategy devised and executed by military leaders. In general, the Spaniards considered that the expelled Moors, knowledgeable of

³⁹ Grammont, *Histoire d’Alger*, p. 29.

⁴⁰ Prescott, *Ferdinand and Isabella*, pp. 165-66.

⁴¹ Lerne L. Plunket, *Isabel of Castile and the Making of the Spanish Nation, 1451-1504* (New York/London: G. P. Putnam’s Sons, 1915), pp. 383-84.

⁴² Prescott, *Ferdinand and Isabella*, pp. 165-66.

⁴³ Stuart Matthews, “Cortés and Aztec Gold: Initial Conflict and Modern Political Ecology,” *ICE Case Studies*, n° 174, March 2006. (Accessed 1 June 2008). <http://www.american.edu/ted/ice/aztec.htm>

the land and language, still constituted a serious threat to Spain. For them, the fall of Granada did not rule out the possibility of another Muslim invasion of the peninsula:

After all, rude warriors from Africa had twice stiffened the backbone of Iberian Muslims before the completion of the reconquest; hence proximity and tradition argued that another invasion from North Africa might again roll back the Christian conquests.⁴⁴

According to Gonzalvo de Cordova, general commander of the Spanish army, the enemy had to be pursued and exterminated to the last one. Indeed, and thanks to this strategy, he became the first European general to engage in pursuit of a retreating enemy after victory with the aim of destroying it completely.⁴⁵ Pedro Navarro carried this strategy to its most horrible details as shown in the carnage that followed the fall of Oran in 1509.⁴⁶ “No mercy was shown,” wrote the American historian William H. Prescott; “no respect for age or sex; and the soldiery abandoned themselves to all the brutal license and ferocity, which seem to stain religious wars above every other.”⁴⁷ This method of systematic destruction was reiterated in other cities that could not resist Spanish assaults, particularly in Bejaia (1510) and Jijel (1512).

⁴⁴ Hess, “The Moriscos,” pp. 1-2.

⁴⁵ Thanks to this strategy of systematic destruction, Gonzalvo de Cordova (1453–1515) stands among the first founders of modern warfare. As a field commander, he had no match in the modern era until the rise of Napoleon some 300 years later. He gave Spain an empire and an army that dominated battlefields in Europe and the New World during 16th and 17th centuries.

⁴⁶ Mahfoud Kaddache, *L’Algérie pendant la période Ottomane* (Alger: Office des Publications Universitaires, 1992), pp. 4-5; Grammont, *Histoire d’Alger*, pp. 30-5.

⁴⁷ Prescott, *Ferdinand and Isabella*, p. 278.

1. 3. 2. Crusades in North Africa

The plans of conquest Isabella elaborated were executed speedily. De Cordova orchestrated a wave of conquest that swept the Algerian shore starting from 1505 onwards. Cardinal Ximenez headed an expedition to Oran under the banner of the Cross and the sword of Navarro, slaughtered and pillaged, and returned with “a small train of camels, led by African slaves, and laden with gold and silver plate from the Mosques of Oran, and a precious collection of Arabian manuscripts, for the library of his infant university of Alcala [de Henares].”⁴⁸ The sole expedition against Oran resulted in 4000 dead and a further 5000 taken to Spain as slaves with a booty totaling half a million ducats (gold coins).⁴⁹ The impact of the fall of Oran was such that a number of other cities, including Dellys, Algiers, Cherchell, Ténès, and Mostaganem dispatched peace delegations to Oran. To save their cities from destruction, the Muslim rulers signed treaties in which they accepted sovereignty of the Spanish King and paid him annual tributes. Once the coast had been occupied, the Spaniards built military fortification, or presidios, from which they launched raids against the nearby areas and interior lands. The primary responsibilities of those bastions were to control the coastline, commerce, and kingdoms in the area. The Presidios intervened in local politics by playing one tribe against another but also ensured an interior slave trade, which supplied Mediterranean markets with Algerian captives. Spanish barbarism was accompanied by looting; whole

⁴⁸ Prescott, *Ferdinand and Isabella*, p. 282; Primaudaie, “Commerce et navigation,” pp. 249-54; Grammont, *Histoire d’Alger*, p. 13.

⁴⁹ Fisher, *Barbary Legend*, p. 34; Prescott, *Ferdinand and Isabella*, p. 278-79.

tribes were razed and the survivors, for the most part women and children, were sold into slavery.⁵⁰

On ascending the throne, Isabella's grandson the Holy Roman Emperor Charles V (r. 1519-1558) was the most powerful sovereign in Christendom. He inherited or conquered lands that included the Spanish kingdoms of Aragon and Castile, the Netherlands, the Habsburg lands, and the Italian states of Naples, Sicily, and Sardinia—in addition to the American colonies. With the wealth of this huge empire backing him, and in league with the Papacy, he continued with Spain's conquest policies and prepared to attack Algiers as a first step towards the conquest of North Africa. The preparations for his projected expedition were euphorically impregnated by a crusading fervor. The Pope issued a bull not much different from those which incited Christians in the Medieval Ages to seize Jerusalem and the Holy Lands from the 'infidels.' He exhorted all Christians to join Charles V "promising absolution from all sins and crown of martyrdom for all those who would die fighting the infidels."⁵¹ His crusading package also included "numerous indulgences for the would-be wounded and those who would contribute person or property to this enterprise proportionally with the services offered."⁵² In short, the Pope left nobody out provided that they joined to the invasion expedition against Algiers.

⁵⁰ Alessandra Stella, *Histoires d'esclaves dans la Péninsule Ibérique* (Paris: Édition de l'École des Hautes Etudes en Sciences Sociales, 2000), p. 68 ; Kaddache, *L'Algérie Ottomane*, p. 5; Gurkan, "Ottoman Corsairs," p. 36.

⁵¹ Tassy, *Royaume d'Alger*, p. 43.

⁵² *Ibid.*

In 1541, Charles V headed an Armada of 516 galleys and galleots, the largest armament ever amassed that far, which sailed hoisting the banner of a crucified Christ. This armada was mounted with about 40,000 troops who sailed seeking glory, martyrdom, absolution, and indulgence.⁵³ Thousands more were civilians who joined the chorus with the prospect of settlement after Algiers would be conquered; they brought with them women and children, furniture and meager belongings, along with a worldly misery and belief in a providential destiny thinking that they would be the happy settlers of that new land. The Armada, however, was met with a divine storm which smashed it to pieces. Those who escaped the storm had to meet the wrath of the Muslim population; very few survived. It is said that Algiers constituted an arsenal from the booty of that expedition.⁵⁴ Undeniably, Isabella's political program and crusading legacy proved to be efficient and long lasting. King Charles V, Cardinal Ximenez, or bloodthirsty conquistadors like Navarro—to cite a few of the most heinous crusaders—were but the precursors of centuries-long crusading expeditions as summarized in Table 1 (Spanish Expeditions against Algiers, 1505-1784). This left the inhabitants of Algiers but one alternative: to fight for their lives and faith or they would be deemed for extermination in the same way as was done with the native tribes in the New World.⁵⁵

⁵³ For detailed statistics, see Rang, *Régence d'Alger*, pp. 253-58.

⁵⁴ For description of this crusade see Grammont, *Histoire d'Alger*, pp. 58-69; Rang, *Régence d'Alger*, pp. 241-333; Tassy, *Royaume d'Alger*, pp. 42-8.

⁵⁵ Cortez participated in the expedition of 1541 against Algiers with the hope of meeting the same 'successes' as in the New World. As the expedition ended in complete disaster, Cortez lost his remaining fortune, a gold-filled galleot he had brought from Mexico. Grammont, *Histoire d'Alger*, pp. 62-3; Rang, *Régence d'Alger*, p. 258.

Table 1: Spanish Expeditions against Algiers, 1505-1784

Year & Allies	Seize of Expedition	Command	Outcome	Consequences
1505	12,000 men landed at Mers-el-Kebir	Diego Fernandez de Cordova	Occupy Mers-el-Kebir	
1508-1509	100 galleys and small ships & 11,000 troops take Oran	Cardinal Ximenez Pedro Navarro (military commander)	The Spaniards Occupy Oran, 4,000 killed, 5,000 taken to Spain as slaves; ½ million ducats booty	The Dey of Algiers takes control Oran (1708)
1510	25 galleys & 5,000 troops	Pedro Navarro	Occupy the Penon and Bejaia	Barbarossa conquers the Penon (1529); Salah Rais expels the Spaniards from Bejaia (1554)
1512, Genoa			Occupy Jijel	The Barbarossa take control of Jijel (1514)
1516	60 ships & 8,000 soldiers siege and land at Algiers	Diego de Vera	Complete failure: almost ½ half the troops were killed or captured. Fleet re-embark in total anarchy	Arroudj takes Algiers and consolidates his kingdom; For Christians: lost opportunity to remove corsairs from Algiers
1519 Sicily, & King of Tlemcen	80 ships & 10,000 soldiers cannonade then land at Algiers	Hugo de Moncada	26 ships and 4,000 soldiers were lost in a storm, the rest killed or captured	Kheireddine strengthens his position; pushes conquest to Constantine, Collo, and Annaba
1531 Genoa	A major sea battle. Christian and Muslim galleys destroyed	Alvar Gomez	A brief siege, Algiers falls for a while	This naval encounter ends Ottoman-Habsburg warfare in the western Mediterranean

Spanish Expeditions against Algiers, 1505-1784 (continued)

1541, Holy Roman Empire, Malta, & Papacy	Armada of 516 galleys, and about 40,000 troops siege then land at Algiers	King Charles V	total disaster: Armada decimated by a storm, then pursued by inhabitants	Algiers invincible: For almost 200 years afterwards, Spain would refrain from attacking it
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1541-1732, long interlude;
coincides with the rise of the regency of Algiers to naval supremacy in the
Mediterranean

More powerful European countries would take over the crusade

1732	Landing at Ain et-Turk		Reoccupation of Oran	1790, Algiers sieges Oran and reoccupies it in 1792
1775	An expedition of 18,000 men and over 150 ships blockaded Algiers	Pedro Castejon & Alexander O'Reilly	total disaster: Armada decimated by a storm	
1784	Algiers Cannonaded	Angelo Barcelo	After 300 years of crusading, will and faith of Algiers remained intact	1786, a 100 years truce signed, humiliating for Spain

Source: Data is collected from the different sources used in Chapter I

2. Algeria under Ottoman Rule, 1519-1830

The treaty the city of Algiers signed with Spain in 1510 was one providing more for unconditional surrender than for a long-term peace. It included a number of conditions that turned Algiers to a vassal state paying tribute and serving the interests of the Spanish monarch.⁵⁶ For the purpose, Algiers had to evacuate its defensive forts, provide supplies for the presidios, establish amicable relations with the allies of Spain, and close its ports to the countries hostile to it.⁵⁷ To crown this humiliating treaty, Spain occupied and fortified the Islet of the Penon which gave it control of the entrance to the port of Algiers. The Penon occupied a particularly strategic position; by controlling it, the Spaniards could easily control all sea-related activities by simply forbidding access to the port.⁵⁸ Under such conditions, it became clear that the economic life of Algiers depended solely on the good will of the Spanish garrison there. The inhabitants of Algiers could hardly accept such a treaty. More, they viewed badly submission and payment of tribute to a Christian power.⁵⁹ Upon the death of King Ferdinand II in 1516, they considered that the treaty was no more bounding and sent a delegation to the Barbarossa seeking their assistance to throw off the Spanish yoke.

⁵⁶ Prescott, *Ferdinand and Isabella*, p. 283; Gurkan, "Ottoman Corsairs," p. 39.

⁵⁷ Kaddache, *L'Algérie Ottomane*, pp. 6-7; Grammont, *Histoire d'Alger*, pp. 36-37.

⁵⁸ Tassy, *Royaume d'Alger*, p. 9.

⁵⁹ Kaddache, *L'Algérie Ottomane*, p. 7.

2. 1. The Coming of the Turks

The foundation of Ottoman Algeria is closely linked to two Muslim brothers, Arruj (1474-1518) and Khayreddin (1483-1546), better known as the Barbarossa. The Barbarossa were daring corsairs who originated from Mytilene, ex-Lebsos, a Greek island in the Aegean Sea where they had been corsairing under the protection of an Ottoman prince. Arruj was an able corsair who gained fame after he captured two papal galleys, an unprecedented act which caused consternation among Christians.⁶⁰ Khayreddin was much more cultivated and sophisticated: a shrewd strategist, speaking six languages fluently, he had unmatched statesmanship skills which he masterly used to steer Algiers under the protection of the Ottoman Empire.⁶¹

Following internal strife in Turkey, the Barbarossa sought the protection of Tunis; then, they expanded their activities to the cities of Jijel and Bejaia. Starting from 1514, they led siege to Bejaia twice but failed to take it; however, they succeeded in expulsing the Genoese, Spain's allies, from Jijel and settled there. Soon after, Arruj sent an emissary with presents to the Ottoman Sultan. This was the first indication of contact between the two corsairs and Constantinople. The Sultan welcomed the initiative as a sign of obedience and reciprocated by sending them two war galleys.⁶² Ultimately, this early contact was going to place Algiers in the sphere of influence of the Ottomans.

⁶⁰ David Cordingly, ed., *Pirates: Terror on the High Seas from the Caribbean to the South China Sea* (New York: Turner Publications Inc., 1996), p. 80.

⁶¹ Ibid.

⁶² Gurkan, "Ottoman Corsairs," p. 48; Andrew C. Hess, *The Forgotten Frontier: A History of the Sixteenth Century Ibero-African Frontier* (Chicago/London: Chicago University Press, 1978), p. 63.

In Jijel and surrounding areas, Arruj and Khayreddin were perceived as heroes of Islam and rapidly their reputation reached other cities that were leaning under Spanish occupation. In 1516, they accepted a call for help emanating from the city of Algiers. Given the dramatic events that ensued the coming of the Turk corsairs to Algiers and its long-lasting consequences, the event is a matter of historical debate. Some historians, particularly the British diplomat and historian Sir Godfrey Fisher argued that Salim El-Tumi, the local ruler, was loyal to the Spaniards so he could not have invited them.⁶³ However, Stanley Lane-Poole (1854-1931), the British orientalist and authority on the matter, argued that the offer was made when the rulers of Algiers rejected the treaty of 1510 that bound them to pay tribute to Spain; therefore they feared Spaniards' retaliation and sought the protection of the Turks.⁶⁴ The most plausible reason however is that, given Spanish occupation and inability of the inhabitants of Algiers to dislodge them, the latter collectively pressed for assistance from the Barbarossa because of their reputation as enemies of Christians and their prior military success at Jijel. In all events, the Turks originally came to Algiers as Muslim brethren saviors and not as conquerors.

At the head of a force of about 6,000 corsairs and 16 small galleys, or galleots, the Barbarossa set out for Algiers and reached it without meeting resistance.⁶⁵ Once at Algiers, they launched an unsuccessful attack against the

⁶³ His view is defended on the basis of a letter from Francisco de Vera, commander of the expedition of 1516 against Algiers, addressed to Salim El-Tumi which described him as honorable and loyal. Fisher, *Barbary Legend*, p. 48.

⁶⁴ Lane-Poole, *Barbary Corsairs*, pp. 45-6.

⁶⁵ Cordingly, *Pirates*, pp. 45-6.

Penon. The failure of the cannonade caused more damage to relations between the local inhabitants and the Turk corsairs than to the Spanish fortress. Dissent among disgruntled Arabs was crushed; the Turks pillaged the city, executed its notables, and terrorized its population. In the course of those dramatic events, El-Tumi was assassinated and Arruj, with the support of the Turkish soldiery, proclaimed himself king which led to the establishment of corsairs' rule at Algiers.⁶⁶ On the lands he controlled Arruj founded a new kingdom: El-Jaza'ir. From there, he pushed conquest to Ténès and Tlemcen and challenged the Spanish occupants of the presidios. In 1518, in the battle for the control of Tlemcen, he was killed but his kingdom survived under the leadership of his brother Khayreddin.

The Barbarossa are considered the true founders of modern Algeria.⁶⁷ Even though Arruj was killed not long after his arrival to Algiers, he had achieved a lot against the Spaniards. His brother Khayreddin continued the work of consolidation and gave Algiers lasting institutions. At the beginning, Khayreddin faced serious problems. Squeezed between two kingdoms, the Hafsid kingdom in the east and Zayanid in the west, the kingdom of El-Jaza'ir was viewed unfavorably to the point that some of the rulers leagued against it with Spain. More, his rule was hardly accepted by the local population; tensions grew and the brutal conduct of the Turkish corsairs worsened

⁶⁶ Generally, it is assumed that Arruj himself strangled El-Tumi. The foundation of the kingdom of El-Jaza'ir is subject to diverse, sometimes controversial, accounts of romance, intrigues, treason, assassinations, cowardice, and brutality of the Turk soldiery towards the local population. For a detailed account, see Tassy, *Royaume d'Alger*, pp. 9-31.

⁶⁷ Kaddache, *L'Algérie Ottomane*, p. 12.

relations.⁶⁸ Finally, Spanish ongoing occupation of Algerian ports continued to represent a serious threat to the nascent kingdom of El-Jaza'ir. "Gifted with prudent and statesmanlike intelligence, which led him to greater enterprizes,"⁶⁹ Khayreddin resisted both Spanish and local forces and even succeeded in defeating a Spanish invading flotilla in 1519. Aware of the incessant Christian assaults on El-Jaza'ir, he sought and speedily obtained protection from the Ottoman Empire. In *fetihname*—letter announcing the conquest of a city—Sultan Selim I (r. 1512-1520) declared El-Jaza'ir as one of his lands in 1519.⁷⁰ In return, Khayreddin recognized the sovereignty of the Sultan and paid him allegiance. That was, in fact, the beginning of Ottoman rule in Algeria.

2. 2. Algiers: The Ottoman Regency

For the farsighted political leader Khayreddin, alignment with the Ottoman Sultan, the most powerful ruler in the Islamic world, would bring him prestige and legitimacy. The Turk corsairs were mere soldiers of fortune whose services were needed to overthrow the Spanish yoke but they had no political legitimacy. They could conquer all the land but, for the local population, they would remain usurpers of the throne especially after the brutal suppression of the legitimate leaders. Equally important, was Khayreddin's need for a strong ally in his fight against assaulting Christian forces. He shared this second motivation with the Ottomans: the Sultan was waging war in the eastern

⁶⁸ Gurkan, "Ottoman Corsairs," p. 49, 71.

⁶⁹ Lane-Poole, *Barbary Corsairs*, pp. 53-4.

⁷⁰ Gurkan, "Ottoman Corsairs," pp. 69-70.

Mediterranean against the Habsburg Empire, which then fell to the Spanish king Charles V, and Algiers could serve as an advanced strategic post from which he could counter the Christian powers in the western Mediterranean.⁷¹

Consequently, Selim I named Khayreddin *Beylerbey* or province governor of the newly-created *Beylerbeylik* of Algiers and bestowed on him the title of *Pasha*.⁷² Algiers then became the capital and center of Ottoman authority in the Maghrib from which a vast coastal region extending from Tlemcen in the west to Derna on the boundary with Egypt in the east was won for the Ottoman Empire.⁷³ More, the Sultan provided him with arms, ammunitions, and 2,000 soldiers recruited exclusively in Turkey—the Janissaries; those were the nucleus of the Algerian army.⁷⁴ That way Algiers acquired a strong and efficient army, disciplined, and trained in the modern forms of warfare.⁷⁵ Added to the already available naval mastership of the free-lance corsairs who had arrived earlier, Algiers constructed a fine military power that permitted it to emerge as a promising modern state. That combined force of janissaries and corsairs turned out to be the undisputable pillar of the

⁷¹ Tal Shuval, “The Ottoman Algerian Elite and its Ideology,” *International Journal of Middle East Studies*, 32: 3 (Aug., 2000), p. 326; Hess, *Forgotten Frontier*, pp. 9-10.

⁷² For Turkish rulers of Algiers see Kaddache, *L’Algérie Ottoman*, pp. 58, 87, 100, 117.

⁷³ During the 16th century, the political and geographical map of the Beylerbeylik of Algiers, or ‘Cezayir-i Garp’ as it was officially called, encompassed the coastal areas of North Africa extending from Tlemcen (in contemporary Algeria) to Derna (in contemporary Libya) with the city of Algiers as administrative center. That area roughly corresponds with what the westerners call the Barbary Coast—excluding Morocco which was an independent sultanate. Tripolitania and Tunis were established as independent Turkish provinces in 1554 and 1574 respectively and Algiers remained in control of a territory corresponding to the northern part of contemporary Algeria until 1830. Therefore, in the context of this work, ‘Algiers’ refers to both the Turkish province and capital city of that province as they existed between 1519 and 1830.

⁷⁴ Shuval, “Ottoman Algerian Elite,” p. 325.

⁷⁵ Daniel Panzac, *Les corsaires barbaresques: La fin d’une épopée, 1800-1820* (Paris: CNRS Editions, 1999), p. 12.

regency of Algiers. After early vicissitudes, Khayreddin set out to lay the foundations of a state that were to last for the 300 years to come.

By 1525, Khayreddin reinforced his control over Algiers and converted it into a powerful naval base; hence strengthening Ottoman presence in the western Mediterranean in the way.⁷⁶ He transformed this Ottoman province to a busy construction yard. Along the coast, from Churchill to Tlemcen he built new garrisons or reinforced existing ones. With the Arab tribes of the interior, he concluded alliances while to the east he sent troops that conquered major cities such as Constantine, Collo, and Annaba. In 1529, he decided to give Algiers a free port, unhindered by the Spaniards. He besieged the Penon before cannonading it “day and night for fifteen days” until reduced to mere rubble.⁷⁷ Soon after, he ordered the construction of a mole large enough to harbor his flotilla. For the next two years, the Christians who were made prisoners at the fall of the Penon were employed in the work of demolishing the whole islet.⁷⁸ The debris was used to build the breakwater that forms the inner harbor of Algiers today.⁷⁹ During the next three centuries, the port was aggrandized by different Turkish rulers.

⁷⁶ Tal Shuval, “Remettre l’Algérie à l’heure Ottomane : Questions d’historiographie,” *Revue du Monde Musulman et de la Méditerranée*, 95-98 (2002), p. 426.

⁷⁷ Lane-Poole, *Barbary Corsairs*, pp. 58-9.

⁷⁸ To Christian’s dismay, to the loss of the fort to Algiers was added another one: a full convoy, composed of 9 galleys, 27,000 men, and ammunitions destined for the fort which had just disappeared, was captured by the Algerian corsairs. *Ibid.*, pp. 60-1.

⁷⁹ The structure of the port as conceived five centuries ago remains unchanged today. The infrastructure—shelters for vessels and fortifications—had remained unaltered until after 1830; then, they were degraded by the French. For a full description of the mole and its degradations see Tassy, *Royaume d’Alger*, pp. 36-42 and Rang, *Régence d’Alger*, pp. 415-16, 368-70 respectively; also see Kaddache, *L’Algérie Ottomane*, p. 12.

Once in control of the land, Khayreddin improved his flotilla and sought control of the seas. In 1529, he launched the construction of two galleys and within a short time the inner harbor of Algiers was transformed to a shipbuilding yard.⁸⁰ That was the beginning of the Algerian navy. From a mere 6 galleots at the beginning, the fleet reached 36 vessels, for the most part galleys, in the early 1530s. Consequently, Khayreddin could resume his original activity: corsairing. In that, he relied on able corsairs like Salih Rais, Dragut Rais (Turghud) or later El-Euldj Ali (Ochiali). Those *Ri'yas* were both feared and respected by their Christian adversaries. Dragut, for example,

was the greatest of the leaders of the age—an expert in almost every branch of the science of war, in command of a large body of the fiercest fighters of the day, who ever feared the wrath of Dragut more than the swords of the enemy.⁸¹

From then onwards, for the Christian enemies Algiers, those Algerian corsairs became ‘the Scourge of Christendom’:

The Algerine galleots infested every part of the Western Mediterranean, levied contributions of slaves and treasure upon the Balearic Isles and the coasts of Spain, and even passed beyond the straits to waylay the argosies which were returning to Cadiz laden with the gold and jewels of the Indies. Nothing was safe from their attacks; not a vessel ran the gauntlet of the Barbary coast in her passage from Spain to Italy without many a heart quaking within her. The “Scourge of Christendom” had begun, which was to keep all the nations of Europe in perpetual alarm for three centuries. The Algerine Corsairs were masters of the sea, and they made their mastery felt by all who dared to cross their path; and not merchantmen only, but galleys-royal of his Catholic Majesty learnt to dread the creak of the Turkish rowlock.⁸²

⁸⁰ Rang, *Régence d’Alger*, pp. 368-70.

⁸¹ Currey, *Sea-Wolves*, pp. 302-3.

⁸² Lane-Poole, *Barbary Corsairs*, p. 57. In 1529, the Algerian corsairs made a resounding prize while on a Moors’ rescue mission: seven Spanish royal galleys, including the flagship, were captured—an unprecedented feat in the whole history of the Mediterranean Basin.

So successful was Khayreddin at Algiers that Sultan Suleyman I (r. 1520-1566), known as Suleyman the Magnificent, recalled him to Constantinople in 1533 and promoted him to the supreme post of *Kapudan Pasha*, or Grand Admiral of the whole Ottoman fleets (1534-1546). By 1538, he was in command of over 150 galleys and galleots. By then, the Ottoman Empire was in full control of the eastern Mediterranean and the field of confrontations between Muslims and Christians was transferred to the western Mediterranean. Consequently, the Algerian fleet, which became an integral part of the Ottoman fleet, played a crucial role in the war for naval supremacy in the Mediterranean Sea. The fleet was in fact the cornerstone that permitted Algiers naval supremacy; it was also one two major elements, besides religion, that shaped diplomatic relations between Algiers and the Christian powers. Therefore, it is important to consider some aspects relating to the growth and organization of the Algerian navy.

3. Growth of the Algerian Navy

Khayreddin Barbarossa is the true father of the Algerian Navy; the port and first galleys he constructed were indeed the beginning of a policy which was going to give Algiers a strong fleet. From the 1530's onwards, the fleet kept growing until it became a match for European fleets and then surpassed them. In general, the naval history of Ottoman Algeria may be subdivided to three major phases: the 16th century was the age of the great naval battles that pitted the Algerian fleet against the Christian fleets whether separately or as

part of the Ottoman fleet. While the 17th century was the golden age of corsairing the next one witnessed a period of decline of the fleet which ended by the latter's collapse in the 1820s.

3. 1. Command and the Crews

Supremacy of the fleet was ensured by its composition as well as by the character of the men who put it afoot. The high command, admiral and sea captains were chosen in a democratic way; they were chosen by the Beylerbeylik/Deylik "subject to examination" by the *Ta'ifa*, or association of the *Ri'yas* (sea captains).⁸³ The *Kaptan* (admiral) was the supreme commander of the navy; he was chosen among the eldest *Ri'yas* whose age would not permit active service; he was a living encyclopedia of maritime experience and feats. Another admiral, *Rais el Bahr*, commanding the fleet at active service, was chosen among the most competent and daring *Ri'yas* regardless of his age. The *Rais*, or captain of a ship, was chosen among the ablest and bravest sea captains, usually having behind him glorious exploits. El-Euldj Ali is an example: in 1570, he captured four Maltese galleys—including the flagship;⁸⁴ in 1572, despite defeat at Lepanto, his talent and bravery brought him to the supreme post of command of the Ottoman fleet—like Barbarossa before him. Aboard ships, command fell to the *Rais* and *Bach Rais* (his second). The captains were Turks or Christians who converted to Islam and joined the

⁸³ Peter Earle, *The Pirate Wars* (London: Methuen & Co Ltd, 2004), p. 43.

⁸⁴ The flagship is the command ship from which the admiral controls the operations of his fleet during combat.

Algerian navy.⁸⁵ The latter were underdogged by their former coreligionists who dubbed them ‘renegades.’ They were despised for having ‘turned Turk’ or ‘taking the Turban’ because, according to their detractors, that “marks the becoming-barbarian of Christians.”⁸⁶ But at Algiers they were well-received and many of them occupied the highest posts in the navy. In 1588, Fray Diego de Haedo, Spanish Benedictine monk who lived in Algiers at the end of the 16th century, noted that of the thirty-five galleys or galleots of Algiers eleven were commanded by Turks while twenty-five were commanded by Christian renegades.⁸⁷ The renegades also occupied some of the highest posts of the state at Algiers. At late 16th century, more than half of the twenty-three governors or high officials (*qaid*) were also renegades.⁸⁸ Many of them also reached the ultimate position of Deyship. Although the Barbarossa originated from Greece, they were Moslems by birth as was Dragut Rais; but many of their ablest successors converted to Islam at a tender age: Hassan Pasha (Sardinian) held Algiers against Charles V, El-Euldj Ali (Calabrian) was the Muslim hero of Lepanto, Hadj Hassan Pasha (Mezzomorto the Venetian) stood steadfastly to French attacks and repelled them, and Murad Rais (Albanese) was first to sail into the Atlantic and reach the Canary Islands in 1585.⁸⁹

⁸⁵ For the role of converted Christians in the Algerian navy see Stephen Clissold, “Christian Renegades and Barbary Corsairs,” *History Today*, 26: 8 (Aug., 1976), pp. 509-515.

⁸⁶ David E. Johnson, “Of Pirates, Captives, Barbarians, and the Limits of Culture,” *American Literary History*, 14: 2 (Summer 2002), pp. 366-67.

⁸⁷ Haedo’s work *Topografia e Historia General de Argel* (topography and general history of Algiers) which was published in 1606 is incontestably the earliest western source of information on Ottoman Algeria.

⁸⁸ Lane-Poole, *Barbary Corsairs*, p. 200; Clissold, “Christian Renegades,” p. 512.

⁸⁹ Pierre Boyer, “Les renégats et la marine de la régence d’Alger,” *Revue de l’Occident Musulman et de la Méditerranée*, 39: 1 (1985), pp. 94-95.

In addition to Turks, the crews included Andalusians, natives, and Christian renegades originating from different countries; by the 17th century, the latter formed as high as two-thirds of the total number of the crews.⁹⁰ Captured Christians with certain sea skills did not serve as oarsmen. Aboard ships, they had freedom of movement but were “shackled when attack was imminent.”⁹¹ Finally, the Galley slaves, called oarsmen were for the most part Christian slaves captured during corsairing expeditions. They were the rowers who propelled vessels with oars. All corsair vessels also embarked a complement of janissaries. Usually 100-140 men on board of a large vessel, the Janissaries did not mingle with seamen and took no part in rowing or sailing; at boarding, they were in charge of musketry. An *Agha*, a superior officer from the *Odjac*, the corps of Janissaries, commended this group. With the Rais, he participated in making decisions, especially when boarding another vessel. Because he was entirely independent from the Ta’ifa, he formed an efficient check on the conduct of the Rais.⁹²

Organization aboard vessels was meticulous which was a decisive factor providing for the strength of the navy. The *Rais Etterik*, or prize captain, had no task on the vessel. He was in charge of commandeering the prizes; another officer was in charge of the heavy artillery. A *khodja* or secretary was assigned to the Rais and served as his private secretary; he was also in charge of

⁹⁰ Michel Fontenay, “La place de la course dans l’économie portuaire : l’exemple de Malte et des ports barbaresques,” *Annales. Histoire, Sciences Sociales*, 43: 6 (1988), p. 1329; Albert Devoulx, “La marine de la Régence d’Alger,” in *Revue Africaine*, 13: 77 (Sept., 1869), p. 387.

⁹¹ Cordingly, *Pirates*, p. 84.

⁹² *Ibid.*

maritime signals and generally was the only literate person on board. The seamen were of two kinds, *Bahri* and *Sotta* affected to the front and rear of the ship respectively. Service was done by quarters starting at midnight under the command of the *Bach Rais* seconded by *Rais el Assa*.⁹³

3. 2. Size of the Fleet

In the absence of naval records pertaining to the period, the size of the fleet is marked out by major events. Accordingly, when Salih Pasha (1552-56) destroyed the Portuguese flotilla anchored at Cadiz, Spain, in 1553 he was at the command of 40 vessels of different sizes.⁹⁴ Two year later, when he set out to expel the Spaniards from Bejaia, he was commanding 30 mighty galleys.⁹⁵ In 1555, the fleet counted 32 galleys, which lets presume that naval construction was done at a pace of two galleys per year. This is enormous considering that the large fighting galleys were propelled by an average of 150 to over 250 oarsmen and could carry a crew of up to 500 men and over.⁹⁶ The Battle of Lepanto, 1571 is one of the largest naval battles in which Algiers participated with 15 large galleys commanded by El-Euldj Ali. As observed by a modern war strategist, the Algerian galleots “tended to be better armed and larger than their Christian opposites.”⁹⁷ The Algerian fleet also participated in

⁹³ Devoulx, “Marine d’Alger,” 388-89.

⁹⁴ Ibid. p. 389.

⁹⁵ Primaudaie, “Commerce et navigation,” pp. 169-70; Hess, *Forgotten Frontier*, p. 11.

⁹⁶ Walter Scheidel, “Galley Slaves,” in Paul Finkelman and Joseph Calder Miller, eds. *Macmillan Encyclopedia of World Slavery*. Vol. 1 (New York, NY: Simon and Schuster Macmillan, 1998), p. 355.

⁹⁷ John F. Guilmartin, Jr., “The Tactics of the Battle of Lepanto Clarified: The Impact of Social, Economic, and Political Factors on Sixteenth Century Galley Warfare,” in Craig L. Symonds, *New Aspects of Naval History: Selected Papers Presented at the Fourth Naval History Symposium, United*

the Battle of Djerba (1560), the siege of Malta (1565), that of Tunis (1574), the war against Venice (1638), that against Greeks and Russians (1770-1820), and the Greek war (1820-1827). The ultimate battle was at Navarino, Greece, in 1827.

Travel accounts and chronicles also give an idea about the fleet and crews and impressions about them. According to those, the Algerian fleet was much superior to that of Spain in terms of crews, speed, and handiness. When corsairing, the Algerian corsairs mocked the Christian galleys knowing that they could not chase them because the Algerian ships were light, therefore speedy, contrary to those of the Christians that were heavy and messy.

According to Haedo:

Their galleots are so extremely light and nimble, and in such excellent order, as they always are; whereas, on the contrary, the Christian galleys are so heavy, so embarrassed, and in such bad order and confusion, that it is utterly in vain to think of giving them chase, or of preventing them from going and coming, and doing just as they their selves please. This is the occasion that, when at any time the Christian galleys chase them, their custom is, by way of game and sneer, to point to their fresh-tallowed poops, as they glide along like fishes before them, all one as if they showed them their backs to salute: and as in the cruising art, by continual practise, they are so very expert, so daring, presumptuous, and fortunate.⁹⁸

About the corsairs, Haedo wrote:

While the Christians with their galleys are at repose, sounding their trumpets in the harbours, and very much at their ease regaling themselves, passing the day and night in banqueting, cards, and dice, the

States Naval Academy 25-26 October 1979 (Annapolis, MD: The U.S. Naval Institute, 1981), p. 48. For the role of El-Euldj Ali, see pp. 52, 56-8; for the nomination of the latter as supreme admiral of the Ottoman fleet (1571-1580) see Kaddache, *L'Algérie Ottomane*, pp. 34-5.

⁹⁸ As translated by J. Morgan, *A Complete History of Algiers to which is Prefixed, an Epitome of the General History of Barbary, from the earliest Times* (London: J. Bettenham, 1729), p. 619.

Corsairs at pleasure are traversing the east and west seas, without the least fear or apprehension, as free and absolute sovereigns thereof. Nay, they roam them up and down no otherwise than do such as go in chase of hares for their diversion. And all this they do without finding any who offer in the least to oppose or contradict them.⁹⁹

Pierre Dan, a French ecclesiastic who visited Algiers in 1634, recorded some of the activities of the Algerian fleet. Despite his crusading ardor, as reflected in the title of his account, he recorded one of the most splendid descriptions of the corsairs going out on one of the usual corsairing expeditions:

At Algiers, there are 70 vessels of different sizes; some are armed with 25 guns, others with 35 and 40 guns... I saw the fleet leaving, the vessels are the most beautiful and the best armed I have ever seen.¹⁰⁰

Chevalier d'Arvieux, the envoy of the French King Louis XIV to Dey Mehmed, resided at Algiers between 1674 and 1675. In his memoirs he left us this description about the corsairs and the fleet:

It is surprising that people as brutal and barbarian as the Algerians have this much order and justice; which we rarely find even among the most perfect Christians. At Algiers, I admired their diligence at arming and disarming vessels. ... there are 3 row-galleys and about 30 vessels of different sizes; the largest having 50 guns *only*, the smallest 10-12 guns. Those constructed at Algiers are lighter and smoothly sailing; they are good at chasing and taking prizes.¹⁰¹

⁹⁹ Morgan, *Complete History of Algiers*, pp. 592-93.

¹⁰⁰ Dan, *Histoire de Barbarie et de ses corsaires, divisée en six livres où il est traité de leur gouvernement, de leurs moeurs, de leur cruautés, de leurs brigandages, de leurs sortilèges, & de plusieurs autres particularités remarquables: Ensemble des grandes misères et des cruels tourments qu'endurent les chrétiens captifs parmi ces infidèles*. (Paris: Pierre Rocolet, 1637), p. 317.

¹⁰¹ Jean-Batiste Labat, ed., *Mémoires du chevalier d'Arvieux, envoyé extraordinaire du roy à la Porte, consul d'Alep, d'Alger, de Tripoli, & autres échelles du Levant*, Tome 5 (Paris: Chez Charles-Jean-Baptiste, 1735), pp. 262-63. D'Arvieux was not only a brilliant diplomat but he was an accomplished Orientalist. His memoirs, published 30 years after his death, are appreciated for their impartiality and valuable information they contribute to the history of Algeria.

One finds himself here far from the splendor and numbers given by Dan just 30 years earlier. This implies that the fleet was in a state of decline by the 1670s. D'Arvieux also recorded that he warned the Algerian authorities that the Algerian Corsairs sailed without passports; and that they risk capture because France's 30 cruising vessels may confuse them with the Tripolitan and Sallee corsairs.¹⁰² This indicates that, at this period, the Algerian fleet was about the same size as that of France but less armed. In 1676, the same observations were made by the British Admiral John Narborough who was cruising near the Algerian shores. This is also the period when the European powers were engaged in huge naval building programs.¹⁰³ The consequence was that, by the end of the 17th century, Algiers had already lost naval supremacy.

When the famed Dr. Shaw, an English who traveled in the country during the 1730s, published his travel account in 1737, the Algerian fleet had already reached the bottom.¹⁰⁴ According to him, "the naval force of the Algerines hath been for some years in a declining condition."¹⁰⁵ He gave a picture about both a declining fleet and competence of command and crews—or at best an image of a less performing navy. In 1732, the navy had only half a dozen sailing ships, from 36 to 50 Guns, and "at the same time had not half that number of brave and experienced Captains."¹⁰⁶ Consequently, the lack of

¹⁰² Labat, *Mémoires du chevalier d'Arvieux*, p. 114.

¹⁰³ Panzac, *Corsaires barbaresques*, pp. 19, 34.

¹⁰⁴ Shaw's account is the best known and most quoted work among Anglo-Saxon writers. Chapters IV and V, however, are reproduction of Tassy's work *Histoire du royaume d'Alger* which had been published some ten years earlier along with significant parts of chapters VI, VII, and VIII.

¹⁰⁵ Thomas Shaw, *Travels, or Observations Relating to Several Parts of Barbary and the Levant* (Oxford, England: Step H. Niblett, 1737), p. 70.

¹⁰⁶ Shaw, *Travels*, p. 70.

experience and competence of captains, due to few naval engagements, had diminished the character and affected the reputation of the whole navy.

The size and armament of the fleet are better known for the period 1737-1827 than for preceding ones because of the availability of yearly records as summarized in Table 2 (Naval Force of Algiers, 1737-1827). The French consulate at Algiers recorded the activities of the corsairs in registers that went uninterrupted throughout that period. That was possible because the peace treaties Algiers signed with the different European countries required it. For identification questions, the ships from both countries were to carry passes, or passports, so as to avoid harassment and capture. The passports also permitted legalization of prizes. As far as the treaty with France is concerned, the Algerian corsairs had to get two documents from the French Consulate before going out cruising: a nationality certificate and a passport. Those served as protection for the corsairs and their prizes against capture by the French fleet but also allowed them to visit French ports (in cases of bad weather, wreckage, or need for supplies).¹⁰⁷ The registers in question, therefore, preserved all the information relating to the fleet and corsairing.¹⁰⁸ For matters of comparison, one should keep in mind that at its zenith in 1625, the Algerian fleet counted a hundred vessels of different sizes.¹⁰⁹ During the 1630s, and according to Dan, it

¹⁰⁷ E. Rouard de Card, *Traité de la France Avec les pays de l'Afrique du Nord: Algérie, Tunisie, Tripolitaine, Maroc* (Paris: A. Pédone, Éditeur, 1906), pp. 52-60.

¹⁰⁸ Albert Devoulx edited those records in 8 volumes entitled: *Les archives du consulat-général de France à Alger* (1865).

¹⁰⁹ Fontenay, "La course dans l'économie portuaire," p. 1327.

counted 70 vessels. One hundred years later, and this is where the records start; only 17 vessels totalizing 100 guns formed the fleet.

Table 2: Naval Force of Algiers, 1737-1827

Year	Largest ships	Total Vessels	Total Guns	Pierriers	Note
1737	1 18 guns	17	100	127	
1740	1 16 guns	14	74	206	
1750	1 58 guns	12	272	50	
1760	2 44 guns	27	322		1763, 5 merchantmen
1770	1 42 guns	13	196		
1780	4 18 guns	28	360	4	
1790	1 26 guns	4	36		Almost non-existent
1800	2 36 guns	16	335		(1) named <i>The American</i>
1810	1 50 guns	11	269		A squadron (3 frigates & 1 brick commanded by Rais Hamidou)
1816	1 50 guns	15	401	6	Prior to British-Dutch expedition
1816	1 22 guns	2	40		After British-Dutch expedition
1817	1 22 guns	7	120		(1) 14 guns (built at Leghorn, Italy for Algiers)
1818	1 46 guns	11	252		(1) 46 guns (sent by the Sultan) (1) 36 guns (sent by King of Morocco)
1820	1 46 guns	14	320		(1) 32 guns (built at Algiers) 1821, a squadron (8 ships) sent to Turkey to help in war against Greek.
1825	1 12 guns	2	24		1926, a squadron (8 ships) sent to Turkey to help in war against Greek.
1827	1 50 guns	14	296		(1) 62 guns & (1) 40 guns, (were at Alexandria, Egypt)

The last passport delivered by the French Consul to Algerian corsairs was dated May 26, 1827.

Note: Pierriers are swivel guns used for throwing stones.

Source: Devoulx, "La marine de la régence d'Alger."

3. 3. The Fleet and Corsairing

In the 16th century, the fleet was composed essentially from galleys and galleots—those being smaller and lighter—propelled by oars and dependant entirely on human power. The galleys dominated the naval history of Algiers until they were superseded by a new type of vessels, the man-of-war or sailing battleship. The galleys were heavily armed and were primarily used in squadron warfare in which hundreds of such vessels and tens of thousands of fighting men were generally involved.¹¹⁰ The galleots, however, had no fire power—or almost—and were for the most adopted for a different kind of warfare called corsairing or *guerre de course*, because they were “quicker, handier, and more maneuverable than the galley.”¹¹¹ Corsairing, consisted mainly of chasing then boarding enemy merchant vessels, called also merchantmen; what ensued was much like land fighting—body-to-body fights whereby the strongest and bravest ended up by taking control of the enemy’s ship and making it prize. Algiers rather excelled in that kind of fighting especially after the retreat of the Ottoman fleet from the western Mediterranean following the Battle of Lepanto in 1571. Algerian corsairing vessels were either built in local shipyards or were captured merchantmen, which were armed and converted for corsairing. Naval stores and ammunitions (including masts, sail-cloth, ropes, cannons, powder, bullets, etc.) were bought either directly in the

¹¹⁰ At Lepanto (1571), the largest and last sea battle involving galleys, a total force of about 450 galleys (Muslim and Christian) took part in fighting. More about armament, command, and tactics can be found in Guilmartin, “Tactics of Lepanto,” p. 41-65.

¹¹¹ Ibid., p. 45-47.

Netherlands or via Jew brokers at Leghorn and Tangiers.¹¹² They were also partly secured by treaties with the European countries, particularly the small Nordic powers— the Netherlands and later Denmark and Sweden—under the form of annual tributes.¹¹³

It should be noted here that export of naval material to the Ottoman North African regencies in general was prohibited by catholic laws because it was seen as enhancement of Muslim warfare against Christendom. In the counter-Reformation countries, such as Spain, Austria, Hungary, parts of Germany, Italian city-states, Malta, and the Papal state, export was prohibited by Papal edicts and Inquisition was strict about it.¹¹⁴ In 1694, for example, the Catholic Church excommunicated a Leghorn merchant because he exported bales of plain paper to Tunis; the argument was that it could be used by the Muslims for making cartridges.¹¹⁵ In protestant Europe, however, particularly England and the Nordic states, such considerations were the least of their preoccupations; rather it was a case for rejoice. Since Muslims warfare was against the ‘papists,’ their worst enemies, the protestant states perceived it “as one means of counter-balancing Spanish and Papal powers.”¹¹⁶ Furthermore, export of such products favored their commercial expansion into Mediterranean and North African markets. For those reasons, England and the

¹¹² Fontenay, “La course dans l’économie portuaire,” p. 1329.

¹¹³ Devoulx, “Marine d’Alger,” pp. 386-87.

¹¹⁴ Kenneth Parker, “Reading ‘Barbary’ in Early Modern England, 1550–1685,” in Matthew Birchwood and Matthew Dimmock, eds., *Cultural Encounters between East and West: 1453–1699* (England: Newcastle-upon-Tyne, 2004), p. 90.

¹¹⁵ Fontenay, “La course dans l’économie portuaire,” p. 1333.

¹¹⁶ H. G. Barnby, *The Prisoners of Algiers: An Account of the Forgotten American-Algerian War 1785-1797* (London/New York: Oxford University Press, 1966), p. 68.

Netherlands were the largest providers of those strategic products for the Algerian navy; Algiers was entirely dependent on this external market for maintaining its fleet. Subsequently, and in a sense, the protestant countries were paid off by a lucrative trade and advantageous treaties with Algiers. Illustrative of this view is the remark Dey Hassan Pasha (r. 1791-1798) made to the Americans who, dropping empty-handed on Algiers, sought to conclude a treaty as advantageous as that of the Netherlands:

but what good did you ever do us to expect to obtain peace on the same terms as Holland, who has been supplying us with stores for a century when we were at war with Spain [?]¹¹⁷

By early 17th century, Algiers had become a dominant naval power in the Mediterranean and the row-galleys were progressively abandoned as sail and broadside technology was introduced.¹¹⁸ Henceforth, fighting vessels carried batteries of guns and used sail for cruising instead of human power. This process of renovation was accelerated after several hundred English, Dutch, and other European former privateers joined the Algerian navy at the end of a wave of wars that swept Europe.¹¹⁹ The renegades introduced new knowledge like the broadside—called also the round ship—which was introduced by the Dutch Simon Danser in 1606.¹²⁰ Another Dutch renegade,

¹¹⁷ As cited in James L. Cathcart, *The Captives: Eleven Years a Prisoner in Algiers*, compiled by his Daughter, J. B. Newkirk (Laporte, Indiana: Herald, 1899), p. 159.

¹¹⁸ Earle, *Pirate Wars*, pp. 40-1. A broadside is a battery of guns positioned on one side of a ship that could fire simultaneously; thus disposing of a huge fire power capacity.

¹¹⁹ Power rivalries and dynastic warfare turned Europe, colonies, and seas into a battleground. Privateering flourished as the European rulers encouraged privateers to attack and harass each others' commercial shipping.

¹²⁰ G. N. Clark, "The Barbary Corsairs in the Seventeenth Century," *Cambridge Historical Journal*, 8: 1 (1944), p. 27.

Murad Rais, pushed corsairing out of the Mediterranean to new distances never reached before. The navy also absorbed the expelled Moriscos who joined massively after 1609. Their skill, entrepreneurial capacities, and grievances against Spain made them a precious asset for the navy.¹²¹

In the 16th century, most of the galleys were owned by the state and functioned on a similar basis as the navies of other states. Nonetheless, there existed a difference and it was of great significance: Algiers was at perpetual war with Christendom therefore the fleet was constantly engaged in battles, either squadron warfare or corsairing. In the 17th century, the state continued to own most of the galleys but many of the sailing ships were privately owned; but at the end of the 18th century, as the use of galleys declined, the Deylik maintained ownership of the flagship only.¹²² Ships were acquired and fitted out by private owners who sometimes were the Ry'as of those ships, but most of the time corporations of shipowners, merchants, corsairs, and state officials armed the ships and shared in corsairing profit.¹²³ The liberalization of ownership touched also ordinary people such as shopkeepers, artisans and even women and prisoners.¹²⁴ In general, anyone who had savings could invest in

¹²¹ For Moriscos' relations with Algerian corsairs see Hess, "The Moriscos," pp. 6-9.

¹²² *State Papers and Publick Documents of the United States, From the Accession of George Washington to the Presidency, Exhibiting a Complete View of our Foreign Relations since that Time*, edited by Thomas B. Wait, 3rd ed. (Boston, MA: T. B. Wait, 1817-1819), 10:42, Report of Secretary of State Relative to Mediterranean Trade, Dec. 28, 1790). (Hereafter cited as *SPPD*).

¹²³ Fontenay, "La course dans l'économie portuaire," pp. 1338, 1340.

¹²⁴ Women sold their jewelry and participated in the armament of corsairs in return for profits, Grammont, *Histoire d'Alger*, p. 150; James L. Cathcart, an American prisoner, could make savings and bought his own ship. Cathcart, *The Captives*, p. 157.

ownership of sailing vessels because it was a very attractive activity and “was likely to satisfy a man’s desire for piety and profit at the very same time.”¹²⁵

The 17th century was the golden age of corsairing; it was during this period that the corsairs reached the highest point of their power in terms of prizes and captives. It was also during this period that the corsairs’ cruisers reached as far as Madeira, archipelago in the Atlantic Ocean (1617), Plymouth, on the English Channel (1625), Reykjavik, Iceland (1627), and Baltimore, Ireland (1631).¹²⁶ Laugier de Tassy, a French diplomat who visited Algiers between 1724 and 1725, even recorded that the corsairs had been as far as Newfoundland, Canada.¹²⁷ This pace of growth would be sustained until the end of the century; by then, new political developments and naval technologies were going to alter Algerian supremacy irreversibly.

Conclusion

A series of Spanish conquests of Algerian coastal cities, with which violence and brutality were so intimately associated, led to the establishment of Ottoman rule in North Africa. The city and regency of Algiers then emerged as a strong Mediterranean power that played an important role in the struggle which opposed Muslims to Christians, a struggle which origins go back to the crusades of the medieval ages. During the three hundred years of its existence, Algiers resisted continuous Christian attacks. Between 1505 and 1541, the

¹²⁵ Earle, *Pirate Wars*, p. 43.

¹²⁶ Lane-Poole, *Barbary Corsairs*, pp. 107-108.

¹²⁷ Tassy, *Royaume d’Alger*, p. 266.

Spanish mobilized Christendom and launched a series of crusading expeditions which caused Algiers to develop its navy and adopt corsairing as a means for thwarting those aggressions. From then onwards, Algiers strengthened its fleet and turned it into a formidable striking force that retaliated forcibly and effectively against Christian assaults.

After the crashing defeat of its expedition of 1541, Spain shifted interest to the New World and did not reappear in the Mediterranean until about two centuries later. Although Spain ceased sending expeditions against Algiers, warfare continued on the high seas; but in 1732 it renewed with conquest of Algerian cities and re-took control of Oran. Meanwhile other European countries—powerful and lesser powerful—joined into the chorus but to no avail. Algiers resoluteness to stand up to Christian assaults won it the reputation of the ‘invincible city.’ At the end, Algiers survived to three centuries of pressures, intimidations, blockades, cannonading, and attempts of invasion and consolidated its position as a Mediterranean power that inspired both fear and respect but also hatred. That hatred found expression in a variety of distortions featuring Algerian corsairs as inveterate pirates that had to be exterminated. By doing so, Christian countries legitimated their aggressions against Algiers. Prevailing laws and practice, however, while outlawing piracy, gave corsairing and corsairs legitimacy.

CHAPTER II

Corsairing between Distortions and Legitimacy

The Barbary corsairs are the plague of nature, the pest of humankind, the tyrants of common liberty, the executioners of universal innocence, who incessantly harm by cruelties unknown to the rest of men and which further surpasses that of tigers and lions born in their country.¹

Pierre Dan (1637)

Introduction

Western writings have reduced the history of Algeria under Ottoman rule to that of a barbarous state and a nest of pirates that lived parasitically on plunder and from the sale and ransom of Christian captives. For westerners, Europeans and Americans alike, Algiers was a source of troubles and a nuisance for the civilized Christian world. This view was so fossilized that the epithet ‘Scrounge of Christendom’ became indisputably the twin name for Algiers. They portrayed the inhabitants of Algiers as savage sub-humans and ferocious pirates who robbed, killed, captured, and enslaved countless numbers of helpless white Christians. This, in fact, is part of many legends that were developed by western writers and historians about the so called pirates of the

¹ Dan, *Histoire de Barbarie*, p. 4.

Barbary Coast.² Alleging piracy and slavery, the western countries mobilized forces, naval as well as religious, and sent expedition after expedition to ‘punish’ what they termed ‘Barbary pirates’. These legends served as a justification for continuing occupation of Algerian port-cities, a disguise for crusading aggressions, and a means of pressure for obtaining greedy commercial privileges and concessions. Later on, by the time Algiers lost naval supremacy in the Mediterranean, these views served as a justification for assaulting and ultimately colonizing Algeria.³

From a different angle, however, the history of Algeria presents itself differently.⁴ It is the history of a people, diverse as it was, that fought to counter European attacks and preserve its freedom and culture. Whether descendents of Arab conquerors, converted native Berbers, Andalusian refugees, or Turkish rulers, the inhabitants of Algiers were Muslims who realized that their enemy was ‘one’ and it was ‘Christian.’ Weak and disunited at the start, they stood up to thwart the threat of a new wave of crusades regardless of their internal disputes and racial differences.

²A myriad of works present this point of view. Two classical works are particularly influential: Robert Lambert Playfair, *The Scourge of Christendom: Annals of British Relations with Algiers Prior to the French Conquest* (London: Smith, Elder & Co, 1884) and Stanley Lane-Poole, *The Barbary Corsairs* (New York: G. P. Putnam’s Sons, 1890).

³J. E. Swain, “The Occupation of Algiers in 1830: A Study in Anglo-French Diplomacy,” *Political Science Quarterly*, 48: 3 (1933), p. 360; Lotfi Ben Rejeb, “Barbary’s ‘Character’ in European Letters, 1514-1830: An Ideological Prelude to Colonization,” *Dialectical Anthropology*, 6 (1982), p. 345.

⁴For one of the rare impartial and balanced scholarly works undertaken by Western writers see Godfrey Fisher, *Barbary Legend: War Trade and Piracy in North Africa, 1415-1830* (London: Oxford University Press, 1957). Also, an unprejudiced travel account could be found in Laugier de Tassy, *Histoire du royaume d’Alger avec l’état présent de son gouvernement, de ses forces de terre et de mer & de ses revenus, police, justice politique & commerce* (Amsterdam: Chez Henri du Sauzet, 1725).

1. Distortions and Definitions

Corsairing was a maritime practice that flourished in the Mediterranean Basin between the 13th and 19th centuries. Originally, it functioned as a form of economic warfare whereby the belligerent European states issued commissions to privately-owned ships permitting them to attack the commerce of the enemy. Contrary to piracy, corsairing was a legal practice, well regulated and meticulously organized. Those who engaged in corsairing detained authorizations, called ‘*letters of marque*’ from the belligerent states that allowed them to plunder enemy shipping. Since the crews were not paid, those were allowed to make profits from the booty they could take, including ships, cargoes, and captives.⁵ By the 16th century, corsairing reached the southern shores of the Mediterranean and the Ottoman provinces of North Africa became the center of Muslim corsairing.⁶ By then, it transmuted and took the form of holy warfare against the infidels—be they Muslims or Christians. Officially, the Declaration of Paris of 1856 put an end to that practice.⁷

Etymologically, ‘corsair,’ from which the verb ‘corsairing’ may be extracted, is a term that derives from the Latin word *cursarius* (from *currere*, meaning to chase or *faire la course*).⁸ In the Mediterranean Basin, the French expression “*guerre de course*” is commonly used to describe the activity of

⁵ For the intricacies of prize laws see D. J. Llewelyn Davies, “The Development of Prize Law under Sir Leoline Jenkins.” *Transactions of the Grotius Society*, Vol. 21, Problems of Peace and War, Papers Read before the Society in the Year 1935 (1935), pp. 149-160.

⁶ Leos Muller, *Consuls, Corsairs, and Commerce: The Swedish Consular Service and Long-Distance Shipping, 1720-1815* (Stockholm: Uppsala University Press, 2004), p. 31.

⁷ Francis R. Stark, *The Abolition of Privateering and the Declaration of Paris* (New York: Columbia University, 1897), pp. 139-52.

⁸ Arthur L. Hayward and John P. Sparkes, *The Concise English Dictionary*, 5th edition (London: Cassell Ltd/Omega Books Limited, 1984), p. 253.

chasing vessels on the high sea; while the English term ‘privateering’ bears an equal legal meaning.⁹ But the term ‘corsair’ has different linguistic and cultural connotations: in Mediterranean languages, it means ‘privateer’ or private owner of a vessel who legally engages in chasing enemy shipping. In English, however, it is usually used as a synonym for ‘pirate.’¹⁰ From the beginning of the 16th century to early 19th century, the term ‘corsair’ was particularly attached to the Muslim seafarers who were active along the North African coast in as much the same way as ‘buccaneer,’ for example, was used to describe Caribbean Sea pirates.¹¹

1. 1. Corsairing or Retaliatory Muslim Warfare

On the European shores of the Mediterranean, corsairing became an economic asset; it made the wealth of such cities as Naples, Palermo, Leghorn, (Italy), Valetta (Malta), Marseille (France), and many others. Those became prosperous markets where prizes and slaves were sold.¹² For Malta, particularly, piracy had acquired such a magnitude that by the 15th century it was sanctioned as corsairing. It played so an important role in the economy of the island that it became its principle source of income. It was also a redoubtable weapon that had been used against the Muslims ever since the expulsion of the Knights of St. John from the Holy Lands and Rhodes by the Muslims. For those reasons,

⁹ “Privateering,” *The Columbia Encyclopedia*, Sixth Edition, 2001. (Accessed 26 May 2008).

¹⁰ “Pirate,” *The Oxford Pocket Thesaurus of Current English*, 2008. (Accessed 26 May 2008). Synonyms of pirate include: buccaneer, rover, sea rover, sea robber, corsair, freebooter.

¹¹ Frank R. Stockton. *Buccaneers and Pirates of our Coasts* (New York: Grosset & Dunlap, Publishers, 1898), p. 3; “Corsair,” *Microsoft Encarta Premium Suite 2005*. (Accessed 16 May 2008).

¹² Jean-Louis Delmasso, “La peur des corsaires barbaresques en Méditerranée à l’époque moderne à travers l’exemple de Nice et son arrière-pays,” *Pays Vésubiens*, 2 (2001), p. 51.

Maltese piracy was not condemned; instead it “received the encouragement and the patronage of the government of the day as it helped materially to keep the Moslems at bay” and contributed, by means of goods captured from Muslims, “to the victualling of the island, which had to rely on outside sources of food to feed the inhabitants.”¹³

Corsairing was not exclusively Maltese; corsairing against the Muslim ‘infidels’ was an international affair which gathered in “the name of Christ the dregs of all Mediterranean ports.”¹⁴ Already, and since the 10th century, Greeks, Sardinians, and Genoese had been by far the “worst members of the fraternity of rovers.”¹⁵ Those did not limit their depredations to Christian merchant shipping but they “ventured eastward to plunder Turkish ships and possessions in the Levant.”¹⁶ By the 16th century, however, corsairing acquired a religious dimension and Christian attacks against Muslims expanded to reach the southern shores of the Mediterranean. Actually, Christian corsairing was a continuation of the tradition of crusades.¹⁷ Generally, the Knights of Malta were the most aggressive participants in that form of warring:

As the Order’s traditional enmity with the Moslem was at its height when it settled in Malta, official sanction was readily given to Maltese corsairing as such practice tallied admirably with the Order’s aggressive policy toward the Moslems.¹⁸

¹³ Cassar, “Maltese Corsairs,” p. 138.

¹⁴ Fontenay, “La course dans l’économie portuaire,” p. 1326.

¹⁵ Lane-Poole, *The Barbary Corsairs*, p. 24.

¹⁶ Cassar, “Maltese Corsairs,” p. 137.

¹⁷ Xavier Labat Saint-Vincent, “La guerre de course et ses effets sur le commerce en méditerrané au cours des guerres de cent ans et l’indépendance américaine,” in Michel Vergé-Franceschi and Antoine-Marie Graziani, eds., *La guerre de course en Méditerranée (1515-1830)*. (Paris: Presses de l’Université Paris IV-Sorbonne, 2000), p. 160 ; Muller, *Consuls, Corsairs, and Commerce*, p. 54.

¹⁸ Cassar, “Maltese Corsairs,” p. 141.

Faced with such aggressiveness, Algerian seamen adopted corsairing as a retaliatory form of warfare against Christian enemies. Usually, corsairing expeditions ended up by seizure of enemy ships and their cargoes, including crews and passengers who were sold at the slave market of Algiers. To traditional attacks on Christian seaborne trade, the circle of maritime warfare of the Algerian corsairs involved also high seas battles in which squadrons of galleys participated as well as surprise attacks on coastal European towns. Ultimately, corsairing became a form of warfare through which Muslims and Christians alike continued to wage holy wars.¹⁹

Although Mediterranean corsairing involved both Muslims and Christians, western writings definitely attribute the role of the ‘bad guys’ to the Algerian corsairs whom they describe as “the most dangerous pirates the world has ever seen.”²⁰ The most frequently used epithet that describes what is commonly referred to as the ‘Barbary pirates’ is ‘scourge of Christendom.’ This term is derived from the title of one of the most influential late nineteenth-century accounts about Algerian diplomatic relations with the Christian countries, particularly those with Great Britain. In 1884, Robert L. Playfair, British Consul-General at Algiers (1867-1897), brought out a work dubbing them ‘Scourge of Christendom.’²¹ Over a century later, this term has become a standardized synonym for the Algerian corsairs and the biased images and prejudices attached to it have persisted unaltered up till today. Vilified and

¹⁹ Muller, *Consuls, Corsairs, and Commerce*, p. 31.

²⁰ Thomas G. Frothingham, “The Armed Merchantman,” *Current History*, 7: 1: 3 (Dec., 1917), p. 465.

²¹ Robert L. Playfair, *The Scourge of Christendom*.

defamed, the Muslims corsairs are always referred to as the pirates from the Barbary Coast who, for centuries, had ravaged shipping, enslaved Christians, and ransomed European states.²²

Yet, this damning view is loaded not only with mistakes and distortions but it is also sheer crusading and anti-Algerian propaganda that later served as an argument to embellish the conquest of Algeria. The American scholar Andrew C. Hess observes with some impartiality that Playfair “describes the corsairs in the manner of the mediaeval propagandists against Islam.”²³ Likewise, the American historian Paul J. Zingg explains that the term ‘pirate’ is “used freely and incorrectly by Western scholars” because what they call ‘Barbary pirates’ were privateers “commissioned by their respective governments in time of war to contest the enemy and disrupt his commercial shipping.” Unlike pirates, he argued, they were “the legitimate corsairs of an acknowledged ruler” and “were subject to regulations affecting their targets, cruising areas, and booty.”²⁴ For French historian Fernand Braudel (1902-1985), however, “western historians have encouraged [westerners] to see only the pirates of Islam, in particular the Barbary corsairs” while Europe’s schemes for the conquest of Algiers were happily forgotten.²⁵ Spanish historian Josep Fontana, however, is one of the rare western historians who, contrary to

²² In this matter, the sources abound; within this single sentence, for example, one may easily denote the biased attribution of the term ‘pirate’ and ‘corsair’ to Muslims and Christians who were engaged in the same activity: “concurrently with the ascendancy of Moslem pirates in the Middle Sea the Maltese Islands became themselves the thorny nest of many a Maltese corsair who preyed on Turkish and Moorish commerce.” Cassar, “Maltese Corsairs,” pp. 137-38.

²³ Hess, *The Forgotten Frontier*, p. 89.

²⁴ Paul J. Zingg, “One-Dimensional History: A Review of United States-North African Historiography since Independence,” *ASA Review of Books*, vol. 1 (1975), p. 153.

²⁵ Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 2 (New York: Harper and Row, 1973), pp. 754-55, 865-67; see also Fisher, *Barbary Legend*, pp. 1-5.

established perceptions, goes further and considers that European attacks against Algiers were ‘piracy’:

Our history books say, for example, that France took over Algiers to defend it against the piracy of petty Muslim kings. But they do not tell us that these North African kingdoms were, in their turn, victims of European piracy that prevented them from developing normal trade and forced them into corsairing.²⁶

The image of the ‘Algerian pirate’ is deeply ingrained in the western mind. Most likely, the earliest work which painted such fallacious image was that of Haedo. Haedo’s *Topographie et histoire générale d’Alger*, is invariably cited as a ‘testimony’ and ‘trustworthy’ source of information in western histories about Algeria.²⁷ Re-reading Haedo, however, provides no more than a view impregnated with a blind crusading hatred and aggressiveness against Islam and Algiers that is straightforwardly expressed and which became a classic for both modern and contemporary crusaders. The following extract, although lengthy, is worth reproducing because it summarizes the western view about Algerian corsairs:

They here snap up a ship laden with gold and silver from India, and there another richly brought from Flanders; now they make prize of a vessel from England, then of another from Portugal. ... Insomuch that before these Corsairs have been absent from their abodes much longer than perhaps twenty or thirty days, they return home rich, with their vessels crowded with captives, and ready to sink with wealth; in one instant, and with scarce any trouble, reaping the fruits of all that the avaricious Mexican and greedy Peruvian have been digging from the bowels of the earth with such toil and sweat, and the merchant with such

²⁶ As quoted in Paul A. Silverstein, “The New Barbarians: Piracy and Terrorism on the North African Frontier,” *The New Centennial Review*, 5: 1 (Spring 2005), p. 185.

²⁷ Haedo published his book *Topografia e Historia General de Argel* in 1606. The book was translated by the French Dr. Monnereau and A. Berbrugger as “Topographie et histoire générale d’Alger,” 17 parts, *Revue Africaine*, xiv (1870), xv (1871), xxiv; (1880), xxv (1881).

manifest perils has for so long been scraping together, and has been so many thousand leagues to fetch away, either from the east or west, with inexpressible danger and fatigue. Thus they have crammed most of the houses, the magazines, and all the shops of this *Den of Thieves* with gold, silver, pearls, amber, spices, drugs, silks, cloths, velvets, &c., whereby they have rendered this city the most opulent in the world: insomuch that the Turks call it, not without reason, their India, their Mexico, their Peru.²⁸

Definitely, all this makes nonsense: when the European thief kills and robs innocents in the Americas and India, Haedo moans his “manifest perils, danger, and fatigue”; but when that same robber is legally robbed by the enemy he had made, the latter is slandered and his homeland is transformed to a “*Den of Thieves*”!

1. 2. Barbary: Misconceptions and Prejudices

Distortions exceed the nature of the practice of corsairing to the region at large. It is customary in western writing to call ‘Barbary’ the costal region of Northwest Africa that extends from the Atlantic shore to roughly the boundaries of nowadays Egypt. Similarly, the Ottoman regencies of North Africa (Algiers, Tunis, Tripoli) and the kingdom of Morocco are commonly referred to as the “Barbary States” while the Muslim corsairs are called the ‘Barbary Pirates.’²⁹ According to Westerners’ thought, ‘Barbary’ is indicative of the “notoriety for greed and ferociousness” of the inhabitants of the area.³⁰ What is common knowledge, however, is although a similarly sounding word

²⁸ As translated by Morgan, *Complete History of Algiers*, p. 593-94.

²⁹ For a general approach to misconceptions see Godfrey, *Barbary Legend*, pp. 1-13.

³⁰ Michael B. Oren, *Power, Faith, and Fantasy: America in the Middle East 1776 to the Present*. New York: W. W. Norton, 2007), p. 18.

(*barba'rei* or بربري) exists in Arabic, it refers to one of the ethnic groups living in the region but not the geographic area or the culture of its people as it is understood in the West. This ignorance has generated numerous legends and distorted images about the region and its population: the land was seen “as not only hostile but also as barbaric as the ‘wilds of Africa,’” and the inhabitants of North Africa were so dehumanized that they “had become objects of ethnographical curiosity, and even ‘savages’ needing to be civilized.”³¹

According to western misconceptions, ‘Barbary’ is the land where barbarous, ruthless, pitiless, and animal-like sub-humans lived.³² More, Westerners mistakenly believe that the inhabitants of Barbary are called ‘Berbers’ because they were wild barbarians, irreligious, and behave instinctively like ferocious animals. Tassy had left us a resounding testimony:

Many people do not make the difference between the inhabitants of Barbary and the savages and simply call them animals; they even think that animals are more estimable than them. ... The names Turk, Muhammedian, Arab, and Moor are sufficient reasons to question these people’s faith and even make Christians doubt whether they have any notion of God at all. ... Such preconceived ideas could be easily reversed if they would make the effort of reading history and travel accounts. They would be convinced that countless people in the world, some even in Europe, are more ignorant and more savage; and their customs are more ferocious and brutal than those of Barbary inhabitants who are today more civilized and more sociable.³³

This excerpt is interesting in the sense that it clearly underlines preconceptions and prejudices of Westerners about North Africa, and Algiers

³¹ Thomson, *Barbary and Enlightenment*, p. 2.

³² For more of the kind see Ralph P. Locke, “Cutthroats and Casbah Dancers, Muezzins and Timeless Sands: Musical Images of the Middle East,” *19th-Century Music*, 22: 1 (Summer 1998), pp. 20-53.

³³ Tassy, *Royaume d’Alger*, pp. 1-2.

particularly, by the very term they used to refer to the region. It is also indicative of a few balanced and unbiased writings, which attempted to combat prejudices and dissipate the connotations of barbarian and barbarism that are attached to Barbary in the western mind. Some writers have indeed attempted to demonstrate that the name “had nothing to do with the behavior and degree of civilization of the inhabitants.”³⁴ A Russian naval officer on visit to Algiers between 1776 and 1777, for example, wrote:

The Romans called these people ‘Barbarian’ as they did with all those they had conquered, and the Europeans have conserved the habit until today, although these peoples do not at all deserve such a contemptuous name. ... The name of Barbarian only suits a ferocious, lawless and cruel people, but the Barbaresques seem to me in general to have milder and more welcoming to strangers than many Europeans.³⁵

1. 2. 1. Defining ‘Barbary’

Attempting a definition of the term Barbary is an intricate task. Historically, the term first came into use in Italy about the early 16th century and lasted until the French Conquest in 1830. The different etymologies, however, explain in part the linguistic and ideological complexity of the term because the word ‘barbary’ cannot be simply explained by its origins or history. Etymologically, the term is understood to have both Arabic as well as Greco-Roman origins. Arabic origins include the words ‘*Ber* or *بر*’ meaning un-inhabited because this part of North Africa was scarcely populated when the Arabs first settled it in the 8th century AD; the second word is ‘*barbara* or *بربر*’

³⁴ Thomson, *Barbary and Enlightenment*, p. 14.

³⁵ As cited in M. Canard, “Une description de la cote barbaresque au dix-huitième siècle par un officier de la marine russe,” *Revue Africaine*, 95 (1951), pp. 147-48.

meaning a person speaking beneath his teeth, or a sort of muttering or babbling, because the original inhabitants spoke a language that was un-understandable to them; so they called the inhabitants بربر, *pl. برايرة* or Berber and, in the long, the land came to be known as ‘barbary.’ The second origin of the word is attributed to the Greco-Romans. The Romans used to call non-Romanized inhabitants at the periphery of the Roman Empire *barbarus*, meaning ‘barbarous,’ whatever the region they lived in. Those were foreign people who were outsiders to the circle of Roman civilization. Their languages, manners, and customs and traditions were different from that of the Romans. Therefore, for the Romans, the Latin word *barbarus* meant the same thing as ‘outsider’ or ‘foreigner’.³⁶ Laugier de Tassy however held a different view; according to him, when the Roman armies of Julius Caesar and Augustus conquered this vast part of North Africa, which used to be called *Mauritania*, they called it ‘barbary’ because the people who inhabited it opposed a fierce resistance to Roman conquest never witnessed before.³⁷

The Latin word *barbarus* in itself is derived from the Greek *barbaros*, “probably a word imitative of un-intelligible speech,” which means “foreign in speech, barbarian, hence harsh-sounding.”³⁸ This word is close in meaning to the Arab world *Barbara*, which led many to conclude that the Arabs

³⁶ For the Different etymologies see E. Mercier, “Ethnographie de l’Afrique septentrionale : notes sur l’origine du peuple berbère. *Revue Africaine*. 15: 85 (Jan., 1871), pp. 421-26; Jean Monlaü, *Les états barbaresques*, (Paris: Presses Universitaires de France, 1964), pp. 7-12, Thomson, *Barbary and Enlightenment*, pp. 13-15.

³⁷ Tassy, *Royaume d’Alger*, p. 3. This view is based on the narrative St. Augustine, a native of North Africa, who used the term *barbarus* as a substitute for North African natives who resisted Roman rule and Christianity.

³⁸ “Barbarous,” *The Concise English Dictionary*, p. 87.

themselves borrowed the term *berber*, indicating the natives of North Africa, from Greek and Latin.³⁹ A second view, however, closely links the word ‘barbary’ to the Latin word *barbaria* (noun) meaning barbarian. Originally meaning “one non-Greek or non-Roman,” by the 15th century, it came to mean “a savage, a person belonging to some uncivilized race, one destitute of pity or humanity;”⁴⁰ and when used as an adjective it means rude, uncivilized, savage, cruel, and inhuman.

1. 2. 2. Ideological Interpretation

Whatever the origin of the term ‘barbary’ is, one is inclined to say that, in content, it remains in essence ideological. Largely used at a time when animosity between Islam and Christianity reached a zenith and when the struggle for supremacy was raging between two antagonist supreme powers—Ottoman and Habsburgs—the term ‘barbary’ undoubtedly reflected a whole system of beliefs, values, and ideas that predominated at that time among Europeans. The ‘Turk’, who was also Muslim, was responsible for the crumbling of a Greco-Roman civilization twice millenary and was threatening the very heart of Europe;⁴¹ therefore, he could not be perceived positively. That same “Turk” was also present in North Africa: he stopped Christian designs of conquest and defended Islam in the region. Further, the Turk corsair of Algiers was a high seas fierce fighter who spread both fear and loathing among

³⁹ Monlaü, *Etats barbaresques*, p. 8.

⁴⁰ “Barbarian,” *The Concise English Dictionary*, p. 87.

⁴¹ At its height, Muslim power reached central Europe. In 1453, Constantinople, heir of the Greco-Roman civilization and capital of the Byzantine Empire fell to the Ottomans; and in 1529, the Turkish forces besieged Vienna, capital of the mighty Habsburg’s empire but failed to take it.

Christian corsairs. Hence, according to European views, the ‘Turk’ was savage, ferocious, barbarous, cruel, inhuman, ignorant, fanatical, despotic, a menace for civilization, a plague, and many more attributes of this kind.⁴² No words, however, could convey the most hideous crusading image of the Muslim corsair than those of Pierre Dan. Dan was a redemptionist who specialized in the ransom and exchange of Christian captives in North Africa. To raise funds, he toured Europe and “appealed to people’s sensibilities by promoting the picture of a hellish Barbary.”⁴³ According to him:

The Barbary corsairs are the plague of nature, the pest of the human race, the tyrants of common liberty, the wholesale executioners of universal innocence, who incessantly harm by cruelties unknown to the rest of men and which further surpasses that of tigers and lions born in their country.⁴⁴

Even so, crusading writers, such as Dan, often tend to forget that the “Christian corsairs displayed a ferocity unexcelled even by the fiercest Turks.”⁴⁵

What matters here is the transportability of the image of ‘Turk’ to North Africa which probably caused its coastal strip to be dubbed ‘Barbary Coast.’ Even though the Turkish element formed a small percentage of the whole population of Algiers, the Europeans had no problem extending that image to all the inhabitants of the region as long as they were subjects of the Ottoman

⁴² For a sample of these images see Thomson, *Barbary and Enlightenment*, pp. 16-21; also Elizabeth M. Dillon, “Slaves in Algiers: Race, Republican Genealogies, and the Global Stage,” *American Literary History*, 16: 3 (2004), pp. 413-22.

⁴³ Ben Rejeb, “Barbary’s Character,” p. 347.

⁴⁴ Dan, *Histoire de Barbarie*, p. 4.

⁴⁵ Louis B. Wright and Julia H. Macleod, *The First Americans in North Africa: William Eaton’s Struggle for a Vigorous Policy against the Barbary Pirates, 1799-1805* (Princeton, NJ: Princeton University Press, 1945), p. 6.

Empire.⁴⁶ In fact, only leadership was Turkish but the majority of the population was of Arab or Berber origins therefore such an image could not be reasonably expanded to it. Some western writers had indeed depicted the difference between rulers and ruled as indicated here:

In comparison with the Turks, the Arabs were a gentle people. Despite persistent conflicts with Portugal and Spain, the Arabs had permitted commerce with Europe and had shown a certain amount of toleration to Christians dwelling in their midst. The coming of the Turks changed all this. Turkish cruelty replaced Arab chivalry.⁴⁷

Yet, the distorted image of the Turkish corsair was inaccurately applied to all people regardless of their racial origin or occupation.

When looking into the subtleties of the region and the mistaken generalizations and hostile attitudes of the Europeans that were ultimately transferred to the Americans, one may deduce that with or without ‘Turks’, ‘barbary’ was the product of a whole western culture which did not accept the ‘otherness’ of the other. The ‘other’ existed only if he conformed to that culture, which makes this view a bearer of the seeds of contradiction and confrontation. This simply meant that western culture was intolerant of the other, the one who was different—different by custom and tradition, different by faith, different by institutions, and different by ethnic origin. That was in short intolerance, racism, and denial of existence to the other. It was an ideology based on a complex system of beliefs, which actually provided the

⁴⁶ The Turks represented a small percentage of the total population (about 30,000 Turks of an estimated population of about 120,000 in 1621 or about 25%). Even those originating from the Levant were not all from Turkish origin. More, the feared corsairs were largely European Christians who converted to Islam and opted for joining the Algerian navy. Statistics are from Henri-D. de Grammont, “Relations entre la France & la Régence d’Alger au XVIIe siècle,” 12 parts, *Revue Africaine*, 23 (1879), p. 136.

⁴⁷ Wright and Macleod, *First Americans*, p. 5.

basis for a variety of programs and shaped the policies of western rulers and their governments.

1. 3. Slavery and Captivity

No other issue in Algerian-Christian relations has been submitted to distortions, misrepresentations, and one-sided interpretations than the problem of slavery. Although slavery was an endemic Mediterranean practice, western historians conveniently reduced it to the *Batistan* and *Bagno Belique*.⁴⁸ According to current western scholarly standards, slavery in the Mediterranean was a deed committed solely by the Muslim corsairs who captured and enslaved innocent Christians with the aim of making profit by selling or ransoming them. Allegedly, the Algerian corsairs confined their Christian captives in horrible conditions and submitted them to the most cruel and perverse treatments and sufferings.⁴⁹ This view is not new; it has already started developing since the 16th century. Travelers, priest, chroniclers, diplomats, captives, and all sorts of writers had produced quantities of accounts describing pains and sufferings, real and imaginary, of Christian captives at Algiers.⁵⁰ Yet, despite the fact that Algiers lost tens of thousands of its

⁴⁸ Those were respectively the slave market and slaves' main residential area at Algiers.

⁴⁹ As an example of this view see the following works: Stephen Clissold, "The Ransom Business: Christian Slaves in North Africa," *History Today*, 26: 12 (Dec., 1976), pp. 779-87; Ellen G. Friedman, "Christian Captives at 'Hard Labor' in Algiers, 16th-18th Centuries," *The International Journal of African Historical Studies*, 13: 4 (1980), pp. 616-632; Gary E. Wilson, "American Hostages in Moslem Nations, 1784-1796: The Public Response." *Journal of the Early Republic*, 2: 2. (Summer 1982), pp. 123-141; Martha Elena Rojas, "'Insults Unpunished': Barbary Captives, American Slaves, and the Negotiation of Liberty," *Early American Studies: An Interdisciplinary Journal*, 1: 2 (Fall, 2003), pp. 159-186. Robert C. Davis, *Christian Slaves, Muslim Masters: White Slavery in the Mediterranean, the Barbary Coast, and Italy, 1500-1800* (New York: Palgrave Macmillan, 2003), pp. 123-219.

⁵⁰ Examples among many others include: Walter Croker, *The Cruelties of the Algerine Pirates, Shewing the Present Dreadful State of the English Slaves, and other Europeans, at Algiers and Tunis*

inhabitants to European slavery, nothing, or almost, was said about their fate.⁵¹ Indeed, Algerian captives—contrary to Christian ones—were condemned to an everlasting slavery and hard labor on Christian galleys without any prospect of future liberty.⁵² This partly explains the absence of Muslim captivity accounts; but despite this handicap, hundreds of archival documents, testimony, correspondence of the Deys with the sovereigns of Europe, and bilateral treaties mention the tragedies endured by Algerian captives in European slavery.⁵³

In fact, during the period (1519-1830) enslavement of captives was widely practiced on both sides of the Mediterranean Basin. However, the most striking feature about that practice is not its existence—indeed, slavery had always existed—but it was its amplitude, sophistication of statutes, conventions, and peace treaties regulating it, and the numerous wars it generated. In the many conflicts that opposed Algiers to the European countries, slavery came second only to religion; in the case of the United States, it came second to American national interest and concerns about

(London: W. Hone, 1816); Royall Tyler, *The Algerine Captive: Six Years a Prisoner among the Algerines* (Hartford, CT: Peter B. Gleason & Co, 1816); Sumner, Charles. *White Slavery in the Barbary States, 1853* (Boston: John P. Jewett & Company, 1853); Leon Godard, *Corsaires, esclaves et martyrs de Barbarie : Régniez, seigneur, au milieu de vos ennemis* (Tours: A. Mame et Cie, 1857).

⁵¹ Since the 1960s, however, research about Mediterranean slavery has seen timid beginnings in the direction of Algerian captives notably with the works of Salvatore Bono, Daniel Panzac, Michel Fontenay, Bartolome and Lucile Bennassar, and the Algerian researcher Moulay Belhamissi who form a small group reflecting a new revisionist tendency.

⁵² Moulay Belhamissi, *Les captifs Algériens et l'Europe chrétienne (1518-1830)* (Alger: Entreprise Nationale du Livre, 1988), pp. 15-18.

⁵³ Moulay Belhamissi, "Course et contre-course en Méditerranée ou comment les Algériens tombaient en esclavage," *Cahiers de la Méditerranée*, vol. 65, L'esclavage en Méditerranée à l'époque moderne, 2002, par. 6. (Accessed 22 March 2008). <http://cdlm.revues.org/document36.html>; Correspondance of the Deys seeking liberation of Algerian captives is scattered in Eugène Plantet, ed., *Correspondance des deys d'Alger avec la cour de France, 1579-1833. Recueillie dans les dépôts d'archives des affaires étrangères, de la marine, des colonies et de la chambre de commerce de Marseille*, 2 vol. (Paris: 1889).

freedom of navigation. Slavery was an underlying source of all conflicts, central in all diplomatic negotiations, and key to any appeasement between belligerents. Matters relating to slaves were the concern of all, Muslims and Christians alike; hence, its importance for this work.

1. 3. 1. Slavery in the Mediterranean Basin

Enslavement of captives and prisoners of war is an ancient custom of war, probably as old as humanity itself. In the Muslim tradition, prisoners of war were treated humanly and could be ransomed as early as the mid-seventh century according to the precepts of Islam.⁵⁴ In medieval Europe, the vanquished, when not massacred, were enslaved by the victors and their property was confiscated. By the 15th century, however, leading European jurists defended the view that lives could be saved and enslaved prisoners could be freed through the payment of a ransom.⁵⁵ On the whole, in the Mediterranean Basin enslavement of prisoners of war was common practice accepted by all belligerents and slaves were viewed as a valuable source of labor as were usually used for rowing on galleys. This explains the presence of thousands of Christian slaves at Algiers as well as the presence of thousands of Algerian slaves on the opposite flank of the Mediterranean on Christian galleys. Under such circumstances, it was not rare that galley slaves and slave masters ended up in a totally reversed social condition after a battle was won or

⁵⁴ Belhamissi, *Captifs Algériens*, pp. 37-38.

⁵⁵ William E. Hall, *A Treatise on International Law*, 3rd ed. (Oxford: Clarendon Press, 1890), pp. 409-410.

lost as testified by the vivid reply of Dragut Rais to La Valette, later grand master of the Knights of Malta: “a change of luck!”⁵⁶

Although slavery had existed since pre-historic times, the word slave, from Latin *sclavus* meaning a Slav captive, did not come into common use in Europe until the end of the first millennium, AD.⁵⁷ By the 12th century, it appeared for the first time in Venetian and Genoese documents.⁵⁸ At that time, the Italian city-states were trading in Slavs as well as in Arab, Turk, and Greek slaves.⁵⁹ By the 13th century, the word ‘turk’ was widely used in Marseille and Leghorn as a synonym for ‘slave’ even though the slaves originated from different localities.⁶⁰ This substitution of terms was amply justified especially if one knows that

most of the galley slaves used by European maritime powers ... were Muslims who were generally referred to as “Turks,” even though most of them originated in North Africa. They were either purchased in Mediterranean slave markets or captured at sea in operations against Muslim states on the North African coast.⁶¹

1. 3. 2. Muslim and Christian Captives

In fact, captives from the shores of North Africa had dotted the slave markets of southern Europe ever since Roman times. By the 15th century,

⁵⁶ Lane-Poole, *Barbary Corsairs*, p. 127. After he was made prisoner in 1540, Dragut Rais was forced to row in chains on the Maltese galleys. The Maltese knight Jean Parisot La Valette, by the past, was a prisoner of Barbarossa and he also pulled the oar on Algerian galleys and knew Dragut well. One day, he saw Dragut toiling: “Señor Dragut,” said he, “*usanza de guerra!*—’tis the custom of war!” And the prisoner, remembering La Valette’s previous slave condition replied cheerfully, “*Y mudanza de fortuna*—a change of luck!”

⁵⁷ “Slave,” *The Concise English Dictionary*, p. 1075.

⁵⁸ Stella, *Histoires d’esclaves*, p. 32.

⁵⁹ *Ibid.*

⁶⁰ Pierre Boyer, “La chiourme turque des galères de France de 1665 à 1687,” *Revue de l’Occident Musulman et de la Méditerranée*, 6 (1969), p. 54. By the 16th century, the term ‘Turk’, or ‘turn Turk’ acquired a different meaning: it was used to refer to Christians who converted to Islam, also called ‘renegades.’

⁶¹ Scheidel, “Galley Slaves,” p. 355.

however, the pace of capture and enslavement accelerated and touched both sides of the Mediterranean as a result of the growing confrontation between Crescent and Cross. The 16th century was a period when large scale naval battles raged between Muslims and Christians; it was also the period when galley warfare reached a zenith. As galleys were propelled by oar, there was a great need for rowers; those were obtained mainly from captives and prisoners of war. On Mediterranean galleys, slaves were chained to the oars: Christian galleys were propelled by Muslim slaves and Muslim galleys were rowed by Christian slaves. In general, battles were fought with the purpose of supplying navies with slaves. It is said that at Lepanto, the largest of those naval battles, Christian spoils were in the first place human.⁶² In addition to the large naval battles, European corsairs and slave traders submitted the coastal populations of North Africa to constant raids.⁶³ The purpose was to supply slave markets in Cordoba, Seville, Marseille, Valletta, Leghorn, and many others with Muslim captives.⁶⁴ Malta particularly was an active “marauder in the waters of Islam” with some 20-30 vessels mobilized for the capture of Muslims.⁶⁵ Often the slave trade was the paramount reason which motivated Christian raids on Algerian coastal towns and captures of civilians. For this reason, the Muslim coastal populations as well as corsairs dreaded capture and enslavement by

⁶² After the battle, 3651 Muslim prisoners of war were distributed among the Christians as follows: 558 for the Papacy, 1223 for Venice, and 1870 for the king of Spain. Maurice Aymard, “Chiourme et galère dans la seconde moitié du XVI^e siècle,” in Ernest Labrousse et al., eds. *Mélanges en l'honneur de Fernand Braudel. Vol 1: Histoire économique du monde méditerranéen, 1450-1650* (Paris : Privat éd., 1973), p. 57.

⁶³ Belhamissi, “Course et contre-course,” par. 17.

⁶⁴ Stella, *Histoires d'esclaves*, p. 17, 26-27, 31.

⁶⁵ Michel Fontenay, “Pour une géographie de l'esclavage méditerranéen aux temps modernes,” *Cahiers de la Méditerranée*, vol. 65, L'esclavage en Méditerranée à l'époque moderne, 2002, par. 50. (Accessed 22 March 2008). <http://www.cdlim.revues.org/document42.html>

Europeans corsairs and slave traders in the same way as their Christian counterparts feared capture by Algerian corsairs.⁶⁶ In 1695, for example, 24% of the crews of the French fleet were captives and prisoners of war from the Ottoman Empire—Algiers included,⁶⁷ and in 1720, the Muslim slaves originating from North Africa represented 74% of the rowing slaves on the papal galleys.⁶⁸

Capture and enslavement of Muslims led to a spiral of conflicts with the European powers because the Algerian corsairs did likewise in order to be able to exchange captives.⁶⁹ Accordingly, they transformed naval operations from merely defensive to offensive expeditions that encompassed the coastal inhabitants of southern Europe as well as far away Iceland, the British Isles, the North Sea shores, and the Canary Islands. Subsequently, the city of Algiers, like most European cities, became an important slave market. Algiers had its share of slaves too; slave numbers were set at a high of 25,000 (roughly 25% of the total population) as recorded by Haedo in the late 16th century and Dan about half a century later. This number was taken over and amplified many times by travelers and European bureaucrats throughout the next century.⁷⁰ In 1675, according to d'Arvieux, the number ranged between 6,000 and 12,000. At the end of the 18th century, the number was believed to be as low as 500

⁶⁶ Delmasso, "La peur des corsaires barbaresques," p. 53.

⁶⁷ Daniel Panzac, "La course barbaresque revisitée, XVIe-XIXe siècles," in Michel Vergé-Franceschi and Antoine-Marie Graziani, eds., *La guerre de course en Méditerranée (1515-1830)* (Paris: Presses de l'Université Paris IV-Sorbonne, 2000), p. 31; Belhamissi, *Captifs Algériens*, pp. 37-38.

⁶⁸ Bono Salvatore, "Achat d'esclaves Turcs pour les galères pontificales (XVI-XVIIIe siècles)," *Revue de l'Occident Musulman et de la Méditerranée*, 39 (1985), p. 88, fn. 17.

⁶⁹ Stella, *Histoires d'esclaves*, p. 36; Alain Blondy, "Le discours sur l'esclavage en Méditerranée: une réalité occultée," *Cahiers de la Méditerranée*, vol. 65, *L'esclavage en Méditerranée à l'époque moderne*, 2002, par. 19. (Accessed 21 Mar. 2008). <http://www.cdln.revues.org/document37.html>

⁷⁰ Fontenay, "La course dans l'économie portuaire," p. 1335.

slaves.⁷¹ However, in the absence of Muslim records pertaining to corsairing, these estimates are at best unreliable. Table 3 (Activity of Algerian Corsairs) attempts to summarize prizes and captives taken by Algerian corsairs during the 17th and 18th centuries. The data included is exclusively derived from western accounts as in general researchers point out that no prize or slave registers survived from the Ottoman regencies of North Africa; probably none had ever existed at all.⁷² The numbers mentioned are enormous and sometimes contradictory; therefore, they have to be taken with caution.

The impact of the practice of enslavement of captives was devastating on both sides of the Mediterranean. Tens of thousands of Muslims and Christians were captured and forced on galleys and into slave markets thus generating cheap labor and profits but also humanitarian tragedies, diplomatic tensions, and continuing hostilities. Captives developed to be a thorny issue in Muslim-Christian relations; for centuries, they were going to be a source of diplomatic vicissitudes and incessant warfare. In Algerian-American relations, the capture of two American ships by the Algerian corsairs and confinement of their 21-men crews was much decried and that at a time the Americans practiced slavery on a much larger scale; but that was one of another sort and under other circumstances.

⁷¹ Friedman, "Christian Captives," p. 617.

⁷² Taoufik Bachrouh, "Rachat et libération des esclaves chrétiens à Tunis au XVII^e siècle," *Revue Tunisienne de Sciences Sociales*, 11 (1975), p. 128; C. R. Pennell, "Who Needs Pirate Heroes?" *The Northern Mariner/Le Marin du Nord*, 8: 2 (April 1998), p. 63.

Table 3: Activity of Algerian Corsairs during the 17th & 18th Centuries

Period	Captured Ships	Captives' Estimations	Source
1605-1632	600 ships	4,800-7,200	Davis, 92
1609-16	466 English and Scottish ships	3,300-5,600	Davis, 92
1613-21	936 ships and boats	1,720	Grammont, xxiii, 138
1617, Madeira		1200	Dan, 314
1622-1642	300 British ships	7,000 (annual average, 350 captives)	Earle, 41
1625, Plymouth (Eng. Channel)	27 ships	200	Davis, 92
1627, Reykjavik (Iceland)		400 or 800	Dan, 315; Lane-Pole, 233
1628-1634	80 French ships	1331 captives	Dan, 322
1631, Baltimore (Ireland)		237	Dan, 315
1672-82	353 English ships	2,800-4,200	Davis, 92
1674-1775 (6 months)	11 ships	400	Fontenay, 1346 (based on d'Arvieux)
1677-1680	160 British ships	1,300-1,900	Morgan, v
1712-1720	74 ships	1,668	Davis, 93
1714-27	466 English ships	393	Davis, 93
1785-93	13 American ships	136	<i>American State Papers</i>

Source: Data is collected from the different sources used in Chapter I.

Note: This table gives an idea about prizes and captives and is exclusively based on western accounts. The numbers are enormous and sometimes contradictory; therefore, they have to be taken with caution.

2. The Legal Context of Corsairing

Capture of individuals and property was indeed a true war of religion between two hostile camps, Muslim and Christian, in which captives occupied an important place. Furthermore, captures did not take place in a vacuum; they occurred in a legal context called ‘corsairing’ or ‘privateering’ depending on the terminology used by the different antagonists. The practice consisted of attacking enemy shipping and making prize of goods and human beings and then disposing of them as legal property. Assaulting enemies on the high seas was so rigorously regulated by customs and laws of the different players that it was accepted as legal practice. Yet, in western writings, what is commonly accepted as lawful activity when it was undertaken by Christian corsairs and privateers is tagged piracy when it was undertaken by Muslims corsairs.

Indeed, the edging between ‘corsairing’ and ‘piracy’ is so thin that western writers have often used these two words interchangeably to suit their views and interpretations. Yet, in international law, these terms definitely have different meanings. While the first may be assimilated to an act of war undertaken or authorized by a sovereign state against a lawful enemy, the second remains by definition a “robbery or other violent action, for private ends and without authorization by public authority, committed on the seas outside the normal jurisdiction of any state.”⁷³

Generally, as the line between corsairing and piracy is often hard to draw, “any act of doubtful legality committed on the seas is apt to be

⁷³ “Piracy,” *Encyclopædia Britannica*. (Accessed 17 May 2008).

characterized as piracy.”⁷⁴ Some historians and jurists, for example, tend to describe the sinking of merchant vessels by the Germans during the First World War as piracy even though the act was done on the authority of a national state.⁷⁵ This example is worth noting because, in many ways, German sea warfare has been compared to the 300 years long corsairing of the regency of Algiers. Although both are tagged piracy, legally they are considered legitimate acts of war. In 1918, the British jurist and scholar J. E. G. Montmorency wrote pressing for classification of German submarine warfare as act of piracy. To give weight to his argument, he likened it to Muslim corsairing because in the western mind the latter was indisputably piracy:

During the age of Grotius the pirate states of the Mediterranean were at the height of their power, and certainly the treaty with Algiers of 1646 which purported to secure freedom for English trade and exemption from slavery for English subjects did little to save the world from the evils of state-organized piracy. The group of piratical states had the substantial support of the Ottoman Porte. The robber fleets of Barbarossa II operating from Algiers dominated the Mediterranean and terrorised Spain and Italy under the direct patronage of Solyman the Magnificent. From that date until 1816 the Barbary States carried on, with a thoroughness that Germany might envy, the highly organised business of piracy. And no one hesitated to call it piracy. For centuries Europe strove to grapple with the evil by perpetual warfare illuminated by treaties of peace at which the pirates laughed.⁷⁶

This long quote deserves consideration because it is typical of the classical western thought that tends to put corsairing on the same footing as piracy. It is also illustrative of the biased approach that a researcher usually

⁷⁴ “Piracy,” *The Columbia Encyclopedia*. (Accessed 17 May 2008).

⁷⁵ Frothingham, “The Armed Merchantman,” p. 470-471.

⁷⁶ J. E. G. de Montmorency, “The Barbary States in International Law,” *Transactions of the Grotius Society*, vol. 4 (1918), p. 87.

confronts when looking into diplomatic relations between Algiers and the western countries in general. Moreover, it helps understand the legal and diplomatic contexts in which Algiers was operating when the United States first made its appearance as an independent state in the Mediterranean after 1783. Finally, it serves as a basis to determine, by the same standards of western legal thought and statutes, whether the actions of the corsairs of Algiers were acts of piracy therefore condemnable under existing international law, or whether they were acts of war therefore captures, enslavement, and tribute were legal practice sanctioned by the same existing laws. To handle this issue properly, one needs to fit it within its contemporary legal and diplomatic contexts—the historical and religious contexts have already been dealt with.

2. 1. Corsairing vs. Piracy

Corsairing is a history-long maritime occupation very distinct from piracy. Its origins can be traced back to periods pre-dating the naissance of the Ottoman province of Algiers. As early as the 13th century, European statutes and jurisprudence had developed legal definitions and case laws that distinguished corsairs from pirates. Later, western specialized scholarship expounded on existing legal tradition and maritime practice and gave way to a new science relating to inter-state relations in which piracy and war occupied a prominent position. By the time Algiers came to existence as a polity in early 16th century, corsairing had already been clearly defined and legalized by existing European statutes and emerging international law and piracy was

outlawed. More, the Europeans gave it its name, theorized about it, and enacted statutes regulating it. So, even by European standards, the corsairs of Algiers were not operating in a legal international vacuum and certainly were not the innovators of corsairing and even less its exclusive possessors.

Piracy, however, is much older; perhaps it is as old as humanity itself. Christian Europeans practiced and excelled in it long before the Muslim Arabs and Turks, or Saracens as the latter were commonly known in Europe, reached the waters of the Mediterranean. Accustomed to the desert of the Arabian Peninsula and steppes of Central Asia, Arabs and Turks roamed those vicinities on the backs of sand-vessels and horses rather than aboard water vessels. Arabs and Turks, in fact, did only learn from the Christian inhabitants of the shores of the Mediterranean how to ride sea and plunder merchant shipping. With no naval tradition, the Muslims realized how it was difficult for them to counterbalance the power of Christian Europe. This same Europe made it imperative for the Ottoman Empire and its North African provinces to develop and maintain a navy.⁷⁷ Khayreddin Barbarossa realized the vitality of the issue and explained to Suleyman the Magnificent “that he who rules on the sea will rule on the land also.”⁷⁸ The Spanish Reconquista, however, involuntarily made it possible: the expulsion of the Andalusians, skilled, entrepreneur but also resentful and revengeful, contributed much to the growth of Algerian

⁷⁷ For the strategic and religious dimension of Muslim and Christian naval power see Rose, “Islam versus Christendom,” pp. 561-78.

⁷⁸ Currey, *Sea-Wolves*, p. 28.

corsairing.⁷⁹ Therefore, it is obvious that the Muslims merely learned from the European pirate how to plunder according to his own rules and adapted themselves to Mediterranean conditions and sea practices and certainly not the opposite as it is ostentatiously asserted here:

It is to be noted, moreover, that where mountain or desert tribes or steppe nomads make their way out to such coasts, they bring with them the mind of robbers and only alter their raiding method. They adapt themselves to the seaboard environment, blend with the local inhabitants, from whom they learn the art of navigation, and pursue their ancestral trade, exchanging the desert camel and steppe pony for the swift-moving ship. The mental habit of the previous habitat harmonizes with the economic conditions of the new one.... [This] was true of the desert-bred Saracens wherever they touched the Mediterranean coasts, though their inland settlements were models of careful tillage and thriving industries.⁸⁰

Piracy has existed ever since the dawn of history and references to it could be dated back to about 3,000 B. C. In Ancient Greece, the epic poet Homer mentioned it in both *The Iliad* and *The Odyssey*.⁸¹ Ever since Antiquity, piracy has been “a recurrent phenomenon on many shores of the Mediterranean;” it functioned as a “sinister form of maritime activity and “constituted a lawless combination of naval aggression and maritime commerce” among early Phoenicians, Greeks, Etruscans, and many other peoples down to the 19th century.⁸² In 100 A.D., the Greek historian Plutarch gave the earliest definition of ‘pirate’ which has generally been accepted since

⁷⁹ Delmasso, “La peur des corsaires barbaresques,” p. 52.

⁸⁰ Ellen Churchill Semple, “Pirate Coasts of the Mediterranean Sea,” *Geographical Review*, 2: 2 (Aug., 1916), p. 138.

⁸¹ Homer’s *Odyssey* tells about Cretan pirates who plundered the Egyptian coast and Phoenicians who kidnapped men and women to sell as slaves. Hubert Deschamps, *Pirates et flibustiers* (Paris: Presses Universitaires de France, 1952), pp. 7-14.

⁸² Semple, “Pirate Coasts,” p. 134. For piracy in Antiquity see pp. 134-51.

that time: for him, a pirate is that who attacks shipping and coastal inhabitants “from ships without legal authority.”⁸³ The term pirate, however, dates from 140 B.C.; the Roman historian Polybius used the word *peirato* (from Latin, *pirata* meaning to ‘attempt’ or ‘experience’, implicitly ‘attempt to find luck on the sea’) to refer to such sea-raiders.⁸⁴ In the 10th and 11th centuries, the Scandinavian pirates were known as Vikings, “while in medieval England, the word pirate was used to refer to just about any type of sea thief.”⁸⁵ During the 17th century, the pirates operating in the West Indies/Caribbean Sea were called *buccaneers*.⁸⁶ The French called their pirates *flibustiers* (from the Dutch *vrijbouter*, meaning ‘freebooter’ or ‘plunderer’) and the Dutch called theirs *zeerovers* (meaning ‘sea rovers’).⁸⁷ While there is no single Arabic term for “piracy,” there is a wide vocabulary relating to plunder ‘*nahb*’, either on land or sea.⁸⁸

A particular form of piracy, but this time legalized piracy, developed in retaliation to rival powers in Medieval Europe. Between the 13th and 16th centuries, a new type of pirates acting under the cover of legality emerged.⁸⁹ Those were individuals who were granted letters of marque and reprisal authorizing them to capture enemy merchant ships. By attacking commercial

⁸³ Robert M. Jarvis, “Maritime Piracy in the Modern World,” *Insights on Law & Society*, 6: 3 (Spring 2006), p. 1.

⁸⁴ Patricia Risso. “Cross-Cultural Perceptions of Piracy: Maritime Violence in the Western Indian Ocean and Persian Gulf Region during a Long Eighteenth Century,” *Journal of World History*, 12: 2 (2001), 296-97; Deschamps, *Pirates et flibustiers*, p. 5.

⁸⁵ Jarvis, “Maritime Piracy,” p. 1.

⁸⁶ The term Buccaneer, French boucanier, is derived from ‘boucan’, an Indian word meaning a grid used for smoking the *viande boucanée*, or dried meat, for use aboard ships at sea. Deschamps, *Pirates et flibustiers*, pp. 39-40; Risso, “Cross-Cultural Perceptions of Piracy,” p. 298.

⁸⁷ For different terms used for piracy see “Buccaneer,” *Encyclopædia Britannica*.

⁸⁸ Risso, “Cross-Cultural Perceptions of Piracy,” pp. 300-1.

⁸⁹ For a historiography of piracy and Privateering see Pennell, “Who Needs Pirate Heroes?” pp. 61-79.

shipping, they operated like pirates but they were legally authorized by a sovereign—whether monarch, state, or polity. Those were called privateers or corsairs. The Anglo-Saxons called them privateers but in the Mediterranean Basin they were known as ‘corsairs:’ the Spaniards called them *corsarios*, the Italians *Corsaros* and the French *corsaires*. The North Africans, including Algerians, used a similarly sounding term *قرصان* to refer to their men of sea and *قرصنة* referring to the occupation of corsairing. These two related terms were “borrowed and transliterated” from the Italian *corsaro*. This borrowing appears to have been operated by the Ottomans in the 15th century.⁹⁰

To the already mentioned great corsairs of Algiers, famous corsairs include the Genoese Andrea Doria who was a formidable match to Khayreddin. The celebrated English Sir Francis Drake and John Hawkins, originally pirates, had a long and profitable privateering career.⁹¹ United States’ War of Independence famous hero Paul Jones was a notable Scottish pirate who escaped death for piracy thanks to a letter of marque bestowed on him by the American Congress.⁹² Later, the Americans transformed him to a national hero.⁹³

⁹⁰ Risso, “Cross-Cultural Perceptions of Piracy,” p. 302.

⁹¹ Philip Gosse, *The Pirates’ Who’s Who: Giving Particulars of the Lives & Deaths of the Pirates & Buccaneers* (New York: Burt Franklin, 1924), pp. 117-18, p. 157; also Stockton, *Buccaneers and Pirates*, pp. 10-15.

⁹² Gosse, *The Pirates’ Who’s Who*, pp. 176-77; also Unknown, “The United States Creation Myth.” (Accessed 12 April 2008). <http://www.aloha.com/~craven/voliich2.html>

⁹³ For a biography of Paul Jones see Alexander Slidell Mackenzie, *The Life of Paul Jones*. 2 vol. (Boston: Hilliard, Gray, and Company, 1841).

2. 2. Legal Definitions and Statutes

Because pirates commit their misdeeds on the high seas, i.e.: an area over which no state has authority, they could not be punished by the laws of any nation. To overcome jurisdiction problems, the Roman statesman and jurist Cicero (106-43 B.C.) dubbed pirates ‘*hostis humani generis*,’ or ‘enemies of humanity.’ In this way, the pirates could be “prosecuted wherever and whenever they were found due to the concept of ‘universal jurisdiction.’”⁹⁴ Used for the first time in late 13th century, the phrase ‘*hostis humani generis*’ gained wider notoriety through the writings of 16th century Italian jurist Alberico Gentili.⁹⁵ A mere echo of earlier “formulations of classical Roman law,” the notion gained legal strength throughout the medieval ages and became a leading principle of contemporary international law.⁹⁶

The modern jurists upheld medieval concepts relating to piracy. In general, they consider that when a high seas robbery is committed against an enemy under a commission from a sovereign state or political entity it is *not* piracy. Leoline Jenkins (1623-1685), an English lawyer and statesman who served as judge at the British Admiralty Court, states that “a robbery, when it is committed upon the sea, is what we call *piracy*” if carried without a lawful

⁹⁴ Jarvis, “Maritime Piracy,” p. 4; Claire Jowitt, “Introduction: Pirates? The Politics of Plunder 1550-1650,” in Claire Jowitt, ed. *Pirates? The Politics of Plunder 1550-1650* (Basingstoke: Palgrave Macmillan, 2006), p. 15.

⁹⁵ Mikkel Thorup, “The Horror of the ‘Enemy of Humanity’ – on Pirates, Terrorists and States,” paper presented at *Fear, Horror & Terror, 1st Global Conference*, Mansfield College, Oxford, September 10-12, 2007, pp. 5-6. (Accessed 25 May 2008). <http://www.wickedness.net/Fear/f1/thorup%20paper.pdf>

⁹⁶ Emily Sohmer Tai, “Marking Water: Piracy and Property in the Pre-Modern West,” paper presented at *Seascapes, Littoral Cultures, and Trans-Oceanic Exchanges*, Library of Congress, Washington D.C., February 12-15, 2003. (Accessed May 4 2008).

<http://www.historycooperative.org/proceedings/seascapes/tai.html>

“commission of war from some foreign prince” and the robbed “be a lawful enemy of that prince.”⁹⁷ The Dutch jurist Cornelis Van Bynkershoek (1673-1743) even widened the field of activity of a pirate. He defines Pirates as “persons who depredated on sea or *land* without authority from a sovereign,”⁹⁸ thus extending the principle of sovereignty from land to sea. Finally, William Edward Hall (1835-1894), an English lawyer who contributed influential works on international law, considers that “most acts which become piratical through being done without due authority are acts of war when done under the authority of a state.”⁹⁹ So, according to these definitions, the blurry line between piracy and corsairing becomes clearer. Two prerequisites, therefore, are needed to cross the line from illegality to legality: the existence of a state or polity which delivers a commission authorizing the pirate to prey on an enemy’s shipping and the existence of a lawful enemy. When these two conditions are secured, robbery on the high seas is no more considered as piracy but a lawful act of war. The line, however, remains thin and is liable to be crossed easily especially at times when transitions from peace to war were quite frequent.

More than just definitions, the medieval statutes further clarified the distinction between pirates and corsairs. The Italian state-republics enacted statutes that assigned capital punishment to “individuals who robbed indiscriminately at sea,” i.e.: the pirates. This indiscriminate maritime robbery as practiced by pirates, however, was different from “selective maritime theft,

⁹⁷ As cited in Barry H. Dubner, *The Law of International Sea Piracy* (Brill Academic Publishers, 1980), p. 48.

⁹⁸ Hall, *International Law*, p. 252.

⁹⁹ *Ibid.*, p. 254.

conducted at the behest of a sovereign polity against merchant shipping flying the standard of that monarch or civic republic's political and economic rivals."¹⁰⁰ Therefore, medieval statutes used two expressions to differentiate between the two practices of sea robbery: 'indiscriminate theft' and 'selective or targeted theft'. For the first, the term '*ire ad pirraticam*' (to sail or go as a pirate) is used; whereas for the second, the term '*ire in cursum*' (going 'in *cursum*') is used.¹⁰¹ From the latter expression may have been derived the verb *corsairing*—used for the activity of legalized robbery on the high seas and the noun *corsair*—used to refer to seafarers who practiced selective or targeted maritime theft.

2. 3. Corsairing: An Act of War

The use of force on the high seas against economic and political rivals when requested by a sovereign state or polity was legitimated by medieval statutes and became the 'prerogative' of corsairs. Corsairs were often nominated as sea admirals and were given letters of marque that conferred on them the right to wage the 'guerre de course,' against rival powers.¹⁰² By authorizing private naval offensives against enemies, the state palliates for eventual naval weakness and reduces war operating costs; as such, corsairing

¹⁰⁰ Tai, "Marking Water," par. 5.

¹⁰¹ Hélène Ahrweiler, "Course et piraterie dans la Méditerranée orientale aux XIVeme-XVeme siècles," in *Course et piraterie : Etudes présentées à la Commission Internationale d'Histoire Maritime à l'occasion de son XVe Colloque International pendant le XIVe Congrès International des Sciences Historiques (San Francisco, 1975)*, vol. 1 (Paris : CNRS, 1975), pp. 9-11.

¹⁰² Tai, "Marking Water," par. 6.

may be seen as “a cost-efficient mode” of warfare.¹⁰³ It may also be assimilated to an act of war that consisted of “plundering the merchant cargo of rival powers in raids not easily distinguished from actions of what might be termed ‘conventional’ wartime fleets.”¹⁰⁴ The border between ‘indiscriminate sea robbery’—act of the pirates and ‘selective maritime theft’—act of corsairs is clearly set. In the first case, the pirate is punished whereas in the second, the corsair is sanctioned because the pirate acts individually for personal profit while the corsair is authorized by a sovereign to act against rivals to defend the interests of the state; this very reason gives corsairing legitimacy.

As a result, defining the legal status of the commissioned pirates, whether Mediterranean corsairs or Anglo-Saxon privateers, depends much on distinctions one may make between legality and illegality. These distinctions can be traced back to two pre-modern legal traditions. A first tradition can be found in *Three Books on the Law of War* (1598), work of Gentili who is considered today as the founder of the science of international law. Gentili defines piracy as any seizure at sea not authorized by a sovereign; when so, it is merely analogous to robbery on land. In this, he does not differ from his predecessors’ definitions. But for him, more important than the simple definition of piracy is the legality of seizure authorized by lawful sovereigns.¹⁰⁵ Authorizing seizure by “merely declaring enemy states piratical would not legally make them so. Consequently the Barbary states could not be defined as

¹⁰³ Fontenay, “La course dans l’économie portuaire,” p. 1323-24.

¹⁰⁴ Tai, “Marking Water,” par. 7.

¹⁰⁵ Hall, *International Law*, pp. 64-74.

piratical, even if engaged in raiding” simply because the westerners have declared them to be so.¹⁰⁶ Therefore, this view legitimated the granting of authorizations, i.e.: letters of marque, but conditioned these by the legality of the authority (sovereign/polity) that granted them. A second tradition can be traced back to *On the Law of War and Peace*, 1625, work of Hugo Grotius, another jurist and pioneer in the science of international law.¹⁰⁷ Grotius rejected Gentili’s notion that such actions could not be declared as piratical simply by recognizing such polities as having legitimate authority. For him, lawful seizure could not exist outside the existence of a state of war.¹⁰⁸

To sum up, and according to these different legal views, crossing the line from piracy to corsairing, therefore from illegality to legality, necessitates three prerequisites: an authorization or letter of marque granted by a sovereign, legality of the authority (sovereign/polity) that granted them, and the existence of a state of war. The implication of this legal thought relating to Algiers’ corsairing is that since “a state of war existed between European nations and the Barbary states” therefore, the seizures operated at sea by the Algerian corsairs were legal warfare.¹⁰⁹

By the 16th century, time by which the clash between Islam and Christianity intensified, corsairing acquired a religious legitimacy too. On both

¹⁰⁶ Lauren Benton, “Legal Spaces of Empire: Piracy and the Origins of Ocean Regionalism,” *Comparative Study of Society and History*, 47: 4 (Oct., 2005), 705.

¹⁰⁷ Hugo Grotius (1583-1645), a Dutch jurist, is well known for his work *On the Law of War and Peace* (1625) which provided the basis for modern international law. “Grotius, Hugo,” *Encyclopædia Britannica*. (Accessed 17 May 2008).

¹⁰⁸ Michael D. Ramsey, “Textualism and War Powers,” *The University of Chicago Law Review*, 96: 4 (Autumn, 2002), pp. 1570-78.

¹⁰⁹ Benton, “Legal Spaces of Empire,” p. 705.

shores of the Mediterranean, the word ‘corsair’ became synonymous of one who had been authorized by a state or a sovereign to pursue “a holy war against the enemies of faith” on the high seas.¹¹⁰ Therefore, the corsair in general was a holy warrior or faith fighter. As far as Algiers is concerned, and according to the Muslim tradition of warfare, one may unequivocally state that the Algerian corsair, far from being a pirate and inveterate sea-robber, was the “champion of Islam and pride of Muslims.”¹¹¹ He practiced *el-harb fi el-bahr* or war at sea as a form of *jihad* against the enemies of Islam. Therefore, he was a *mujahid*¹¹² or *ghazi*¹¹³ “who carried warfare to the very homes of infidels.”¹¹⁴

The religious motivations were so closely associated with corsairing that the meaning of the term *Ghazi* was grafted on all holy warriors of the Mediterranean Basin. According to John F. Guilmartin, Jr., a member of the United States Air Force, “the *ghazi* psychology and mode of operation at sea” was “more Mediterranean than exclusively Muslim; the Knights of St. John of Malta were essentially Christian *ghazis* [sic].”¹¹⁵ According to this logic, the Muslim corsairs, just like all Christian corsairs, had acquired a legal status of faith warriors whose rulers had officially permitted them to fight the enemies of their religion, i.e.: the Christians. Therefore, and by the very legal standards of Europeans, seizure of Christian commercial shipping by Algerian corsairs was

¹¹⁰ Earle, *Pirate Wars*, p. 39.

¹¹¹ Panzac, “La course barbaresque revisitée,” p. 27.

¹¹² Kaddache, *L’Algérie Ottomane*, p. 31.

¹¹³ *Ghazi* is a name given to those who dedicated themselves to war against the infidels on the frontiers of Muslim lands. It was also used as a title of respect and had a more permanent connotation than the Christian equivalent, ‘crusader.’ “*Ghazi*,” in Bernard Lewis, ed. *The Encyclopedia of Islam*, New Edition, (London, 1960), p. 1043. 24. For the importance of El-Ghazawat in the rise of the Ottoman Empire see Hess, “The Moriscos,” p. 8.

¹¹⁴ Panzac, *Corsaires barbaresques*, p. 21; Panzac, “La course barbaresque revisitée,” p. 30.

¹¹⁵ Guilmartin, “Tactics of Lepanto,” p. 60.

a legal act of war. In this context, the Algerian corsair who set out to target not only economic rivals who sought to expand their trade supremacy at the detriment of Algiers but also religion enemies and crusaders who were intent upon eradicating his religion and threatened his very existence had acquired legitimacy. As a matter of fact, this is an even more legitimate and stronger motivation for corsairing than mere commercial supremacy.

As stated earlier, the dividing line between corsairing and piracy is thin. When a state of war against a lawful enemy does not exist, corsairing simply becomes piracy. As far as Christian corsairing is concerned, this distinction was often blurred by a succession of European inter-state wars followed by short-lived truces: at wartimes, the demand for privateers increased which caused a boost in letters' of marque issuance. At times of peace, however, privateers were decommissioned thus losing the legitimacy conferred on them by letters of marque. This situation created confusion in interpretations. Confusion arose mainly because it was difficult to determine whether seizure occurred while warfare was still going on, therefore it was a legitimate act of corsairing, or whether it occurred after a truce was proclaimed, therefore it was piracy:

Decommissioned, experienced sea raiders found themselves without sponsors yet sometimes continued to engage in raiding, especially in places where lucrative shipping was poorly protected. The legality of their actions depended upon open and conflicting interpretations of whether the timing, location, and targets of raids fell within the terms of often dubious commissions. Not surprisingly, both captains and common sailors cultivated a certain expertise in representing their commissions as legitimate and the assets they seized as legal prizes.¹¹⁶

¹¹⁶ Benton, "Legal Spaces of Empire," p. 706.

This confusion in legal interpretations could not apply to Algiers because technically and constitutionally Spain was at perpetual war with the ‘Muslim infidels,’ therefore, and by virtue of reciprocity, Algiers found itself in a similar position of perpetual war to defend Islam and its own existence as a polity.¹¹⁷ Furthermore, by legal implication of ‘holy warfare’ against Christians, “the Deys considered themselves to be in a ‘permanent state of war’ with their Christian neighbors (and, in particular, post-*reconquista* Spain), interrupted only by temporary treaties, or truce, with particular rulers.”¹¹⁸ Therefore, the Algerian corsairs could not theoretically fall in periods where war between Islamdom and Christendom did not exist. Consequently, they could never be pirates but corsairs legitimized in their actions by religious faith and the continued existence of a state of war with their Christian enemies.¹¹⁹

3. Algiers: A Corsairing State

The men who laid the political and military foundations of Algiers were convinced Muslims who, throughout their own experience, developed a deep hatred for Christians.¹²⁰ Therefore, they were intent upon repelling the threats

¹¹⁷ The Spanish monarchs were bound by the will of Isabella that legged them perpetual war against the Muslims of North Africa. The Most Catholic King of Spain, on ascending the throne, had to swear a coronation oath stating that he would not be at peace with the infidels. Barnby, *Prisoners of Algiers*, p. 38; Grammont, *Histoire d’Alger*, p. 5.

¹¹⁸ Silverstein, “The New Barbarians,” p. 186; Muller, *Consuls, Corsairs, and Commerce*, p. 54.

¹¹⁹ Idriss Jazairy, current Algerian Ambassador to the United States, refuted that the practice of corsairing of the Barbary States was ‘piracy.’ He argued that “privateering was an internationally accepted practice at the time” and Algiers “like Europe and North America, targeted the cargo ships of countries with which it was at war.” Idriss Jazairy, “Barbary Privateers,” *New York Times*, 23 March 2003, p. 12.

¹²⁰ Arroudj himself suffered at the hands of the Knights of Saint John when they were in control of Rhodes. His captivity and enslavement served as an “excellent school” for him. Rang, *Régence*

of crusading Europe against Islam. For that, they adopted corsairing “as a military form of war against the Christian states.”¹²¹ As such, corsairing acquired a dimension that was both legitimate and religious.¹²² This form of holy warfare functioned according to well-defined rules and ethics which Algiers defended and brought Europe’s powers to recognize in a succession of treaties. The Founding Corsairs institutionalized corsairing on a basis of faith and law and gave it an international dimension; and this is exactly the opposite of piracy which is, by nature, faithless and lawless.¹²³

3. 1. A Question of Sovereignty

Taking into consideration the prerequisites of legitimate corsairing, one may concede that the founders of the regency of Algiers were indeed free-lance corsairs in their early maritime career. As they were preying on Christian shipping without any state authorization, their activity may be seen as private pirate enterprise.¹²⁴ Nevertheless, taking into account the religious background and persisting hostility of Christians towards Muslims, this may not be considered as such because, even during their early life, they acted under the aegis of a Turkish prince and illustrated themselves by fighting Christian

d’Alger, pp. 117-18; Iqbal F. Quadir, “When Barbarossa Brothers ruled the Mediterranean,” *Defence Journal*, Feb. 2001. (Accessed June 4 2008). <http://www.defencejournal.com/2001/feb/barbarossa.htm>. This also could be said about Dragut Rais who was enslaved by the Knights of Malta.

¹²¹ Panzac, *Corsaires barbaresques*, p. 11.

¹²² According to the founding principles of Algiers, this form of war was called ‘*el-djihad fi el-bahr*’ (or holy war at sea).

¹²³ Saint-Vincent, “La guerre de course,” p. 159; Panzac, *Corsaires barbaresques*, p. 12.

¹²⁴ Lane-Poole, *Barbary Corsairs*, pp. 34, 92.

fanatics who had already sworn enmity to Islam.¹²⁵ The corsairs of the papal state and those of the Order of the Knights of St. John were already aggressing Muslims in the Eastern Mediterranean.¹²⁶ Overall, the Christian Knights were no less a scourge to *Islamdom* than would later be Algerian corsairs to *Christendom*.¹²⁷ More, starting from 1519, and according to established European judicial standards, the founding corsairs may no longer be considered as such. By integrating the Ottoman Empire, they conferred on themselves, and on Algiers by the same way, a legitimate status: that of subjects of a legitimate ruler, in this case, the Sublime Porte. When the Sultan provided Algiers with an army of Janissaries, arms, and ammunitions, he was in fact authorizing them to defend a land of Islam against Christian aggressions, and this is defensive warfare not piracy.

Subsequent internal developments transformed Algiers from a mere Ottoman dependency to a semi-independent state; but this does not imply loss of legitimacy. In 1671, following failures of the Ottoman Empire to protect Algiers against European attacks, particularly the English assaults of 1670-1671, but also the Sultan's tacit acceptance of European 'punitive' expeditions against Algiers, the Janissaries and Ri'yas revolted. The revolt culminated in the expulsion of the Beylerby, the Sultan's appointed governor of Algiers, and

¹²⁵ The capture of two Papal galleys in 1504 gave the Barbarossa their reputation of faith warriors. For this feat see Lane-Poole, *Barbary Corsairs*, pp. 35-9.

¹²⁶ Cassar, "The Maltese Corsairs," pp. 137-38; Rang, *Régence d'Alger*, pp. 114-15.

¹²⁷ For a comparison between Algerian corsairs and Knights of Malta see Marisa Huber, "Holy Wars and Piratical Governments: Barbary Corsairs (With a Comparative Look at Maltese Corsairs), 2004. (Accessed 18 May 2008). http://www.daviddfriedman.com/Academic/Course_Pages/legal_systems

the establishment of an elective Deyship.¹²⁸ According to that new form of government, the head of the state, now called *Dey*, was no more sent by Constantinople but was elected by the *Odjac* and *Ta'ifa* from the local ruling Turks. Nominal recognition of the Sultan as spiritual leader, however, was not altered. Eventually, Algiers maintained relations with Constantinople but at a ceremonial level only. Traditionally, the Sultan sent every newly-elected Dey at Algiers a *caftan*—a symbol of investiture.¹²⁹ In return, the Dey sent him annual tribute and military assistance (fleet) when needed. This is an indication of a continuing allegiance to the Sultan and acknowledgment of the authority of a central government at Constantinople. So, even though Algiers had become a quasi-independent state, sovereignty of the Sublime Porte continued unaffected.

3. 2. Diplomatic Recognition and *de facto* Independence

Moreover, by strengthening existing institutions and introducing new ones, Algiers forced respect on Europe and implicitly obtained diplomatic recognition. Ultimately, the European powers dealt with Algiers as an autonomous state even though technically it was still part of the Ottoman Empire. By signing separate treaties with Algiers, the European countries were in fact recognizing it as a *legitimate*—not *pirate*—state with which diplomatic delegations, annual tributes and consular presents, enslaved prisoners of war, and commercial exchanges were strictly defined and regulated by bilateral

¹²⁸ Shuval, “Remettre l’Algérie à l’heure Ottomane,” pp. 435-36.

¹²⁹ Grammont, *Histoire d’Alger*, pp. 194, 262, 283, 329, 356.

treaties.¹³⁰ Not recognizing Algiers as a legitimate polity, i.e., maintaining that Algiers was a pirate state, would have implied that the European states were also ‘outlaw states’ because treaties are concluded between legal counterparts, i. e.: between a state and another state—not between states and pirates who are technically outlaws. In other words, according to Zingg, to describe Barbary policy “exclusively in terms of piracy denies the execution of authority of the Maghribi governments over their charges [and] strains the legitimacy of any concluded treaties.”¹³¹

From the 1670s onwards, Algiers “became a *de facto* independent polity” recognized by all—Ottomans and Europeans alike.¹³² Its fleet was meticulously organized and regulated as well as the men who served on it. Corsairing was a state-authorized maritime activity regulated by treaties with the European powers; therefore, it could by no means be tagged ‘piracy’ unless one denies Algiers its recognized status as a *de facto* independent state or least, its legal status as a province of the Ottoman Empire. Yet, Christians’ hostility towards Algiers went unabated undoubtedly because it resisted the most powerful European countries and brought them to accept treaties according to its own conditions—the least being the truce signed with Spain in 1786 after almost three hundred years of fruitless aggressions, which Spaniards and other

¹³⁰ For a counter-argument see Thorup, “The Horror of the ‘Enemy of Humanity,’” p. 10. Thorup maintains that “Although we here see a recognition of the Barbaresque-states as sovereign their practice is still considered illegitimate, being warfare without legitimate purpose, that is, just an excuse for plunder.”

¹³¹ Zingg, “One-Dimensional History,” p. 153.

¹³² Oded Löwenhiem, *Predators and Parasites: Persistent Agents of Transnational Harm and Great Power Authority* (Detroit, MI: University of Michigan Press, 2006), p. 81.

Europeans as well as Americans decried as humiliating.¹³³ In fact, an American bitter negotiator, who was no less than the bullish army adventurer and Consul to the Barbary States William Eaton (1764-1811), noted that “it is hard to negotiate where the terms are wholly *ex parte*. The Barbary courts are indulged in the habits of dictating their own terms of negotiation.”¹³⁴

The western countries could never swallow nor pardon to themselves the fact that they have accepted dictated terms during negotiations, an attitude which resulted in a long standing animosity towards Algiers. Anti-Algerian stands persisted well into the twenty-first century through western writings, which invariably treat Algiers, just to name a few terms, as a ‘pirate,’ ‘rogue,’ and ‘barbary’ state—the last term denoting both the geographical position and ‘barbarity’ of its inhabitants.”¹³⁵ More, Algiers had even been regarded as not “belonging to the family of nation.”¹³⁶ Worse, its corsairs were compared to ferocious animals “that every nation may lawfully conduct a war” against them and that it does not make any difference that they have “receptacle and mansion in Algiers,” because “beasts are not the less savage because they have dens.”¹³⁷ At best, Algiers was treated as a “persistent agent of transnational

¹³³ *The Diplomatic Correspondence of the United States of America, from the Signing of the Definitive Treaty of Peace, 10th September, 1783, to the adoption of the Constitution, March 4, 1789*, edited by Francis Preston Blair (Washington, D.C.: Blair & Rives, 1833-37), 1:598, 775, Eighth Report of The Commissioners to Congress, Addressed to John Jay, Secretary for Foreign Affairs, August 14, 1785. (Hereafter cited as *USDC*).

¹³⁴ As cited in Wright Wright and Macleod, *First Americans*, p. 36. For a portrait see John Hunter Sedgwick, “William Eaton, a Sanguine Man,” *The New England Quarterly*, 1: 2 (Apr., 1928), pp. 107-123.

¹³⁵ Rojas, “Insults Unpunished,” p. 162.

¹³⁶ Montmorency, “The Barbary States in International Law,” p. 88.

¹³⁷ Thorup, “The Horror of the ‘Enemy of Humanity,’” p. 6.

harm” or nothing more than a “parasitic actor” in international relations.”¹³⁸ This view was also held by the Mediterranean historian Michel Fontenay who, belonging to the frail school of revisionists, stated that the role of Algiers in the economy of the Mediterranean was no more than what he called ‘corsairing parasitism.’ Nonetheless he argued that the parasite was a “symbiotic parasite that was tolerated by the organism” because Algerian corsairing was accepted and well integrated in the economic structures of Europe.¹³⁹

At this point, one may but doubt the coherence of an approach that considers the “Barbary pirates as the enemies of mankind [that] were destroyed at sight whenever the opportunity offered during the three centuries of their active work” and at the same time recognizes that “they were the agents of well-organized states, states so thoroughly organized that the Great Powers of Europe entered into many formal treaties with them.”¹⁴⁰ If this may not be seen as incoherence, then Algiers is not to be considered as a *pirate state* but as a *corsairing state* which dealt as equal to equal with other ‘corsairing states,’ i.e.: the “Great Powers of Europe,” which also practiced corsairing. Both signatories concluded treaties recognizing for each other reciprocity in treatment as far as sovereignty, commerce, prizes, prisoners, and ransoms were concerned.

¹³⁸ Löwenhiem, *Predators and Parasites*, p. 81.

¹³⁹ Fontenay, “La course dans l’économie portuaire,” p. 1324.

¹⁴⁰ Montmorency, “The Barbary States in International Law,” p. 87.

Conclusion

In the western world, the Muslim corsairs in general, and those of Algiers particularly, were decried as the cruel scourge of Christendom. For centuries, redemptionists, travelers, and all sorts of adventurers painted horrible pictures about depredations of the 'Barbary pirates' who allegedly captured and submitted their victims to the most barbaric treatments. Their terrifying tales depicted den of thieves filled with gold, precious stones, and silks; all provided from the loot of honest merchant ships or from the sale of helpless Christian captives. This theme was taken up and amplified by their leadership who found in it an opportunity to attain political and religious ends.

Indeed, the scenario was not totally fictional. Over the centuries thousands of Europeans, and later few Americans, had been imprisoned and enslaved at Algiers; however, many elements were missing from the picture. The first element was that the 'Barbary pirates' were not pirates, who by definition were stateless and faithless outlaws, but they were Muslim corsairs, just like Christian corsairs and privateers, who defended the interests of their sovereigns; and all that was sanctioned by the laws of nations. The second missing element was that Algerian corsairing emerged in the first place as retaliation to the Spanish Reconquista and conquest to defend home and faith against crusading enemies. As so often in history, one set of 'terrorizing' acts was a direct response to another which was actually much greater; corsairing therefore was a retaliatory act of war. A third element which was often skipped by westerners is that while living conditions of Christian captives at Algiers

were sometimes harsh—and in that they did not differ from the living conditions of their masters—in general they were idyllic compared to those of Muslims captured by Christians or even negro slaves in the United States for example. Enslaved Christians at Algiers were actually prisoners of war who were treated according to the laws and usage of nations. Treaties between Algiers and the European countries precisely incorporated many of those laws and regulated the maritime practice of corsairing, enslavement, and ransom or exchange of captives and many more.

CHAPTER III

Corsairing Diplomacy, 1619-1816

Some of our Subjects of late, at Argier [Algiers], were by the Inhabitants of those Places evill intreated and grievously vexed, We doe friendly and lovingly desire your Imperiall Majestie, that You will understand their Causes by Our Ambassadour, and afterwards give Commandement to the Lieutenants and Presidents of those Provinces, that our People may henceforth freely, without any Violence or Injurie travell and doe their Busines in those Places.¹

Queen Elizabeth I (1584)

Introduction

More than just a form of warfare, corsairing was also a crucial element that regulated relations between Algiers and the western countries. Algiers' diplomatic relations with the major European powers, except Spain, go back to the early 17th century. Launched on an already uneasy background of crusading and corsairing, those relations were punctuated by misunderstanding, suspicions, tensions, and many a time effective warfare. Relations reached the brink of rupture but in general peace treaties outlived diplomatic turbulence, wars and antagonisms, plots and rivalries, and slaves and ransoms. Some of

¹ As reproduced in Morgan, *Complete History of Algiers*, p. 583. For the full letter see Appendix A1.

these treaties survived for more than two hundred years as was the case of treaties with France, the Netherlands, and England.

The history of those relations is rather long and complex. The material abounds and the diplomatic documents and treaties are scattered in diverse records of the European states; only a targeted research can reveal them. Yet, one may attempt to bring some light on the two centuries-long diplomatic tradition of Algiers. This is essential to the understanding of later events that affected its history in general and diplomatic relations particularly. By considering the development of diplomatic relations between the Regency of Algiers and few of the most important European states, one hopes to gather the different ingredients that took shape throughout centuries of Muslim-Christian interactions. By the time the United States entered the arena of international relations, the foundations of international relations had already been laid down and the different powers were acting according to a complex set of laws and custom that was established hundreds of years earlier.

1. The Diplomatic Context of Corsairing

1. 1. The Background: Impact of European Peace on Algiers

At the beginning of the 17th century, warring Europe entered into peace treaties that put an end to inter-European religious and dynastic wars but also ceased hostilities with the Ottoman Empire. At the turn of the century, Spain concluded peace with France (1598), England (1604), and the Netherlands (1609); the Ottoman Empire achieved peace with Austria (1606) and the

Netherlands (1612). Previously, France and England concluded treaties, known as capitulations, with the Ottoman Empire in 1536 and 1579 respectively.² The immediate impact of peace between those countries was the establishment of diplomatic relations with Algiers. The war opposing Spain and its allies the Italian states to the Ottoman Empire and Algiers, however, continued unabated and even intensified. The great naval battles involving squadrons of galleys disappeared after the Battle of Lepanto but gave way to more efficient corsairing as sailing vessels were adopted by corsairs on both flanks of the Mediterranean. Muslim and Christian corsairs continued to attack shipping of each other and caused ravages among coastal inhabitants.

Those developments had an immediate consequence on relations with Algiers: first, France, England, and the Netherlands could renew with trade in the Orient and the Mediterranean but the ongoing war between Spain and its allies on the one hand and the Ottoman Empire and its North African regencies on the other jeopardized their merchant activities. Second, with peace established in Europe, the north European privateers moved their activities to the Mediterranean and offered their services to the enemies of Algiers. Many also converted to Islam and joined the Algerian navy.³ The consequence of this migration of privateers was an unprecedented escalation of international corsairing in the area.

² Panzac, *Corsaires barbaresques*, p. 24-25.

³ Estimations for the 1630s, put the number of renegades to 9,500 in Algiers (about 1/9 of the native population). Robert C. Davis, "Counting European Slaves on the Barbary Coast," *Past and Present*, no. 172 (Aug., 2001), p. 115.

Other developments affected Algiers corsairing in many ways. Between 1609 and 1614, the number of corsairs from Andalusian origin rose dramatically after some 300,000 Moriscos were forced to leave the Iberian Peninsula.⁴ In a wave of terror, Spain moved to solve the ‘Moriscos problem’ by expulsion after failure of policies involving forced Christianization, enslavement, or simply raids and genocide.⁵ Those who could reach the shores of safety at Algiers took with them deep grievances and nostalgia for their centuries-old homelands now lost to Christians; consequently, many of them became active corsairs either to avenge themselves or to rescue other distressed Moriscos.⁶ As they had already done during a similar campaign of terror following Reconquista, the Algerian corsairs rescued their co-religionists at sea but also on the Spanish coasts where they had been pursued and massacred in thousands. Needless to say that in a climate where religious passions rose high hostility between the two camps pitched and corsairing intensified.

Today, the expulsion of the Moriscos is “seen as a tragic tale of mistaken assumptions and enmity on the Spanish side,”⁷ but at the time, it was a crucial and lasting element that shaped Algerian perceptions of Christians in general. Spain’s enmity towards Algiers had a tremendous impact on Algerian diplomatic relations with other Christian countries. Distressed and resentful, the Moriscos played an increasingly important role in Algerian naval warfare

⁴ Mar Jonsson, “The Expulsion of the Moriscos from Spain in 1609–1614: the Destruction of an Islamic Periphery,” *Journal of Global History*, 2 (2007), p. 195.

⁵ Stella, *Histoires d’esclaves*, pp. 67-68; Lane-Poole, *The Moors*, pp. 272-73, 277.

⁶ For details see Stephen Clissold, “The Expulsion of the Moriscos, 1609–1614,” *History Today* 28: 12 (1978), pp. 817–24.

⁷ Jonsson, “Expulsion of the Moriscos,” p. 195.

against Spain which subsequently affected maritime trade of other Christian powers and became a serious annoyance for them. More than that, the Moriscos altered irreversibly the composition of Algerian corsairing crews, which so far remained exclusively Turkish. Thousands European renegades also joined the Algerian navy because it offered them better economic opportunities but also because many vowed hatred for their native Europe.⁸ This new composition of the Algerian navy was going to add further elements of resentment and “hatred that did not always distinguish between Protestant and Catholic.”⁹ This amalgam was going to pit Algiers against other European powers outside the allies of the Holy Roman Empire—like France, Britain, the Nordic Countries, and later the United States—that traditionally were not its enemies, hence the need to conclude peace treaties with them.

Finally, Moriscos and renegades brought unexpected economic opportunities and new skills that turned the Algerian navy to a dreadful strike force. While Moriscos brought their artisan and entrepreneurial commercial skills, renegades revolutionized it. The Moriscos who settled at Algiers flourished as a middle class standing behind the armament of ships and the Nordic renegades introduced a different type of seafaring technology called the broadsides.¹⁰ The large galleys, propelled by hundreds of oarsmen, gave way to new sailing battleships: light, speedy, and propelled by sail, the broadsides could cruise longer; therefore, they could reach distant places. Iceland and

⁸ Cordingly, *Pirates*, p. 88.

⁹ Nabil Matar, “English Accounts of Captivity in North Africa and the Middle East: 1577-1625,” *Renaissance Quarterly*, 54: 2 (Summer 2001), p. 561.

¹⁰ Clissold, “Christian Renegades,” pp. 512-13.

Ireland, for example, became within sailing reach. The Algerian fleet could then inflict serious blows to its Christian enemies wherever and whenever it could meet them; hence the ‘terror’ of the Algerian corsair which gripped Europe.¹¹ These new developments interacted in such a way that no merchant ships could anymore sail in the Mediterranean without protection against corsairs’ attacks—Muslim and Christian alike. Only treaties of peace could secure free maritime passage for all antagonists, be they Muslim or Christian.

1. 2. Foundations of Corsairing Diplomacy

As indicated earlier, the Sublime Porte concluded a number of treaties, called also capitulations, with the European countries that granted them large legal and trading privileges.¹² By granting extraterritorial rights to foreigners residing in the Ottoman Empire, the capitulations were originally meant to encourage trade, but progressively the Europeans used them to infiltrate the Ottoman Empire. Algiers disapproved of Constantinople’s foreign policy which they considered had conceded too many privileges to foreigners. This was the case of the capitulations of 1536 with France which granted trading posts to France, particularly Bastion of France near Annaba.¹³ Ultimately, the French used the Bastion as a spearhead for extending their influence in the

¹¹ Again, this is one of those terror legends that can be found in Delmasso, “La peur des corsaires barbaresques,” pp. 51-7.

¹² In international law, capitulations—to be distinguished from the military term ‘capitulation,’ meaning surrender—were treaties under which foreigners residing in the Ottoman Empire, including its provinces, were granted extraterritorial rights; i.e.: the European countries were permitted to exercise jurisdiction over their own nationals within boundaries of the Ottoman Empire. P. H. Collin, *Dictionary of Government and Politics* (Middlesex, GB: Peter Collin Publishing, Ltd, 1988), p. 34.

¹³ Jean Bérenger, “La politique française en méditerranée au XVIe siècle & l’alliance ottomane,” in Michel Vergé-Franceschi and Antoine-Marie Graziani, eds., *La guerre de course en Méditerranée (1515-1830)* (Paris: Presses de l’Université Paris IV-Sorbonne, 2000), pp. 12-13.

region.¹⁴ Furthermore, the Sublime Porte renewed the treaty in 1604 giving even more privileges to France in total ignorance of Algerian interests. Clause 14 of the treaty, for example, authorized the French king to use force against Algiers in case the treaty was not respected.¹⁵ This caused the Pasha of Algiers to attack the Bastion, an act for which the Sultan ordered him hanged up.¹⁶

Despite the execution of the Pasha and a *firman* ordering restoration of the Bastion and respect of the 'rights' of France, disagreement between Algiers and Constantinople could not be settled down. France then decided to negotiate directly with Algiers. Negotiations started in 1617 but they stalemated very soon; part of the difficulty arose from disagreement over the return of two Algerian cannons which the Dutch renegade Simon Danser carried away when he deserted the Algerian navy in 1607 and offered to duke de Guise, governor of Provence.¹⁷ Two years later, negotiations reached the brink of rupture when the Algerian delegation was massacred in Marseille allegedly because an Algerian Rais had captured a province ship.¹⁸ Hostility mounted again; nevertheless, a treaty was concluded in 1619.¹⁹ It was the first treaty Algiers signed with a foreign country. However, Algiers continued rejecting the Franco-Ottoman capitulation of 1604 and the concessions which were granted to France unwaveringly. France, keen on keeping its commercial

¹⁴ Grammont, *Histoire d'Alger*, p. 55.

¹⁵ Montmorency, "The Barbary States in International Law," p. 89; also Card, *Traité de la France*, p. 4. For the terms of the treaty see Dan, *Histoire de Barbarie*, pp. 189-190.

¹⁶ Grammont, *Histoire d'Alger*, pp. 146-47.

¹⁷ The crisis ended only when the guns were returned in 1628. Card, *Traité de la France*, p. 16; Grammont, "Les deux canons de Simon Dansa," *Revue Africaine*, 23 (1879), p. 5-95; 96-133; Clissold, *Christian Renegades*, p. 512.

¹⁸ Panzac, *Corsaires barbaresques*, p. 26.

¹⁹ Traité entre Monsieur de Guise, au nom de Louis XIII, roi de France, et les Députés du Bacha et Milice d'Alger, 21 mars 1619 in Card, *Traité de la France*, pp. 11-15.

privileges, was going to recur to the use of naval leverage to force those concessions on Algiers.²⁰ For the next two hundred years, France multiplied the use of naval power either for maintaining or obtaining new privileges or for the purpose of consolidating power of the ruling monarchs.²¹ In all cases, Algiers retaliated through corsairing against French shipping and commercial interests in the area.

Similarly, early relations between Algiers and England were regulated through peace and commerce treaties, particularly the capitulation of 1579, between the Ottoman Empire and England. Throughout the reign of Queen Elizabeth I (1558-1603), no major tensions were recorded. Sporadic problems over captives and prizes were solved via diplomatic emissaries and peaceful talks as shown in this letter of 1584 from the Queen to Sultan Murad III (1574–1595):

some of our Subjects of late, at Argier [Algiers], were by the Inhabitants of those Places (being perhaps ignorant of your Pleasure) evill intreated and grievously vexed, We doe friendly and lovingly desire your Imperiall Majestie, that You will understand their Causes by Our Ambassadour, and afterwards give Commandement to the Lieutenants and Presidents of those Provinces, that our People may henceforth freely, without any Violence or Injurie travell and doe their Busines in those Places. And We again, with all Endeavour, shall studie to performe all those things that We shall in any wise understand to be acceptable to your Imperial Majestie.²²

²⁰ Algiers ended by recognizing French privileges at bastion de France in 1628. *Traité de Paix entre ceux d'Alger et les Sujets du Roi pour le commerce, fait le 19 Septembre 1628*. Ibid., 15-22; Primaudaie, "Commerce et navigation," pp. 22-57.

²¹ Gillian Weiss, "Imagining Europe through Barbary Captivity," *Taiwan Journal of East Asian Studies*, 4: 1 (Jun., 2007), p. 56; Fisher, *Barbary Legend*, p. 5.

²² As reproduced in Morgan, *Complete History of Algiers*, pp. 582-83. The full letter of the Queen and instructions of Sultan Murad III to the rulers of Algiers is shown in Appendix 1A.

The accession of James I (1603-1625) to the throne of England shifted relations from peaceful diplomacy to naval assaults. As he “was antithetical to Islam,” he damaged relations with Algiers by “issuing letters of marque to his subjects that encouraged them to seize Muslim ships and passengers.”²³ Despite the Order in Council of 1595 which recalled letters of marque because the English privateers committed irregularities for which they were sued at admiralty courts and punished, those continued to have “a freer hand in the Mediterranean, where Turkish and Algerine ships were looked on as fair game.”²⁴ Such un-thoughtful stand, at a time he neglected England’s navy, would cause the Algerian corsairs to retaliate forcefully: not only did they attack merchant shipping in the Mediterranean but they extended corsairing to England itself (Channel coast). After years of Privateering that was more damaging to England than to Algiers,²⁵ James I pressed for a treaty via the Sublime Porte, which was negotiated directly at Constantinople in 1622 with the Pasha of Algiers who happened to be on a visit there.²⁶

The Dutch, however, innovated. Clause 12 of the Ottoman-Dutch treaty of 1612 authorized them to negotiate directly with Algiers.²⁷ In 1622, the Dutch Consul held a tripartite meeting in Constantinople with the *Grand Vizier* and the same visiting Pasha who concluded a treaty without referring to the Divan

²³ Matar, “English Accounts of Captivity,” pp. 560-61; also Reginald G. Marsden, *Documents Relating to Law and Custom of the Sea. Vol. I: A.D. 1205-1648* (London: The Navy Records Society, 1915-1916), pp. xxvi-xxvii.

²⁴ Marsden, *Law and Custom of Sea*, pp. xxiii, 320.

²⁵ Between 1609 and 1616, the Royal Navy admitted losing 466 English and Scottish ships to Algerian corsairs. Davis, “Counting European Slaves,” p. 90.

²⁶ Panzac, *Corsaires barbaresques*, p. 26.

²⁷ Montmorency, “The Barbary States in International Law,” p. 90; Alexander H. de Groot, “Ottoman North Africa and the Dutch Republic in the Seventeenth and Eighteenth Centuries,” *Revue de l’Occident Musulman et de la Méditerranée*, 39: 1 (1985), p. 134.

at Algiers. Later, the government at Algiers rejected the treaty but The Netherlands was well intent upon imposing it. Given the importance of Dutch commerce in the Mediterranean, The Hague sent a squadron to Algiers in 1624.²⁸ For the Dutch admiral, forcing the treaty on Algiers was as simple as this: chase Algerian corsairs and seize them on the high seas then return and hung them in front of the port of Algiers; the operation was repeated many times.²⁹ In 1626, Algiers ended up by renewing the treaty of 1622; it was reaffirmed in 1662. From then onwards, the use of force either effectively or as a ‘muscle show’ for the purpose of intimidation and threatening, became a feature of diplomatic negotiations of western powers with Algiers.³⁰

The renewed treaty of 1626 with the Dutch merits some consideration because it served as a model for ultimate treaties between Algiers and the rest of the European countries as well as with the United States. Particular adaptations were introduced from time to time throughout the next two hundred years but in essence the agreed on principles remained the same. Because of their importance, two points pertaining to the treaty deserve some highlighting: first, the method the Dutch used to obtain that treaty and second, its provisions.

a) The method: Algerian naval supremacy—real at the beginning but shadowy by late 18th century—induced European countries to negotiate via navy admirals and not ordinary diplomats. When a country desired to negotiate

²⁸ In 1620, 1200 ships crossed the strait of Gibraltar of which 76 were captured by the Algerian corsairs, Gérard Van Krieken, *Corsaires et marchands: Relations entre Alger et les Pays-Bas: 1604-1830* (Paris: Editions Bouchène, 2002), p. 10.

²⁹ Panzac, *Corsaires barbaresques*, pp. 26-27.

³⁰ The last show of force would be in 1815-1816 when an incessant ballet of British, Dutch, and American squadrons forced Algiers to treaties to the convenience of those powers for the first time in about 200 years of corsairing diplomacy.

or renegotiate a treaty of peace, it would send its squadron(s) to Algiers for the purpose. By effective use of force or threat to use force, the navy admirals generally obtained concessions from the rulers of Algiers and concluded favorable treaties for their countries.

b) The provisions: the treaty stipulated the following: Algerian ships were authorized to visit Dutch ports whereas Dutch ships were authorized to trade at Algiers. The captives, Algerian and Dutch, were to be ransomed or exchanged. Finally, the Algerian corsairs were authorized to control Dutch ships and proceed to seize enemy freight aboard those ships on the condition that they pay the transport fees for the seized cargo.³¹

At first sight, these basic elements of the treaty seem to be simple and favorable to both signatories but in fact they are complex and thorny which explains the difficulties, ambiguities, and even hostilities that arose ultimately:

First, the open or free ports clause profited more to Dutch commerce than to the visits of Algerian corsairs. Algiers had no merchant navy and all its imports and exports were carried in foreign bottoms and its foreign trade was at the hands of foreign and Jew brokers who were more interested in exporting valuable local production (wheat, barley, hides, wool, olive oil, wax, copper...) than importing Dutch products.³² From The Netherlands, however, there was little production that interested the Algerians—certainly not salted fish and

³¹ Groot, "Ottoman North Africa and the Dutch Republic," pp. 135-36; Panzac, *Corsaires barbaresques*, pp. 26-27.

³² Morton Rosenstock, "The House of Bakri and Busnach: A Chapter from Algeria's Commercial History," *Jewish Social Studies*, 14 (1952), p. 345; Groot, "Ottoman North Africa and the Dutch Republic," pp. 138-39.

butter. For this reason, visits of Algerian ships to Dutch ports did not materialize until 1773; by then corsairing was on the decline and Algerian Muslim merchants took their businesses at hand. Even then, the only local production that was worth importing were Delft panes that Algiers imported between 1773 and 1803.³³ Hence, this clause profited largely to the Dutch merchants who made considerable profits from trade with Algiers. The Dutch corsairs profited even more; they were well-received at Algiers where they could sell their prizes and get provisions and shelter in case of problems.³⁴

Therefore, to remedy to these inequalities in trade, Algiers asked for compensations in the form of annual payments in naval materials, commonly referred to as tribute, that were needed for the navy: cannons, powder, bullets, sail-cloth, ropes, planks, and masts.³⁵ Those indeed were strategic war materials but the European countries, particularly the lesser powers like the Scandinavian countries and later on the United States, accepted to provide them according to specific clauses in the treaties. Originally, the clause on annuities was introduced on a basis of “mere mercantile calculation.”³⁶ Later, western interpretations equated those payments in naval commodities with tribute which in fact was a covert justification for overthrowing the principle of trade reciprocity. By attaching tribute to notions of dignity and national sovereignty,

³³ These famous panes could be seen today at Dar Mustapha Pasha, Algiers. Krieken, *Corsaires et marchands*, pp. 120-21.

³⁴ *Ibid.*, p. 17; Groot, “Ottoman North Africa and the Dutch Republic,” p. 136.

³⁵ Devoulx, “Marine d’Alger,” pp. 386-87.

³⁶ William Shaler, *Sketches of Algiers: Political, historical, and civil: containing an account of the geography, population, government, revenues, commerce, agriculture, arts, civil institutions, tribes, manners, languages, and recent political history of that country*, (Boston: Cummings, Hiliard and Company, 1826), pp. 111-12.

the westerners developed arguments which enabled them to evade payments so that they could make huge profits at the detriment of Algiers. That condition led to diplomatic tensions and deterioration in relations.

Subsequently, disrespecting earlier treaty commitments, the western powers played for time and under different pretexts refused to deliver the agreed on naval material. When pressed for respect of the treaties, they complained and cheated: sometimes they were needed at home because of war here and there; sometimes they pretended that they could not produce them in sufficient quantities; and finally, as a last resort, they often delivered articles of the worst quality and least quantity in total disregard of treaties. Add to this the enormous delays in deliveries—sometimes it could take years before they were delivered, all this crowned with complaints and disgust about the Deys' impatience, avarice, insolence, and tyranny. Here indeed lay the difficulties and complexities of relations between Algiers and the western countries throughout the two centuries-period during which they maintained diplomatic relations.

Second, the principle of redemption or exchange of captives was rarely respected by western countries. Corsairing in Algiers as in the Netherlands, and the rest of the western world, was a meticulously organized enterprise.³⁷ Corsairs/privateers were authorized to prey on enemy ships and captures, including ships, freight, crews and passengers, when declared legal prizes by a

³⁷ In England and the USA, corsairing is called privateering. A privateer used similar methods as a pirate, but acted while in possession of a commission or *Letter of Marque* from his government or monarch authorizing the capture of merchant ships belonging to an enemy nation. For further details see Stark, *Abolition of Privateering*, pp. 49-78.

council of prizes, were sold by auction to the highest bidder.³⁸ The enslaved captives then, even at times of hostilities, could be either ransomed, i.e.: bought back from the person who acquired them at auction (slave-master), or exchanged against other enslaved compatriots. This was certainly a solution which provided some hope for those who happened to fall into corsairs' hands, Muslim and Christian alike, to recover their liberty.

For different reasons, however, Christian slaves at Algiers could be redeemed easier and more speedily than their Muslim counterparts in Europe even though sometimes at exorbitant prices.³⁹ For Muslim slaves in the Christian Mediterranean countries, redemption was almost impossible—except in very rare cases.⁴⁰ Forced on Christian galleys as oarsmen, they were a valuable source of labor which the European monarchs were reluctant to relinquish.⁴¹ With the Netherlands where slavery did not exist, however, the Algerian captives were sold in other Mediterranean Christian ports which made exchange impossible. When not sold, they were simply, and cruelly, thrown overboard by their Dutch captors.⁴² This inequality and cruelty in treatment could not be admitted by Algiers and was a source of much tension which often precipitated negotiations and peace treaties into deadlocks.⁴³

³⁸ At Algiers, the slavemarket was seen as having “the character of a stock exchange rather than a cattlemarket.” Groot, “Ottoman North Africa and the Dutch Republic,” p. 135. Krieken, *Corsaires et marchands*, pp. 15-7.

³⁹ Daniel Panzac, “Les esclaves et leurs rançons chez les barbaresques (Fin XVIII^e - Début XIX^e Siècle),” *Cahiers de la Méditerranée*, vol. 65, L’esclavage en Méditerranée à l’époque moderne, 2002, pars. 66-77. (Accessed 6 Mars 2008). <http://cdlm.revues.org/document47.html>

⁴⁰ The average duration of captivity for a Muslim slave varied between 35-40 years. Belhamissi, *Captifs Algériens*, pp. 43-4.

⁴¹ Clark, “Barbary Corsairs,” p. 22.

⁴² Krieken, *Corsaires et marchands*, p. 17.

⁴³ Belhamissi, *Captifs Algériens*, pp. 68-71, 73-7.

Third and last, passes and control of freight as stipulated by treaties were another source of complications. In order to enforce the treaties, passes or passports were carried aboard merchant ships as a safeguard against seizure but also aboard corsairs to immunize them against pursuits of cruisers of other countries.⁴⁴ According to the American historian Peter Earle, those passes were nearly always honored by the Algerian corsairs;⁴⁵ but with Christian countries they soon became problematical. The Dutch unscrupulously permitted other states, enemies to Algiers, to use them which constituted violation of the treaties and caused much trouble;⁴⁶ and “almost every British consul in the Mediterranean area supplemented his income by selling them to foreign ships.”⁴⁷ The history of Algerian diplomatic relations with European countries is full of such abuses but in general, the system proved to be workable and reasonably effective despite wholesale forgeries. The clause on ‘enemy freight’ was not better allotted. The Dutch argued that the flag protects both the ship and its freight (goods and passengers); but Algiers objected and considered it illegal protection of enemies under the Dutch flag. That was another source of problems.

Free ports and commerce complemented by tribute, ransom or exchange of captives, and passes and freight control provided the basis for diplomatic

⁴⁴ Such documents carried the name, provenance, and description of the ship so that it could establish its identity when encountered by a corsair or cruiser. Groot, “Ottoman North Africa and the Dutch Republic,” p. 137; Earle, *Pirate Wars*, p. 62-63.

⁴⁵ Earle, *Pirate Wars*, p. 64.

⁴⁶ Seemingly, an Algerian corsair complained about Dutch counterfeiting in an equivalent of these words: “they certainly play foul tricks upon us, in selling their passes to other infidels: For ever since we made peace with them, we rarely light on either Swede, Dane, Hamburger, &c. All have Dutch complexions; all Dutch passes; all call each other *Hans, Hans*, and all say *Yaw, Yaw!*”, Lane-Poole, *Barbary Corsairs*, p. 271.

⁴⁷ Barnby, *Prisoners of Algiers*, p. 279.

relations between Algiers and western countries. Overall, Algiers observed strictly the terms of the concluded treaties, particularly those relating to captives and passports.⁴⁸ The signatory counterparts, however, had little consideration for Algerian captives and even less for tribute. Most often they only honored their commitments as long as Algiers had sufficient deterrence power to insure the respect of treaties. Nonetheless, as soon as the balance of power shifted, either as a result of political alliances, naval technological advances, or merely peace between belligerent western countries, the western powers hastened their squadrons to Algiers and imposed new treaties favorable to themselves.⁴⁹

Treaties between Algiers and the Christian powers were generally concluded by navy admirals who negotiated while pointing the cannons of their warships towards Algiers. Because negotiations were carried while accompanied by a demonstration of naval might, that form of diplomatic conduct was later tagged ‘gunboat diplomacy.’ During the 17th and 18th centuries, this early form of negotiations had proved to be more or less effective for the Europeans as long as they could obtain concessions from Algiers and achieve favorable terms. By 1815-1816, however, it turned out to be deadly effective as it reached a non-return point. After an American squadron concluded a favorable treaty at gunpoint, a joint bombardment carried

⁴⁸ An American envoy to Algiers reported in 1786 that “their [Algerine] treaties are sometimes broken, but not often.” *USDC*, 3:87, From John Lamb to Thomas Jefferson, May 20, 1786; also, *ibid.*, 6:29, From John Temple to John Jay, June 7, 1786.

⁴⁹ In 1815, for example, within one week after the signature of the treaty of Ghent which ended war between the United States and Great Britain, the American Congress declared war on Algiers and sent two squadrons to the Bay of Algiers.

out by British and Dutch cruisers reduced the port and naval forces of Algiers to rubble.⁵⁰ Consequently, the Algerian navy lost its deterrence power and within a short period Algiers fell easy prey to European colonial designs.

2. The Lasting Principles of Corsairing Diplomacy

Among the lasting principles that regulated relations between Algiers and the Christian countries and which crossed the hardships of time, warfare, and diplomatic turbulences four stand out prominently: sovereignty, passports, treaties and tributes, and enslaved captives. By late 18th century, they were solidly established, therefore clearly identifiable, but they were by no means unalterable. As always, they were at stake and only a balance of power between Algiers and the European countries, either individually or collectively, could guarantee their observance. The pattern practically worked like this: when those ‘strange bedfellows,’ Muslims and Christians alike, considered that treaties, agreements, or merely custom had either not been respected, jeopardized, or they simply wanted to alter the balance of power, they resorted to the use of the language they had always excelled at: military expeditions and corsairing and counter-corsairing. The outcome was also almost always the same: treaties were re-negotiated; sometimes they were modified but most of the time they were just re-conducted on the basis of previously negotiated ones. As of late 18th century, those major issues had long been settled and diplomatic relations were maintained on a basis of strict respect of treaties and custom.

⁵⁰ In 1816, in a seven-hour non-stop bombardment, a joint Anglo-Dutch expedition unleashed 400 cannons totalizing 47, 000 shots on the city of Algiers. Krieken, *Corsaires et marchands*, p. 129.

2. 1. Sovereignty

The nature of the triangular diplomatic relationship between the European states and the Sublime Porte, on the one hand, and between the latter and the Regency of Algiers, on the other, and finally between Algiers and the European states explains in part the evolution of Algiers from a mere dependency of the Ottoman Empire to a sovereign political entity recognized and accepted diplomatically by all sovereign states in the western world. The capitulations between the Ottoman Empire and the different Christian countries were diplomatic acts concluded between a state and another state and were generally respected as such. Technically, Algiers was a dependency of the Ottoman Empire, not a separate state, and legally it was administered as an Ottoman province by a Pasha, or viceroy, who was the representative of the Sultan and governed on his behalf. As a “vassal to the Sultan,” Algiers was “theoretically bound by those capitulations in the same way as their signatories”—the Ottoman Empire and the European states.⁵¹ However, and for reasons discussed earlier, Algiers refused to abide by them and the Sublime Porte failed to force Algiers to respect them. The foreign states, conscious about those weaknesses in relations between Constantinople and its regency, started signing separate treaties with Algiers early in the 16th century. That implicitly meant recognition of Algiers as a sovereign state.

Furthermore, and paradoxical as it might seem, when the Sultan authorized foreign powers to “chastise the Algerian pirates,” occupy their ports,

⁵¹ Blondy, “Discours sur l’esclavage,” par. 18.

and “deal with them”⁵² this means that implicitly he was recognizing that he had no authority over his own subjects. Worse, this also implies that he was conceding that he was unable to protect his subjects against foreign attacks. Curiously, each time the Sublime Porte had made an agreement with any of the European powers authorizing ‘punitive’ measures against Algiers, that power approached Algiers with the purpose of concluding a separate peace treaty. This happened in 1619 when Algiers had been maintaining pressure on the Bastion of France and forced France to negotiate with it separately; it happened again in 1622 when Algiers refused to recognize the capitulations of 1612 between the Ottoman Empire and The Netherlands and again in 1628 when a another capitulation with France (1604) gave it larger concessions in Algerian ports. The English, however, proceeded differently: after associating Constantinople to the bilateral treaty signed with Algiers in 1622, England acted unilaterally for a new one in 1662. A year later, they obtained a declaration from the Sublime Porte which implicitly admitted that Algiers could deal directly with the European powers. In all cases, this implies that Algiers was in fact and deed a sovereign political entity recognized by all.

Yet, this did not prevent the Turkish ruling elite in Algiers from rushing to the rescue of the Turks of the Orient, origin and religion oblige, each times the Ottoman Empire had been threatened by those same Christian powers. The last time this occurred was in 1827; the military operations caused full

⁵² Montmorency, “The Barbary States in International Law,” p. 89, 90; Panzac, *Corsaires barbaresques*, p. 28; also see “The Commandement obtained of the Grand Signior, by her Majestics Ambassadour, for the quiet passing of her Subjects to and from his Dominions, sent to the Viceroy of Argier (1584)” in Appendix 1B.

destruction of the Algerian fleet which so far acted as the sole protector of Algerian sovereignty and territorial integrity. The Ottomans, on the other hand, failed to defend Algiers in 1830.⁵³ In matters of foreign relations and defense, and since the early 17th century, Algiers had acquired certain sovereignty and stood alone to face a ‘concert’ of Europe which envied its naval supremacy in the Mediterranean and leagued to destroy it.

2. 2. Free Navigation and Passports

The principle of free navigation and passes introduced earlier by the capitulations and the Algerian-Dutch treaty of 1622 was re-integrated in a new treaty with England, which after a long Civil War, renewed contacts with Algiers at the end of the Commonwealth period. In 1682, a new treaty was concluded; it introduced passes that were meant for identifying English ships when controlled by Algerian corsairs and vice-versa. The form and contents of the passes were determined by different treaties and delivered by admiralty courts.⁵⁴ The passes delivered by the English and Dutch admiralty courts, for example, were cut irregularly to two halves: the first half was handed to the captain of the ship while the second was sent to Algiers.⁵⁵ This procedure may be considered more as further security against forgeries and illegal protection

⁵³ The last Turkish ruler of Algiers, Dey Hussein, surrendered after a short resistance against the French who landed at Sidi-Fredj in 1832. After surrender, he sailed for Livorno (Leghorn), Italy carrying an enormous personal fortune with him and died there in 1837—even though 50% of the original fortune was retained by the French according to the surrender treaty. For the terms of surrender see Grammont, *Histoire d’Alger*, pp. 406-7

⁵⁴ For the *Form of the Pass* as provided by the treaty of 1682 see Lewis Hertslet, *A Complete Collection of the Treaties and Conventions, and Reciprocal Regulations, at Present Subsisting Between Great Britain and Foreign Powers*, vol. I (London: Henry Butter Worth, 1827), pp. 65-6; also Appendix 2B. For later passports see Marsden, *Law and Custom of the Sea*, pp. 347-48.

⁵⁵ Groot, “Ottoman North Africa and the Dutch Republic,” p. 148.

of enemy shipping than caused by the illiteracy of the Algerian corsairs as it is generally assumed.⁵⁶ Admitting that the corsairs were illiterate, and the quasi-majority of them was illiterate, nonetheless passports were adequately handled: Algiers had structured its navy in a strict respect of treaties by assigning a khodja to the captain, so that exactly such documents could be read properly. This principle was reiterated in a number of treaties and additional articles signed between 1682 and 1816.⁵⁷ Article IV of the treaty of 1682 clearly referred to such reciprocal passes:

All merchants' ships, or vessels, of His said Majesty's subjects shall be obliged to produce such a pass as aforesaid. And any of the ships of war, or other vessels, of His said Majesty, meeting with any ships, or other vessels, of Algiers, if the commander of any such Alger[s] ship, or vessel, shall produce a pass firm'd by the chief governors of Algiers, and a certificate from the English Consul living there.⁵⁸

2. 3. Treaties and Tributes

Incorporated first in the treaties of 1622 and 1626 with the Netherlands to compensate loss of commerce, the principle of tribute paid in the form of naval commodities was enlarged in subsequent treaties to maintain a balance of power with the European countries. Progressively, however, it lost its original meaning and became a source of tension between Algiers and the western countries. In 1661, Algiers signed a treaty of commerce with France that permitted the latter to reoccupy its trading posts on the Algerian eastern coast in return for payment of tribute. In this case, tribute was understood as a

⁵⁶ Devoulx, "La Marine d'Alger," p. 385; for forgeries, see Lane-Poole, *Barbary Corsairs*, pp. 270-71.

⁵⁷ Hertslet, *Collection of Treaties and Conventions*, p. 59; for all the treaties between Algiers and Great Britain see pp. 58-88.

⁵⁸ *Ibid.*, p. 60. For substantial extracts from the treaty see Appendix 2A.

compensation for the occupation of the Bastion of France, a trading privilege; in practice, it functioned like an annual rent.⁵⁹ That ‘deal’ or practical arrangement with France, which later developed to become custom, originally implied a simplified meaning: an exchange of privilege for tribute.⁶⁰ In 1729, Sweden signed a similar treaty in which tribute “was a self-evident part of the agreement.”⁶¹ Austria (1727), Denmark (1746), Hamburg (1751), Venice (1764), the United States of America (1795), and Portugal (1810) signed treaties on a similar basis.⁶² Overall, tribute was an integral part of all treaties between Algiers and the Christian countries even though interpretations varied on the opposite sides of the Mediterranean.

Tribute, or ‘*Al-Jizya*’ in Islamic legal tradition, is perceived differently by Muslims and Christians hence its complications. By definition, tribute (from Latin *tributum* meaning to give or to pay) has a two-fold meaning: in a first meaning tribute refers to any sum of money or other valuable thing one party gives to another in token of respect or, “of submission or allegiance.”⁶³ In its second meaning, tribute “incorporate[s] certain aspects of regulated trade in goods and services between the parties under a contractual relationship formed upon duress.”⁶⁴ This double meaning is at the root of divergent interpretations among Muslims and Christians in late 18th and early 19th centuries. While

⁵⁹ The terms were renewed in the treaties of 1679, and 1684 (Article IX), Card, *Traité de la France*, p. 38 and 43 respectively.

⁶⁰ Later, the Americans did not understand, or pretended not to understand, this principle. In short, they wanted trading privileges without paying a counterpart for that.

⁶¹ Muller, *Consuls, Corsairs, and Commerce*, p. 59.

⁶² Belhamissi, *Captifs Algériens*, pp. 113-14 ; Shaler, *Sketches of Algiers*, pp. 35, 39; Panzac, *Corsaires barbaresques*, pp. 279-81.

⁶³ “Tribute,” *Wikipedia Encyclopedia*. (Accessed 1 April 2008).
<http://dictionnaire.sensagent.com/tribute/en-en/#wikipedia>

⁶⁴ *Ibid.*

Algerian Muslim views tended to interpret it as a manifestation of “Christian submission to the Muslim order,” which also corresponds with the first meaning in the definition, the Christians rejected this view and rather saw it as an exchange of gifts “between two equal partners” thus slightly skimming over the second meaning.⁶⁵ In consequence, this difference in approach was a source of much disagreement between Algiers and the western countries throughout the latter part of the period under study.

Furthermore, when tribute is put in different historical context, it means different things at different periods of time. In Antiquity, the less powerful Greek city-states paid a tribute to Athens implying submission to the power of that great city. In the early Medieval Ages, the Anglo-Saxon King Ethelred II paid a tribute, the Danegeld, to the invading Danes to escape total destruction of his kingdom at the hands of the invading Vikings; here tribute is likened to blackmail money. Throughout the medieval ages the peasants paid their lords a tribute for protection against other belligerent lords; in this case it was a sort of a defense fee. During early Islamic history, the Dhimmies (*or Ahl Al-Dhimma*) had to choose between conversion to Islam, payment of a tribute, or fight by the sword. Those who preferred to keep their faith paid a tribute which implied recognition of the supremacy of Islamic law and submission to its government.⁶⁶ Finally, the Spanish conquistadors imposed a *parias* on the Muslims of Andalusia and North Africa when they were militarily strong but

⁶⁵ Muller, *Consuls, Corsairs, and Commerce*, p. 59.

⁶⁶ John L. Esposito, *What Everyone Needs to Know About Islam* (London/New York: Oxford University Press, 2002), pp. 70-1; Joshua E. London, “Victory in Tripoli: Lessons for the War on Terrorism,” *Heritage Lectures*, 940 (May, 2006), p. 6.

small in numbers to settle conquered areas. So, according to the historical context in which it occurred, the meaning of tribute varied and so did interpretations.

When put in the historical context of Algerian European relations, one finds that tribute as instituted by early Algerian-Dutch treaties rather reflects the second meaning of the definition, i.e.: ‘a form of regulated trade in goods and services,’ which can also be perceived in the Algerian-French treaties about the Bastion of France. By the beginning of the 18th century, tribute also became indicative of Christian submission because a new form of practice was attached to it: presentation of consular gifts as shown in the Swedish treaty. Originally presented to the Dey and close members of his Turkish circle by European consuls as a sign of respect, this form of consular practice was later incorporated in treaties which specified amounts of consular gifts and frequency of their presentation to the Dey. The latest treaties set value limits for gifts and made them biennial.⁶⁷ Originally consular gifts were presented by the new consul when such change of consuls occurred either because of death, replacement, or when the former consul was ordered to leave the country. The Europeans attributed the last reason to the greediness of the Deys and pretended that the Deys frequently expelled the consuls so that they could get more gifts for themselves, their families, and their friends. The true reason, however, resides in the non-respect of treaties by the Europeans; perhaps also it

⁶⁷ Allegedly, this change occurred because the rulers of Algiers had become more demanding about the value of gifts.

was due to the despotic character of the Deys who became less tolerant of the lies and duplicity of the petty consuls and their countries.

By late 18th and early 19th centuries, however, tribute acquired another meaning: it became synonymous of extortion or protection money.⁶⁸ While the Deys saw that it was the duty of consuls and their countries to present gifts, the Europeans “stress[ed] that gifts were not regular tributes” therefore they were “not expressive of European obedience.”⁶⁹ Undoubtedly, this ambiguity about the nature of tribute and consular practice attached to it resulted more from difference in cultural background and legal traditions than from any particular insatiability on the part of the Deys. It is also illustrative of the complexity of diplomatic relations between Algiers and the European countries.

2. 4. Slavery and Redemption

By the end of the 18th century, the question of captives was already settled even though irregularities persisted. The different treaties between Algiers and the European countries incorporated the principle of ransom or exchange of captives and the practice was largely accepted. A whole system of government or private institutions, procedures, and regulations was developed for the purpose. While *el-fekkek* or redeemer acted on the part of Algiers for

⁶⁸ This view was expressed early in American history by Benjamin Franklin and echoed widely by American writers who largely disprove of the practice. *The Diplomatic Correspondence of the American Revolution, being the Letters of Benjamin Franklin, Silas Deane, John Adams, John Jay, and others*, edited by Jared Sparks (Boston, MA: N. Hale and Gray & Bowen, 1829-1830), 4:184, Franklin to the President of Congress, December 25, 1783. (Hereafter cited as *DCAR*); also see James A. Field, Jr. “Trade, Skills, and Sympathy: The First Century and a Half of Commerce with the Near East,” *Annals of the American Academy of Political and Social Science*, vol. 401, America and the Middle East, (May, 1972), p. 2; Frothingham, “The Armed Merchantman,” p. 465; Oren, *Power, Faith, and Fantasy*, p. 19-20.

⁶⁹ Muller, *Consuls, Corsairs, and Commerce*, p. 59.

the return of Algerian captives enslaved in Christian countries;⁷⁰ the religious Order of the Most Holy Trinity for the Redemption of Captives, better known as the Mathurins, gained prominence with activities related to redemption of Christian captives at Algiers.⁷¹

Certain treaties with Algiers were advantageous to Christian captives; they provided either for non-enslavement or for specific cases whereby escaped slaves were not to be returned to their masters which permitted them recovery of their freedom. Treaties between Algiers and England, for example, provided for such cases. Clause XI of the Treaty of Peace and Commerce of 1682, which remained effective until 1816, specified that Christian slaves, regardless of their country of origin, who escaped to visiting English warships would be free; but it also specified that prior notice had to be made about such visits (either by the consul or commander of the warship) so that the owners of Christian slaves, would make secure their slaves to prevent them from escaping on board English warships. That clause stipulated:

That when any of His said Majesty's ships of war shall appear before Algiers, upon notice thereof given by the English Consul, or by the commander of the said ships, to the chief governors of Algiers, public proclamation shall be immediately made to secure the Christian captives; and if, after that, any Christians whatsoever make their escape on board any of the said ships of war, they shall not be required back again.⁷²

⁷⁰ Procedures, negotiations, repatriation and many other aspects about Algerian captives may be found in Belhamissi, *Captifs Algériens*, pp. 81-103; for the origins of el-fekkek see also Clissold, "Ransom Business," p. 780.

⁷¹ For the origins, role, and activities of the Mathurins see Erwan le Fur, "La Renaissance d'un apostolat: l'Ordre de la Trinité et la Rédemption des Captifs dans les années 1630," *Cahiers de la Méditerranée*, vol. 66, *L'autre et l'image de soi*, 2003. (Accessed 20 June 2008). <http://www.cdlim.revues.org/document110.html>

⁷² Hertslet, *Collection of Treaties and Conventions*, p. 61.

Moreover, clause XI of the same treaty stipulated that “no subjects of His said Majesty shall be bought or sold, or made slaves, in any part of the Kingdom of Algiers, upon any pretence whatsoever.” This clause, in fact, ended enslavement of English captives at Algiers—which was not the case for Algerian captives in England. It also provided for redemption “of His subjects now in slavery” on the condition that “as reasonable a price as may be” would be agreed “with their patrons or masters, for their redemption, without obliging the said patrons or masters, against their wills, to set any at liberty.” The treaty, however, did not mention exchange even though “thousands of Muslims were held prisoners or enslaved by ... England, Ireland and Wales.”⁷³ The chance of exchanging Muslim captives in the British Isles seems to be null because they were either sold as slaves in “ports stretching from Cadiz to Genoa,” or were executed as pirates. Others simply disappeared when they “were hauled to Portsmouth or Exeter or London as captives and slaves, to languish in jails, to stand trial in southwestern courts, to beg for succor or to disappear into the underworld of the growing metropolis.”⁷⁴ Despite the tragic fate of the Algerian captives, inequalities, and irregularities, not to say crimes, that were often committed against them, the different bilateral treaties providing for redemption resisted over time and functioned well. One may even be tempted to qualify them as ‘one-way’ treaties, and indeed they were so, because they profited more to Christian captives than to Muslim ones. Despite this privileged treatment, the Christian powers were never satisfied and blamed Algiers for

⁷³ Rojas, “Insults Unpunished,” p. 164.

⁷⁴ Matar, “Britain and Barbary,” pp. 3-6, 9; Barrows, “Review.”

Christians' enslavement at a time the Muslim slaves purely and simply disappeared in Europe, perhaps without even a chance for life and less for redemption and freedom.

In this context, one case is worth noting here to point out the complexities of the issue of captives, in particular, and relations between Algiers and the Christian powers, in general. In 1679, Seth Sothel, a British subject, was captured by Algerian corsairs or "Pirates of Argier" as they were called. King Charles II Privy Council ordered him to be "exchanged for one Hadgamore late Commander of the Tiger of Argier or one Buffilo Ball" and charged Admiral Narborough to carry out the exchange.⁷⁵ The Admiral could not carry out the task and certified before the Privy Council that he had left "Hadg Omar and Buffilo Ball under the Charge of Vice-Admiral [Arthur] Herbert in the Streights [Straits of Gibraltar]." The Privy Council issued a second order for Herbert to exchange Sothel for either or both of those prisoners or in case they had already been "disposed of"—meaning already sold or died in captivity—he had to be exchanged "for the first Prisoner or Prisoners of Note that shall be taken of the Algerines by any of his Majesty's Ships under his command." In 1680, Sothel was still prisoner and the exchange was not effected yet; he sued again and suggested that the "two Algerine Captains might be sent to the English Agent at Leghorn, Thomas Deedham [a slave-trader], to keep until the exchange could be effected."

⁷⁵ This anecdote, as well as quotes, are completely extracted from William R. Riddell, "Observations on Slavery and Privateering," *The Journal of Negro History*, 15: 3 (Jul., 1930), pp. 340-47. Riddell used as a primary source legal documents from *King's Printer: Acts of the Privy Council (Colonial Series)*, Vol. I and II (1613-1680).

This is one of hundreds other similar stories that one can find scattered over the 200 years of the history of diplomatic relations between Ottoman Algeria and the Christians countries. It is an anecdote which tells about a number of other related issues: first, it tells that *Hadgamore* was *Hadj Omar*, and archives have preserved his name, but it does not tell who was *Buffilo Ball*—certainly not Buffalo Bill! How many Algerian captives were lost to Christians and history in this way, who were they? In what circumstances were they captured? What sufferings did they endure? Almost certainly these questions will remain unanswered.⁷⁶ However, one may be tempted to ask one more question and answer it: How many of the Muslim captives had been able to return back home to tell stories about their captivity? To judge by the number of captivity accounts of former Algerian captives in the Christian countries which amounts to *null*, compared to hundreds—real and imaginary on the Christian side—one may assume that very rare, indeed, were those who could make their way back home to tell about the cruelty they suffered at the hands of their Christian captors. Undoubtedly, the inability to answer these questions today is frustrating especially at a time when western historians are counting their captives of ‘the Barbary Coast’ and resurrecting them through a heralded opera of Muslim cruelty and Christian sufferings in a contemporary crusade against Islam.⁷⁷ Second, it tells also that the captives in this anecdote were lucky enough not to be cruelly hanged in front of the port of Algiers by the English admiral who captured them as did his Christian predecessor in

⁷⁶ Belhamissi, *Captifs Algériens*, pp. 9-10.

⁷⁷ See for example Davis, “Counting European Slaves.”

1624.⁷⁸ Third, it tells also that the Algerian corsairs retaliated by capturing Christians (the case of Sothel) to be able to exchange them with Muslim captives in Christian Europe (the case of Hadj Omar who was already a captive of Narborough).⁷⁹ Fourth, it tells also that the English merchants and agents at Leghorn were as active as the ‘Algerine pirates’ at the port of Algiers selling, buying, and exchanging slaves and sharing in the slave trade profits. Last, it tells also that certain members of the titled nobility of England won their titles thanks to piracy—*Sir* Francis Drake was a notable pirate—or thanks to their inveterate anti-Muslim hatred and aggression. The above mentioned Vice-admiral Arthur Herbert rose to the rank of admiral and obtained the title of *Sir* thanks to the carrier he had made on the shores of Algiers.⁸⁰ Between 1669 and 1683, he “served against the Algerine pirates;” during that period, two dates were important: in 1678 he lost an eye while he was trying to capture an Algerian corsair⁸¹ and in 1682 he returned to Algiers with a squadron that enabled England to obtain a very favorable treaty.

By the mid-17th century, diplomatic reciprocity was finally established and Algiers was dealing as equal to equal with the European powers. It established diplomatic mission at Marseille and London and sent diplomatic emissaries to Europe not only to solve problems relating to corsairing, captives,

⁷⁸ In 1677, Narborough was at the Command of a Squadron that England sent to the shores of Algiers with a mission to “destroy the pirates wherever he found them.” The Algerian prisoners were, no doubt, part of “the fruits of the latter expedition.” Riddell, “Slavery and Privateering,” p. 343.

⁷⁹ Stella, *Histoires d’esclaves*, p. 36; Blondy, “Discours sur l’esclavage,” par. 19.

⁸⁰ G. E. Aylmer, “Slavery under Charles II: The Mediterranean and Tangier,” *The English Historical Review*, 114: 456 (Apr., 1999), pp. 387-88.

⁸¹ Riddell, “Slavery and Privateering,” p. 342, fn. 4.

and commerce but also on official state visits.⁸² Corsairing entered a phase of official diplomatic usage. Henceforth, the Algerian Ri'yas on corsairing campaigns carried passports, just like their European counterparts, delivered by the European diplomatic missions at Algiers which protected them against privateers' attacks as well as pursuits of foreign nations' cruisers.⁸³ The passports also served as a basis for consuls' intervention to arbitrate cases of litigation over prizes.⁸⁴

Overall, between 1619 and 1830, Algiers negotiated and concluded more than sixty treaties of peace and commerce with most of the European countries. Twelve of those treaties were signed for the first time, eleven were renegotiated, and the rest were renewed treaties as shown in Table 4 (Treaties of Peace and Commerce). Spain, however, remained an exception. In 1785, after almost 300 years of warfare and enmity, Algiers and Spain moved to make peace but Spain faced a constitutional obstacle: the monarch could not conclude peace with the 'infidels' because of the prohibitive coronation clause fashioned after the will of Isabella. The impediment could only be overcome by concluding a 'Truce to Last One Hundred Years' because a truce implies a limited cessation of hostilities, not peace.⁸⁵ It would be interesting to consider each treaty separately; however, detailed study does not seem to add any more arguments than those already stated as forming the ingredients of this long diplomatic relationship between Algiers and the western countries.

⁸² Matar, "Britain and Barbary," p. 33; Panzac, "La course barbaresque revisitée," p. 33.

⁸³ Panzac, *Corsaires barbaresques*, p. 35.

⁸⁴ Devoulx, "Marine d'Alger," pp. 394-96.

⁸⁵ Cathcart, *The Captives*, p. 2; Barnby, *Prisoners of Algiers*, p. 38.

Table 4: Treaties of Peace and Commerce between Algiers and Foreign Countries, 1619-1830

Polity	First treaty	Renewed or Modified Treaties
France	1619	1628, 1640, 1661, 1666, 1667, 1670, 1676, 1684, 1689, 1690, 1694, 1698, 1719, 1764, 1790, 1796, 1800, 1801, 1814, 1815, 1818
The Netherlands	1622	1626, 1662, 1679, 1703, 1712, 1726, 1731, 1757, 1760, 1768, 1794, 1816
England	1622	1660, 1662, 1668, 1673, 1682, 1686, 1700, 1703, 1716, 1729, 1751, 1762, 1765, 1800, 180, 1816, 1816, 1816, 1824
Austria	1727	1729
Sweden	1729	1792
Denmark	1746	1751, 1772
Tuscany	1749	
Hamburg	1751	
Venice	1764	1767, 1768
Spain	1786	1791
Portugal	1793 (truce)	1810, 1813
USA	1795	1815, 1816

Source: Data is collected from the different sources used in Chapter III.

Note: Modified treaties are underlined.

2. 5. Method of Negotiating Treaties

As important as the four principles that regulated diplomatic relations between Algiers and the western countries was the method adopted by westerners for concluding treaties. Between 1619 and 1816, treaties serving western interests were most often imposed ‘at the mouth of the cannon.’ Time

and again, westerners dispatched their negotiators to Algiers accompanied by mighty squadrons. The purpose of that display of naval power was either to impress, threaten, or effectively use gunfire to force new treaties on Algiers or renegotiate old ones. As those expeditions were numerous and their motivations, course, and outcome were complex, one may not be able to cover them all in a reasonable length here. But with the aim of showing the extent of western impetuosity and animosity towards Algiers, one may at least attempt to draw up a summarizing table for the purpose (Table 5: European Naval Expeditions against Algiers, 1501-1830). The task is difficult and may not adequately fulfill targeted objectives but it is worth giving it a try.

Europe's belligerence, greed, and denial of the right of existence to others had reduced Algiers to a status of defense, defiance, and distrust vis-à-vis the western powers. Consequently, by late 18th century, Algiers perceived the presence of any other Christian entity in the Mediterranean as an imminent danger. This partly explains why early Algerian-American relations were characterized by reciprocal acrimony and uneasiness. Moreover, European assaults are important to the understanding of later relations between Algiers and the USA because they were the crucible in which corsairing diplomacy of Ottoman Algeria was forged. They were also the model which inspired America's founding fathers and diplomats who, as soon as the United States came out to existence, planned to use of force against Algiers

Table 5: European Naval Expeditions against Algiers, 1501-1830

Expeditionary Country	Year & Ally	Nature & Major aspects of Expedition	Developments at Algiers	Impact on Diplomatic Relations
Portugal	1501	Attempts landing forces at Oran	Inhabitants organized and defeated invaders	
The Netherlands	1624	Captured Algerian corsairs were hanged in front of the port of Algiers; the deed was repeated many times		Treaty signed (1626); renewed precedent treaty (1622)
	1775-76	Squadron sent to Gibraltar but fails to capture Algerian corsairs	Uneasiness, war declared in 1793	Treaty signed (1794); renewed precedent treaty (1768) + favorable terms to Algiers (tribute and consular gifts confirmed)
England	1620	Unsuccessful attack against the city of Algiers.	State visit of the Pasha of Algiers to Istanbul; English Consul seizes opportunity and negotiates a treaty	First treaty between Algiers and England concluded in 1622
	1670	1 st phase: 1 large galley destroyed 2 nd phase: 4 large ships (44-cannons) + 3 smaller ones destroyed + 2200 casualties among them many Ri'yas		
	1671	7 large galleys anchored at the port Bejaia were destroyed + casualties	Revolt at Algiers: end of the rule of Pashas nominated by the Sultan and ascension to power of Deys elected by local janissaries and Ri'yas	Treaty signed (1673); renewed precedent treaty (1668)
	1686	Squadron shows at Algiers announcing the death of King Charles II.		Treaty signed (1686); renewed precedent treaty (1682)

European Naval Expeditions against Algiers, 1501-1830 (continued)

	1816, the Dutch	Anglo-Dutch expedition unleashes 400 cannons on Algiers and its port in a 7-hours non- stop bombardment totalizing 47,000 shots. The port was reduced to rubbles	Dey Omar Pasha murded (r. 1815- 1817)	New treaty (1816) ending Christian slavery at Algiers
France	1682	Incendiary galliots launched on the city of Algiers's fortifications and port; important damage	Declaration of war against France	
	1683	Terrible cannonading: hundreds of mosques and houses destroyed but little killed because inhabitants left city prior to attack	Divan frees 500 Christian captives but squadron remains in the bay threatening; Mezzomorto seizes power & retaliates forcibly: Christian captives were executed from the mouth of a cannon	Treaty signed (1684); renewed precedent treaty (1666)
	1688	Algiers cannonaded again; but interrupted: threat of revolution at home		Treaty renewed; + military equipment (4 cannons and 9000 bullets) and expertise for Algiers
	1827	War declared on Algiers and port blockaded	Coastal batteries fire at French warships	
	1830	Troops land at Sidi Fredj	Turks defeated; Dey Hussein surrenders unconditionally & leaves for Naples	End of Ottoman Rule in Algiers
Denmark	1772	Unsuccessful cannonading		Treaty signed (1772); renewed precedent treaty (1751); confirmed consular gifts

Source: Data is collected from the different sources used in chapter III of this work.

3. Decline of Corsairing Diplomacy

As was previously shown, corsairing had originally been founded on a religiously defensive basis. By late 18th century, however, it acquired an increasingly important economic role. Religious safety and economic welfare had become so closely interrelated that one may consider them as the two sides of the same coin. After all, prizes and prisoners had always been an integral part of wars, holy or not, throughout the history of humanity.⁸⁶ In Islamic tradition, however, the capture of prizes was submitted to strict rules and the prisoners were treated humanely. This contrasts sharply with the Crusades of the Medieval Ages, for example, when blind religious fanaticism caused indescribable atrocities at Antioch (Ma'arra),⁸⁷ or else the Inquisition and Reconquista genocide against Muslims, or even the barbarous treatment inflicted upon Algerian corsairs when they fell into European hands.⁸⁸ Therefore, Muslim corsairing, when placed within proper historical and religious contexts, was a legitimate defensive reaction against Christian aggressions. Prizes and prisoners were no more than a logical outcome of an ongoing warfare between two antagonist powers.

In the long run, however, the corsairing activities of Algiers were going to acquire such an economic importance that, by late 18th century, the western powers were going to built arguments presenting it as mere piracy. Those arguments served as a disguise to legitimize combined military attacks against

⁸⁶ Stark, *Abolition of Privateering*, pp. 13-9.

⁸⁷ Maalouf, *Les Croisades*, p. 56-57.

⁸⁸ Krieken, *Corsaires et marchands*, p. 17.

Algiers under the pretext of bringing piracy to an end. In that way, they provided secular legitimacy for crusading intentions that persisted unaltered over centuries. Military more powerful and ideologically and politically increasingly inclined towards expansionism, the Christian powers considered Algiers a ripe fruit for conquest.⁸⁹ Corsairing and Christians prisoners, therefore, served as an excuse for the conquest of Algiers. The political thought and military actions of the Christian powers

to save slaves from North Africa would show even more clearly the extent to which the idea of crusade carried within it the seed of colonization, the degree to which liberation served as guise for conquest.⁹⁰

Therefore, although one may concede that even if corsairing had relatively lost the religious fervor of the founding corsairs, it nonetheless continued to operate as a defensive weapon against continuing aggressions of the western powers.

3. 1. Developments affecting Corsairing Diplomacy after 1791

The collapse of corsairing diplomacy may be imputed more to failures on the part of Algiers to adapt to a rapidly changing secular world than to any modifications in the legal status of corsairing. Diplomatically, militarily and technologically, and economically speaking, Algiers continued to adhere to values and practices that were three hundred years old while the western world was advancing at an unprecedented pace in all domains. Indeed, corsairing as understood in the Mediterranean Basin, and its Anglo-Saxon counterpart

⁸⁹ Silverstein, "The New Barbarians," pp. 189-92.

⁹⁰ Weiss, "Imagining Europe through Barbary Captivity," p. 56.

privateering, was not officially abolished until 1856; and even then, the United States refused to adhere to the International Declaration of Paris on the abolition of privateering.⁹¹ In fact, only interpretations changed as a result of a shifting balance of power in favor of the western countries.

Legally, the already thin-line separating corsairing from piracy was weakened by the very reason that legitimated the continuation of corsairing: i.e., the existence of a state of war with an enemy. Algiers' traditional enemies, including Spain, Portugal, the Italian States, and Malta with whom Algiers did not conclude early peace treaties, were progressively removed from the circle of "enemy" either by Algiers itself or because of international changing circumstances. With the eternal enemy Spain, Algiers concluded a one-hundred years' truce in 1786—in fact, a peace treaty but limited in duration. Even though considered favorable to Algiers, as the price it fixed for tribute and redemption of prisoners was often decried as excessive by the westerners, the treaty did not put an end to Spanish occupation of Oran. Tensions persisted until it was evacuated in 1792; that put an end to three centuries of reciprocal hostilities and warfare. More, by late 18th century, Spain was already removed to the rank of a second-rate world power and was no more encroaching on Algerian sovereignty. The list of enemy countries was further reduced when Algiers concluded a truce with Portugal in 1793; later it was followed by a peace treaty signed in 1810 and renewed in 1813.

⁹¹ Stark, *Abolition of Privateering*, pp. 39-45; James Fairbanks Colby, "Privateering," in John J. Lalor, ed., *The Cyclopaedia of Political Science, Political Economy, and the Political History of the United States*, vol. 3 (New York: Maynard, Merrill, and Co. 1899), p. 92.

Moreover, this avalanche of treaties was perhaps not without devastating consequences on the Algerian navy. With no need to arm vessels, as peace was prevailing, the Algerian corsairs fell into idleness. Some studies indicate a sharp decrease in revenues, which they impute to the decline of corsairing during the years following peace treaties. After the peace treaty with Spain, for example, revenues fell from 200,000 florins in 1785, to 140,000 florins in 1786, then to a lowest level of 77,000 florins in 1787.⁹² Lacking a training battleground and incentives, the corsairs lost skill, performance, and experience. Seacraft also declined and command suffered in the same way. The decadence of the Algerian fleet may partly be imputed to those peace treaties which Algiers signed with most European countries.

Diplomatically, Algiers failed to follow up with the pace of international developments. The invasion of Malta and the Italian city-states by the Napoleonic armies ended the political existence of those entities but Algiers did not change attitudes towards them; which caused uneasiness in relations with France. Napoleon considered this as defiance to his power and devised plans for the invasion of Algiers. In fact, problems over Algerian corsairing against Malta were just an excuse to justify the expansionist policies of France.⁹³ In 1807, Napoleon sent Vincent Boutin, an army engineering officer, to survey the coast for a potential invasion of Algiers.⁹⁴ Boutin identified

⁹² Krieken, *Corsaires et marchands*, p. 120.

⁹³ Weiss, "Imagining Europe through Barbary Captivity," p. 58.

⁹⁴ Boutin made his report in 1808; it was entitled: "Reconnaissance générale des villes, forts et batteries d'Alger, des environs, etc., faite en conséquence des ordres et instructions de Son Excellence Monseigneur Decrès, Ministre de la Marine, en date de 1er et 2 mai pour servir au projet de descente et d'établissement définitif dans ce pays." Plantet, *Correspondance des deys d'Alger*, 1: LIV; M. Alfred

precisely the best landing place for troops which was no more than the bay of Sidi Fredj where, some two decades later, France would land its troops in force.⁹⁵ More, in 1800, Malta changed hands to Great Britain with whom Algiers was bound by a treaty of peace but the latter continued to consider Malta as an enemy state. Continued attacks on Maltese shipping and enslavement of prisoners caused further deterioration of Algiers' relations with Great Britain.⁹⁶

Furthermore, more than just a defensive weapon against enemy aggressions—as it was conceived by the founders of Algiers—corsairing had become an economic necessity for their successors. A relatively important source of revenue for Algiers,⁹⁷ in addition to taxes imposed on the native population, corsairing contributed to the wealth and power of the ruling Turkish elite, particularly the Ri'yas.⁹⁸ One of the two pillars of the Algerian state, next to the Janissaries, the Ri'yas had always contested for power and obtained it. Indeed, the founders of Algiers were issued from the class of corsairs; even two of them, Khayreddin Barbarossa and El-Euldj Ali climbed

Nettement, *Histoire de la conquête d'Alger, écrite sur des documents inédits et authentiques*, new edition (Paris: Jacques Lecoffre, 1867), p. 126.

⁹⁵ Grammont, *Histoire d'Alger*, pp. 371-72; Panzac, *Corsaires Barbaresques*, p. 230.

⁹⁶ Probably Algiers did not recognize British sovereignty over Malta because the latter continued to fly a separate flag until 1814. Only then did the Congress of Vienna legalize Britain's hold over it. D. K. Fieldhouse, *The Colonial Empires: A Comparative Study from the Eighteenth Century*, 2nd edition (London: Weidenfeld and Nicolson, 1971), p. 287; also, Edgar Erskine Hume, "A Proposed Alliance Between the Order of Malta and the United States, 1794: Suggestions Made to James Monroe as American Minister in Paris," *William and Mary College Quarterly Historical Magazine*, 2nd Ser., 16: 2 (Apr., 1936), p. 230.

⁹⁷ Western writers have always argued that corsairing was the sole source of revenue for Algiers. Revisionist studies, however, have shown that prizes and ransom constituted less than 15% of revenues and absorbed about the same percentage of the active population. For an example see Fontenay, "La course dans l'économie portuaire," pp. 1327-42.

⁹⁸ For aspects of 'turkishness' of the ruling elite of Algiers see Shuval, "The Ottoman Algerian Elite," pp. 323-44.

the steps of power to become supreme commanders of the whole Ottoman fleet. El-Euldj Ali is considered by many to be the “the last of the great corsairs.” The early great corsair leaders and strategists gave way to less competent rulers who caused the degradation of the Algerian navy. Once Algiers had lost its deterrent shield, the Deys who ruled after 1671 came to be regarded as no more than robbers and petty pirates who lacked the guts of their predecessors:

Deprived of the protection which the prestige of the Turks had afforded, the Barbary Corsairs degenerated into petty pirates. They continued to waylay Christian cargoes, to ravish Christian villages, and carry off multitudes of captives; but their depredations were not on the same grand scale, they robbed by stealth, and never invited a contest with ships of war. If caught, they would fight; but their aim was plunder, and they had no fancy for broken bones gained out of mere ambition of conquest.⁹⁹

Starting from 1671 upwards to 1830, a new form of government that may be called an ‘elective oligarchy’ was established whereby the Ta’ifa monopolized political power; many Deys indeed were issued from that group. Therefore, powerful corsairs, supported by the Ta’ifa, played a prominent role in government and foreign policy decision-making. Consequently, relations with the western countries were certainly affected by the background of the ruling Dey. Naturally a former Rais would weight war and peace decisions according to the economic interests of the group to which he belonged—called *Kapi* or *Beyt*.¹⁰⁰

⁹⁹ Lane-Poole, *Barbary Corsairs*, p. 183.

¹⁰⁰ For the relationship between *Kapi* and government, see Shuval, “Remettre l’Algérie à l’Heure Ottomane,” pp. 427-35.

The renegades largely contributed to the creation of that negative image about Algerian corsairs and subsequently collapse of corsairing. Economic opportunities provided by corsairing were such that idle European corsairs joined the Algerian navy in search of fortune.¹⁰¹ Many of them were motivated more by economic gain than by religious conviction.¹⁰² Steering their corsairs to their original homelands, with which they were familiar, they ravaged shores not known and never reached before by Turkish corsairs. Haedo wrote in the 1580s:

The generality of the Corsairs are no other than renegadoes, and all of them exceedingly well acquainted with the coasts of Christendom, and even within the land, they very deliberately, even at noon-day, or indeed just when they please, leap ashore, and walk on without the least dread, and advance into the country, ten, twelve, or fifteen leagues or more; and the poor Christians, thinking themselves secure, are surprised unawares.¹⁰³

The raids on Madeira, the English Channel, Iceland, and Ireland certainly can not be considered as part of the geo-political, strategic, and religious concerns of the Muslim corsairs of Algiers.¹⁰⁴ The renegades, even though they contributed skills and technical knowledge to the Algerian navy, in terms of reputation and ethics, they did more harm than good. In this case, economic profit became an end in itself rather than a by-product of corsairing.

¹⁰¹ Ben Rejeb, "Barbary's Character," p. 346.

¹⁰² The Dutch corsair Jan Leendertsz, known as Suleyman Rais, converted to Islam and became one of the Ri'yas of the Algerian fleet. At his time, 6 out of the 55 sea captains in the Algerian fleet were Dutch. In 1655, after his corsair was captured by one of his former compatriots, he went back home and re-converted to Christianity. Krieken, *Corsaires et marchands*, pp. 139-40.

¹⁰³ As translated by Morgan, *Complete History of Algiers*, p. 593.

¹⁰⁴ All these attacks were the work of the Dutch corsair Jan Janszoon van Haarlem (1570-1641), also known as Murad Rais the Younger. For the raids see Clark, "Barbary Corsairs," p. 23.

Therefore, when it was deviated from its original defensive, retaliatory, and preemptive function, corsairing lost its early noble principles.

3. 2. Technological Backwardness

Militarily and technologically, and for different reasons, Algiers failed to adapt to the mercantile spirit which became Europe's driving force to wealth in late medieval and early modern periods. When Europe came out from the darkness of the Middle Ages, the Islamic world ironically entered in a period of decline. Where Europeans drew immense knowledge from the Islamic civilization, the Muslims failed to build on their own heritage. The astrolabe profited more to Europe which set out to conquer the world's markets and raw materials than to its Muslim inventors. For the purpose, the Europeans developed new navigation technologies and instruments, built and armed more powerful fleets, and pushed conquest and trade not only to the New world but also to the very shores of Algiers. By the mid-17th century, the Netherlands, Great Britain, and France launched a race for armament which culminated in the emergence of powerful fleets that surpassed that of Algiers.¹⁰⁵ By the end of the century, 80 to 100-guns sailing fleets were already in the making in Europe at a time Algiers was still depending on old-type and less performing sailing ships. By the beginning of the 18th century, the Algerian fleet was largely lagging behind.

¹⁰⁵ Panzac, *Corsaires Barbaresques*, p. 29.

At about the same period, i.e.: beginning of shipbuilding in Europe but high tide of corsairing, Algiers had an imposing fleet composed of 50-80 large sailing vessels armed with 626 guns.¹⁰⁶ According to the English admiral Narborough, that force was equivalent to what could be found in European fleets of the time.¹⁰⁷ So far, the Algerian fleet had won most of the major sea battles; it imposed respect of Algiers in Europe and preserved its existence. But progressively, it started losing ground to more powerful European fleets so that one hundred years later, the supremacy of the fleet was no more; worse, the very vessels were on the verge of extinction. At the death of Muhammed Ben Uthman, Algiers' last long-ruling Dey (r. 1766-1791), corsairing had reached its lowest level. Abandoned, the fleet counted 4 ships with a total of 36 guns, the largest having 26 and those seemed to have "suffered more from rain and sun at the home port than from the enemy," as reported by the Dutch Consul Pierre Fraissinet.¹⁰⁸ At a time the United States had no navy, Algiers's naval power had already dwindled to the bottom. The peaceful evolution of diplomatic relations with Europe but also an emerging commerce seem to indicate that corsairing was deemed to disappearance. However, this condition was to be unexpectedly reversed after 1810 and Algiers vigorously renewed with corsairing but not for long.

¹⁰⁶ Groot, "Ottoman North Africa and the Dutch Republic," p. 131.

¹⁰⁷ As reported in Panzac, *Corsaires Barbaresques*, p. 36.

¹⁰⁸ As quoted in Krieken, *Corsaires et marchands*, p. 120; for detailed statistics see Devoulx, "Marine d'Alger," pp. 396-420.

3. 3. Economic Difficulties

One of the lesser known facets of Ottoman Algeria is its commercial activity which culminated in the emergence of a small but enterprising merchant fleet. For a long time, it had often been argued that Algiers was an exclusively corsairing state; and corsairing has been the subject of all kinds “fantasies that were conveyed through a caricatured vision based on the idea of confrontation between the Cross and the Crescent.”¹⁰⁹ During the last thirty years or so, however, revisionist studies have unveiled the existence of a genuine trading activity that started developing since the 1770s even though timidly.¹¹⁰ That nascent activity probably explains in part the decline of the corsairing fleet. Up till then, seaborne trade was exclusively controlled by European and Jewish carriers and brokers.¹¹¹ By 1806, Algerian Muslim traders took their affairs at hand which put an end to foreign monopoly over Algerian external commerce and maritime transportation.

Exploiting the chaos caused by the Napoleonic Wars in Europe which generated desperate needs for Algerian grain to supply the starving populations and armies on the battlefields, Algerian merchants showed a real capacity of adaptation to the new international conditions. In the first decade of the 19th century, they were controlling more than 50% of trade carrying between

¹⁰⁹ Michel Tuchscherer, “Daniel Panzac,” *Revue du Monde Musulman et de la Méditerranée*, 95-96-97-98 - *Débats intellectuels au Moyen-Orient dans l'entre-deux-guerres*, April 2002, pp. 486-88. (Accessed 6 March 2008). <http://remmm.revues.org/document2463.html>

¹¹⁰ See for example, Mohammed Amine, “Commerce Extérieur et Commerçants d’Alger à la Fin de l’Epoque Ottomane (1792-1830).” 2 vol. Thèse de Doctorat. Aix-en-Provence, 1991; Panzac, *Corsaires barbaresques*, pp. 137-62 ; Krieken, *Corsaires et marchands*, pp. 190-91, 199.

¹¹¹ Rosenstock, “Bakri and Busnach,” pp. 343-64.

Europe and Algiers.¹¹² More, as neutral carriers, they even reversed the pre-war tendencies when they became trusted carriers between the different European ports. Hamdan Ben Uthman Khodja, a native of Algiers from Turkish origins, is illustrative of that flourishing and wealthy new merchant class. Besides carrying between Algiers and Europe, he even succeeded in establishing a small caravan of ships that linked the different southern European ports from Leghorn to Cadiz passing by Marseille.¹¹³

Unfortunately, such commercial activity was condemned to failure not because of incompetence on the part of Algerian merchants but because, once peace reestablished after the Napoleonic wars, the Europeans renewed their centuries-old hostility towards Muslims. Quickly, Muslim merchants faced a new kind of warfare: commercial warfare. Administrative troubles, abusive taxes, sequestration of merchant ships, confiscation of freight, or simply official denial of access to European ports of Muslim merchant ships acted as a shield to prevent Muslim access to European markets.¹¹⁴ All were hostile measures meant for discouraging Muslim commerce. Meanwhile, commerce of other Ottoman but Christian regencies continued undisturbed. Greek maritime trade, for example, which emerged at the same period as that of Algiers, developed spectacularly because it was not submitted to similar troubles.¹¹⁵

¹¹² Tuchscherer, "Daniel Panzac," p. 487.

¹¹³ He set up a 'caravan of ships' that was active along the southern coast of Europe from Leghorn to Cadiz. Amine, "Commerce Extérieur et Commerçants d'Alger," pp. 339-41.

¹¹⁴ Panzac, *Corsaires barbaresques*, pp. 217-20; Delmasso, "La peur des corsaires barbaresques," p. 52.

¹¹⁵ Gelina Harlaftis and Sophia Laiou, "Ottoman state policy in Mediterranean Trade and Shipping, 1780-1820: The Rise of the Greek-Owned Ottoman Merchant Fleet," in Mark Mazower, ed. *Networks of Power in Modern Greece* (New York: Hurst, 2008), pp. 1-31.

Those commercial barriers were indeed but few of the new weapons used by Christians against Muslims. The immediate consequence of Europe's new commercial weapon discouraged Muslim trade and once more Algiers armed its vessels for corsairing. From such discriminatory policies and attitudes, one may deduce that confrontation between the Cross and the Crescent was by no way just caricatured or religious. It was real and persisting. More, it expanded to include other aspects of life. It was a perpetual clash not just between two antagonist religions but also between two different cultures and civilizations.

Conclusion

So many aggressions, so many bombings and blockades, and so many treaties concluded, renewed, and re-renewed, but Algiers, as long as it could stand up militarily, did not intend to give up to European pressure either in the name of religion, commerce, or captives. Almost all European countries—powerful and lesser powerful—concluded scores of treaties of peace and commerce with Algiers, but they were never satisfied with them. When not warring against each other in Europe or in their colonies, the European powers filled up their years of peace by sending squadrons of war to Algiers under the pretext that those treaties were either humiliating for themselves or not respected by Algiers. After each campaign, relations were put back, once more, to where they had belonged before the show-off so that by 1816, i.e.: almost 200 years after the first bilateral treaty was signed, Algiers and Europe were still standing almost exactly where they had been standing in the 1620s! The

principles of free access to ports and commerce, high seas control of ships and passports, tributes and consular presents, and redemption or exchange of captives —except for slight modifications—remained unaltered. When the USA emerged as an independent state and entered the Mediterranean as a trading rival after 1783, those principles were still in usage and the signatories were still abiding by them. Therefore, for a better understanding of early relations between Algiers and the United States, one may need to keep in mind the principles which regulated the diplomatic conduct of Algiers with the rest of the Christian powers.

By means of corsairing Algiers also succeeded in maintaining a balance of military power, even though fragile, in the Mediterranean in spite of implacable hatred and alliances of the Christian powers against it. At times of war, corsairing acted both as a defensive as well as a retaliatory force; at times of peace, it acted as a deterrent force which discouraged even the most aggressive and heinous enemies from attacking it. Nevertheless, after three hundred years or so of incessant defensive warfare against Christendom, the Algerian fleet, and for different reasons, lost supremacy and entered into a phase of decay. The fleet's deteriorating conditions brought to the shores of Algiers an emerging opportunistic antagonist: the United States of America. By then, in addition to the traditional bombardment of Algerian cities, the western powers resorted to the use of 'gunboat diplomacy' as a new form of coercion against Algiers to advance their many interests and in that matter, the Americans were not at least. Ever since the United States was a constellation of

British colonies, the North American colonials expanded their trade into the Mediterranean area. Under British treaties with Algiers, they were secured protection and privileges but when they declared independence from Britain, the Americans had to face the realities of the Mediterranean world.

Part Two

Algiers in early American Diplomatic History:

Corsairing vs. Gunboat Diplomacy

CHAPTER IV

From Colonies to States: America in the Mediterranean

War and peace, alliances and treaties, and commerce and navigation were conducted and regulated without our advice or control. ... While we had liberty and justice, and in security enjoyed the fruits of our “vine and fig-tree,” we were in general too content and too much occupied to be at the trouble of investigating the various political combinations in this department [foreign policy], or to examine and perceive how exceedingly important they often were to the advancement and protection of our prosperity.¹

John Jay (1787)

Introduction

From the start one may ask this question: what brought American vessels into the vicinity of the North African coast so that Algiers came to clash with the United States over such issues as captured ships, enslaved prisoners, passports, and tributes? As already discussed, part of the answer to this question is deeply rooted in the history of the Regency of Algiers and its diplomatic relations with the European powers; a long history that was shaped

¹John Jay, *The Correspondence and Public Papers of First Chief-Justice of the United States, Member and President of the Continental Congress, Minister to Spain, Member of Commission to Negotiate Treaty of Independence, Envoy to Great Britain, etc.*, edited By Henry P. Johnston, 4 vol. (New York/London: G. P. Putnam’s Sons, 1890), 3:299, An Address to the People of the State of New York, September 17, 1787. (Hereafter cited as *CPPJJ*).

by religious antagonism and struggle for control of the Mediterranean Basin. The other part of the answer, however, is closely linked to the history of the United States and its common colonial past with Great Britain. In fact, these two countries shared a common history which ended up in total breach and caused repercussions on relations with Mediterranean countries, including Algiers. The answer can also be found in the shift in policies which characterized relations between Great Britain and its North American colonies, on the one hand, and the former and the United States after the latter declared its independence, on the other. The year 1776 is the divide between different views and interests that came into collision and culminated in separation of the colonies from the mother country; hence further complications in Mediterranean relations. Therefore, understanding some of the aspects which characterized British-American relations, mainly economic and political aspects, is of paramount importance to this work.

1. The North American Colonies and the Mediterranean World

1. 1. Colonial Commerce

Commerce was an important feature in American colonial life; it was as important as self-government, elective institutions, or westward expansion. Indeed, during most of the colonial period “commerce and the colonies were correlative terms, unthinkable each without the other.”² It was also the cornerstone of colonial relations with England and other maritime powers.

² Charles Andrews, “Colonial Commerce,” *The American Historical Review*, 20: 1 (Oct., 1914), p. 43.

Colonial commerce did not evolve in a vacuum; rather it was fashioned in the background of contests for colonial supremacy between England and other European powers and remained so until the end of the colonial era. When the Americans declared their independence in 1776, commerce had acquired such an importance in colonial economy that it was incorporated as one of the fundamental objectives of the newly created country of the United States of America (USA):

The Representatives of the United States of America ... declare, That these United Colonies are, and of Right ought to be Free and Independent States; ... and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.³

By 1783, the USA set out on its own to formulate new policies that would permit it to take an independent stand in international relations.

Commerce of the British North American colonies was part of England's worldwide commercial activity. It was strongly fit within the economic policy of England, which itself was shaped in the crucible of European rivalry for territorial expansion and trade monopoly. Before anything else, England's interest in colonization of the New World was mostly motivated by commercial interests.⁴ In 1606, James I, king of England, chartered the Virginia Company, a trading company, with the aim of colonizing lands in North America, like Spain and other major colonial powers, but he

³ *A Compilation of Messages and Papers of the Presidents, 1789-1897*, edited by James D. Richardson, 10 Vol. (Washington, D. C.: Government Printing Office, 1896-1899), 1:6, Declaration of Independence. (Hereafter cited as *CMPP*).

⁴ Muir, *Expansion of Europe*, p. 34.

also did it with the view of making profit and acquiring wealth for England. When the English stockholders of the company founded the colony of Jamestown in 1607 they also did it with the hope of finding gold and making profit.⁵ Subsequently, Great Britain developed economic policies that tightly controlled its American colonies and placed them within the sphere of a complex imperial system of commerce.⁶

In the 17th century, mercantilism was common economic practice among European states. In accordance with mercantilist principles, Britain designed policies essentially meant to generate wealth for the mother country; therefore, it put its North American colonies to contribution towards the creation of a favorable balance of trade, an essential ingredient in mercantilist theory. Like most colonial powers, Britain “used monopolistic or protectionist regulations to exclude rivals” from its colonies.⁷ For the purpose, it established a complex system of imperial regulations known as the navigation system that sought monopolization of commerce, markets, and raw materials.⁸ The navigation laws which regulated the system restricted and encouraged colonial economy. Where the products of the colonies were competitive with those of the mother country, like the textiles industries, the British parliament introduced laws curbing them; but where colonial economic activities were enhancing to those of Britain, favorable laws were introduced to encourage them. This is

⁵ Richard Hofstadter, *The United States: Conquering a Continent*, 4th Edition (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1976), p. 17-18.

⁶ Fieldhouse, *Colonial Empires*, p. 66-68.

⁷ *Ibid.*, p. 25.

⁸ Hofstadter, *Conquering a Continent*, p. 31-34.

particularly true for overseas commerce, shipbuilding, and sea-related industries.

English mercantilists also favored the exclusion of trade rivals, particularly the Dutch, French, and Spaniards, from Britain's North American empire.⁹ Those mercantilist ingredients protected but also strengthened the economy of the thirteen colonies. In the long run, however, mercantilist policies proved to be beneficial to the colonies but disadvantageous to Britain. On the one hand, they stimulated maritime activities and gave the New England colonies a commercial fleet; but on the other, colonial commerce and industries became so competitive with Britain that, by 1763, they became one of the main underlying reasons which later led to the independence of the colonies.¹⁰

Starting from the 1660s onwards, a series of navigation laws gave the English settlers of the American colonies, particularly those who were engaged in overseas commerce, the same rights and privileges that were given to the English subjects at home.¹¹ Even though the Navigation Act of 1661 exclusively restricted maritime carrying from and to the colonies to ships owned and operated—at least $\frac{3}{4}$ of the crews—by the English, those “requirements worked no hardships on the colonials because the term *English* was understood to include them as subjects of the British Monarch.”¹²

⁹ Muir, *Expansion of Europe*, p. 38-41.

¹⁰ Curtis P. Nettels, “British Mercantilism and the Economic Development of the Thirteen Colonies,” in Abraham S. Eisenstadt, ed., *American History: Recent Interpretations*, Book I: *To 1877*, 5th Edition (New York, NY: Crowell Company, 1964), pp. 146-47.

¹¹ Nettels, “Economic Development of the Thirteen Colonies,” p. 43.

¹² Hofstadter, *Conquering a Continent*, p. 31.

Furthermore, the expulsion of trading rivals from the British Empire eliminated competition and expanded colonial maritime routes to reach transatlantic markets, European and Mediterranean, which had been unheard of so far. Undoubtedly, such inclusion under the protective umbrella of the British Empire against competition of rival trading powers gave the colonists privileges that worked to their advantage. Furthermore, “after New England’s shipping industry had become fully established,” thus jeopardizing mercantile interests of the British merchants and shipbuilders at home, the British government refused to “head the pleas of British ship-owners who wished to subject it to crippling restraints.”¹³ So, even when competitively threatening for British commercial activities and home industries, the colonials continued to benefit from imperial protection.

Throughout the colonial period, English settlers of the Thirteen Colonies used the navigation system to their own best advantages. The navigation acts were stimulating and protective of colonial trade but in certain cases they were restraining especially in matters of trade with rival powers; certain ‘enumerated’ goods also were prohibited either to import or export. When submitted to such restrictive regulations, the colonials did not shy from recurring to illegal trading activities for the sake of preserving lucrative businesses.¹⁴ Customs’ laws were simply violated either by smuggling prohibited commodities in and out of the colonies or by avoiding clearance at English ports so as to evade paying duties imposed on such commodities in

¹³ Nettels, “Economic Development of the Thirteen Colonies,” p. 43.

¹⁴ Muir, *Expansion of Europe*, p. 18.

total disregard for the navigation laws.¹⁵ Many of those smuggled goods found a market in European countries and “other Mediterranean ports.”¹⁶ So, smuggling and illegal trading activities are deeply-rooted in the American colonial tradition of commerce and, in a sense, they contributed to the expansion of American overseas commerce—even though illicitly.

Starting from late 17th century, English shipping in the Mediterranean was regulated by special passes or passports according to treaties in usage between England and other foreign countries. At that time, war was raging between the Muslim corsairs of the Ottoman North African regencies and the combined forces of crusading Europe and attacks on each others’ shipping were frequent. Only treaties of peace could suspend hostilities and guarantee safe passage in the Mediterranean for ships of the signatory countries. For that reason, England concluded a number of treaties either with the Ottoman Empire or the North African regencies directly. Under such treaties, Britain’s Admiralty Courts provided passports for English ships of which “great numbers were used in America by American-built ships to guard against capture by the Barbary cruisers.”¹⁷

Trade in the Mediterranean was one of the most lucrative outlets for American products; and according to colonial views, it was exposed to the peril of ‘pirates’ of whom “the most dangerous were the Algerine pirates.”¹⁸ Passes became a matter of concern for them; hence, when they could not obtain them

¹⁵ Hofstadter, *Conquering a Continent*, p. 32.

¹⁶ For more about illicit trade and smuggling see Andrews, “Colonial Commerce,” pp. 61-2.

¹⁷ *Ibid.*, p. 50.

¹⁸ *Ibid.*

legally, they did not hesitate to counterfeit such documents. This practice spread widely after 1776 especially after the British government suspended issuance of Mediterranean passports to the rebellious colonies.¹⁹

Right from the very beginning of colonization, Britain's economic policy favored colonial commerce. Mercantilist policies permitted colonial shipping and overseas trade to operate under the same favorable regulatory laws as those applied for the British subjects at home. When restricted, the colonials merely bypassed existing laws and engaged in illegal trade. In general, Britain's economic policies as outlined above affected American commerce positively, which led to the growth of shipping and other related economic activities and consequently expanded colonial commerce to foreign markets which were opened to British trade—including Mediterranean markets.

1. 2. The American Colonies in Algerian-British Diplomatic Relations

The same mercantilist principles which regulated economic activities in the New World were also operational in the Mediterranean Basin. The major European powers expanded their commercial activity to the region and sought to protect it not only against economic rivals but also against other regional powers that were not necessarily motivated by mercantilist considerations. The Regency of Algiers was one of those regional powers that were suspicious about the presence of Christian vessels in the vicinity even though for other

¹⁹ Emile Dupuy, *Américains & Barbaresques: 1776-1824* (Paris: R. Roger & F. Chernoviz, 1910), p. 6.

reasons. Corsairing and counter-corsairing, imbued with religious animosity and Muslim-Christian struggle for control of the Mediterranean, was particularly damaging to maritime trade. Mediterranean corsairs, Muslims and Christians alike, attacked each others shipping and British merchantmen were caught in the midst of hostilities.²⁰

Up to late 16th century, England was a weak country torn from the inside by numerous religious and political problems and threatened from the outside by the might of Catholic Spain and a multitude of other dynastic and territorial quarrels with France. Those problems kept the Tudor monarchs occupied at home, a reason for which they did not seek military confrontation with the Ottoman Empire. Other reasons also prevented England from meddling with the might of the Ottomans: diplomatically, it could not logically coalesce with its own enemy Catholic Spain against Muslims and militarily, it was so weak that it could not challenge Ottoman supremacy in the Mediterranean. Those conditions favored the conclusion of capitulations between England and the Muslim states; the first of those was concluded as early as 1579 and it granted enormous privileges to English merchants in the Orient and North Africa. To encourage trade and avoid the burden of administering justice in legal matter involving foreign merchants, the Sultan agreed to “withdraw British subjects from Turkish jurisdiction for most civil and criminal purposes,”²¹ By doing so,

²⁰ One should keep in mind that even though Britain did not take part in the resurging crusades of late 15th and 16th centuries against Algiers, it was one of the most formidable crusading countries during the early Crusades. Richard I, King of England, was a prominent crusading leader; his deep hatred for Islam and contests with Salah Eddin during the Third Crusade (1189–92) won him the sobriquet ‘Lion heart.’

²¹ Hall, *International Law*, p. 252, fn. 1.

the Sublime Porte opened the gate wide for foreign infiltrations, diplomatic intrigues, and claims for privileges in the Ottoman Empire. Algiers, abided by this treaty reluctantly even though its corsairs, intentionally or mistakenly, continued to harass English shipping in the Mediterranean sporadically.²²

Very early in the history of the Regency of Algiers, the Sublime Porte not only agreed to capitulations but also opened North African ports to English traders and adventurers of all sorts. Subsequently, the latter benefited from “the availability of large amounts of resources and the openness of the Muslim markets” which permitted them to expand their trade in the region and accumulate wealth.²³ So, long before the English “crossed the ocean to North America to conquer and settle, they had sailed down to the northern coast of the African Mediterranean to trade, pillage or simply ‘discover.’”²⁴ In a sense, according to scholar Nabil Matar, North Africa was the early crucible of British imperialism which “played a role in delaying the westward colonial venture” because “as long as there was profitable trade with the Barbary region, there was no need to sail far and wide in dangerous search of colonial conquest and settlement.”²⁵

Emphasis on Mediterranean trade during the Elizabethan Age (1558-1603) may have delayed the fulfillment of England’s colonial goals in the New World but it did not bring them to a close. In perpetual search for power and

²² See letter of Queen Elizabeth to the Ottoman Sultan Murad III (1584), Morgan, *Complete History of Algiers*, pp. 582-83; also Appendix 1A.

²³ Matar, “Britain and Barbary,” p. 2.

²⁴ *Ibid.*

²⁵ *Ibid.*

markets, England set up the foundations for an American colonial empire early in the 17th century. From the first colony of Virginia (1607) down to the last one of Georgia (1732), Great Britain knitted an empire and integrated it in a worldwide system of trade regulated by navigation acts and treaties with foreign powers. On the settlers of the colonies it bestowed rights and privileges enjoyed by the British at home—and even more. In addition to political freedom, the American colonials pushed trade to the shores of North Africa as British subjects and enjoyed protection and trading privileges under British treaties which had already been secured previously. Accordingly, prior to the American declaration of independence in 1776, relations between the North American colonies and foreign countries—including Algiers—were regulated by terms of treaties the English monarchs concluded with foreign rulers. Consequently, the settlers prospered at the least effort or as John Jay, a leading politician of the revolutionary era put it:

Prior to the revolution we had little occasion to inquire or know much about national affairs, for although they existed and were managed, yet they were managed *for* us and not *by* us. Intent on our domestic concerns, our internal legislative business, our agriculture, and our buying and selling, we were seldom anxious about what passed or was doing in foreign courts... As we had nothing to do with the department of policy, so the affairs of it were not detailed to us, and we took as little pains to inform ourselves as others did to inform us of them.²⁶

England extended privileges obtained under capitulations to its colonies. That was the case of capitulations with the Ottoman Empire but also subsequent treaties which were concluded separately with Algiers starting from

²⁶ *CPPJJ*, 3:298, An Address to the People of the State of New York, September 17, 1787.

1622. England's relations with Algiers were particularly advantageous and indirectly rebounded on its colonies in North America. In 1682, Admiral Arthur Herbert negotiated a Treaty of Peace and Commerce with Baba Hassan, Dey of Algiers. The terms of the treaty, which were renewed in subsequent treaties until 1816, provided protection for the vessels of the signatories but it also explicitly included the American colonies, then reorganized as Dominions. Article I of the treaty stipulated that

It is agreed and concluded, that from this day, and for ever forwards, there be a true, firm and inviolable peace between the most Serene King of Great Britain and the most illustrious Lords, the Bashaw, Dey, Aga, and Governors of the City and Kingdom of Algiers and between all the Dominions and subjects of either side, and that the ships or other vessels, and the subjects and people of both sides, shall not henceforth do to each other any harm, offence or injury, either in word or deed, but shall treat one another with all possible respect and friendship.²⁷

Indicative of the large privileges the English enjoyed at Algiers is the leniency, not to say impunity, the treaty bestowed on English subjects in matters of administration of justice. Like capitulations with the Ottoman Empire, jurisdiction in civil and criminal cases among English subjects at Algiers was exclusively reserved to the Consul: if “they [English subjects] happen to be at difference between themselves, in which case they shall be liable to no other determination but that of the Consul only.”²⁸ In cases involving nationals (Turks or Moors), however, they would be liable to the Dey. Article XVI of the treaty permitted them, implicitly, to evade justice: “but if he [the one who committed crime] escape [sic], neither the said English

²⁷ Hertslet, *Collection of Treaties and Conventions*, p. 58.

²⁸ *Ibid.* p. 62, Treaty between Great Britain and Algiers, signed at Algiers, April 10, 1682, Article XV.

Consul, nor any other of His said Majesty's subjects, shall be in any sort questioned and troubled therefore."²⁹ When such cases occurred, the criminal usually escaped with impunity to the house of the Consul.

In 1703, that generous treaty was even broadened and extended to cover exclusively all ships built or fitted out in Britain's American colonies. The particularity of this treaty, however, is the inequity in treatment it reserved to Algerian corsairs and the easy-goingness it accorded to British and colonial privateers who would make prizes of Algerian corsairs. When not in hold of an official pass, a simple hand-written certificate by the captain of the British ship would be sufficient enough for identification. This is to say that, when captured, Algerian corsairs were not worth much diplomatic and administrative burden! Article III of the treaty specified:

It is farther agreed and declared, that all prizes taken by any of Her Majesty of Great Britain's subjects, and all ships and vessels built and fitted out in any of Her Majesty's plantations in America that have not been in England, shall not be molested in case of no Pass; but that a certificate in writing under the hand of the commanding officers that shall so take prizes, or Chief of any of Her Majesty's plantations in America, or where any ships shall be built or fitted, shall be a sufficient pass to either of them.³⁰

This is clear evidence that the relationship of British subjects, including colonials, to Algiers was not simply that of enterprising traders and innocent travelers who were captured and enslaved by cruel pirates as it is always pretended in western writings. Those were also pirates, privateers, and

²⁹ Hertslet, *Collection of Treaties and Conventions*, Treaty between Great Britain and Algiers, 1682, Article XVI, p. 63. The treaty specified the crime as "strike, wound, or kill a Turk or a Moor."

³⁰ *Ibid.*, p. 74-75.

adventurers who were roaming in the vicinity of the North African shores to prey on inhabitants and shipping of Algiers; and all that was sanctioned by treaties which granted them protection at the least cost. So, more than just providing protection against Algerian corsairs for safe passage of Anglo-Saxon shipping in the Mediterranean as always argued, the treaties are “intriguing examples of inequality of treatment”³¹ and they offer a blatant diplomatic cover for infiltration, a pre-stage for prospective colonization, wholesale enslavement of peoples, and pillage of their national wealth.

Throughout the colonial period, American shipping in the Mediterranean benefited from Great Britain’s treaties with Algiers and colonial sailing-vessels carried passports delivered by British admiralty courts.³² Such conditions were highly profitable to the colonials and generated prosperity in the American colonies.³³ After the colonies declared independence from Britain in 1776, the latter issued new passports for its national ships,³⁴ a move which the French Consul in Morocco Louis Chénier interpreted as a measure “to deprive the insurgents of freedom of navigation on the coasts of Europe and expose them to the attacks of the Barbaresques.”³⁵ But even that change did not

³¹ Kenneth Parker, “Reading ‘Barbary,’” p. 103.

³² For the *Form of the Pass* as provided by the treaty of 1682 see Hertslet, *Collection of Treaties and Conventions*, pp. 65-66; for later passports see Marsden, *Law and Custom of the Sea*, pp. 347-348.

³³ *The Revolutionary Diplomatic Correspondence of the United States*, edited by Francis Wharton (Washington, D. C.: Government printing Office, 1889), 6:763, Morris to Messrs. Willink & Co, Office of Finance, February 12, 1784. (Hereafter cited as *USRDC*).

³⁴ Benjamin Franklin, *The Writings of Benjamin Franklin, with a Life and Introduction*, edited by Albert Henry Smyth, 10 Vol. (New York/London: Macmillan & Co., Ltd., 1906), 7:139, Claud Gillaud to Benjamin Franklin, April 10, 1778. (Hereafter cited as *WBF*).

³⁵ Priscilla H. Roberts and James N. Tull, “Moroccan Sultan Sidi Muhammad Ibn Abdallah’s Diplomatic Initiatives toward the United States, 1777-1786,” *Proceedings of the American Philosophical Society*, 143: 2 (Jun., 1999), p. 236.

prevent unscrupulous Americans from using forgeries during the whole duration of the war of independence, i.e.: from 1776 to 1783.

Even after 1783, American ships “continued to fly British flags when approached by the Algerians” and carried forged British passports from sheer opportunism.³⁶ Such counterfeiting could not pass unnoticed by the British authorities. Sir John Temple, the British Consul General at the United States, wrote John Jay, American Secretary for Foreign Affairs, informing him that “British Mediterranean passes are, and have been counterfeited at Philadelphia, and that many ships and vessels belonging to the American States, have already sailed with such passes.”³⁷ What is worthwhile noticing here is the approach adopted by the British Consul and the American government alike. It was not the illegality of the act in itself that was of much concern to Temple—probably because the British were used to that and ended by closing their eyes—but the argument he exhibited:

I lament the misery that such of your mariners will probably meet with, should they, with such counterfeit passes, fall into the hands of the Barbary corsairs, who have now become so nice and exact, with regard to British Mediterranean passes of the last cut and form.³⁸

Probably knowing that his lamentation would not be sufficient argument for putting an end to American’s so deeply rooted fraud, Temple did not hesitate to wave Christians’ eternal scapegoat: the cruel Muslim pirate, the *hostis humani generis*: “I am really of opinion,” he added, if caught, the counterfeiters

³⁶ Lawrence A. Peskin, “The Lessons of Independence: How the Algerian Crisis Shaped early American Identity,” *Diplomatic History*, 28: 3 (Jun., 2004), p. 297, 309.

³⁷ *USDC*, 6:29, From John Temple to John Jay, June 7, 1785.

³⁸ *Ibid.*; also see his reply to Jay using the same argument in *ibid.*, 6:32.

“would, it is more than probable, meet with severity in the extreme, sufficient to make humane civilized people shudder at even the mentioning of it.”³⁹

As probably expected, such an apologetic tone could but be scorned but the dubious and arrogant Americans. The instinct and genius of the lawyer Jay produced the following answer one month later, undoubtedly after having carried an inquiry—if he did not already know, which is a weak probability:

I wish it [letter] had been accompanied with some evidence, if only such a degree of it as might create strong probability, and afford ground for just suspicion. Public and extraordinary measures for detecting and punishing crimes always imply a presumption that they exist, and tend to establish imputations which may prove unjust and injurious ... mere suspicion is very slender proof of guilt.⁴⁰

Jay, nevertheless, “laid before Congress the letter” of Temple. If the American government was really desirous about investigating the case, there was plenty of ‘*proofs*,’ to incriminate the counterfeiters as indicated in the Temple’s answer of the same date.⁴¹ But there is no evidence that Congress acted on it either out of duplicity or simply because it did not consider the information important enough to merit concern; and the matter of counterfeiting stopped short at this point on the American side. Temple, however, informed that he would “transmit to his Majesty’s Ministers, by the packet to sail on Friday, one of those counterfeit passes, purchased by my desire at Philadelphia” as “proofs of such an atrocious forgery of national documents.” For the rest, he estimated

³⁹ *USDC*, 6:29, From John Temple to John Jay, June 7, 1785.

⁴⁰ *Ibid.*, 6:30, From John Jay to John Temple, July 5, 1785.

⁴¹ *Ibid.*, 6:32, From John Temple to John Jay, July 5, 1785.

that “Algiers and other Barbary States” will “undoubtedly, consider themselves as principally intended to be injured by such counterfeits.”⁴²

The matter of the counterfeited passes could have stopped here had it not been for a controversy which arose afterwards over the capture of American vessels by Algerian corsairs. Was this information communicated to the British Consul at Algiers Charles Logie? Did the latter inform the Dey about it and instigated capture of American ships? Considering the formidable hatred the American captives at Algiers vowed Logie and later, formal accusations of the American Ambassador to Spain against him,⁴³ the Dey of Algiers might have been informed by Logie personally but not necessarily on instructions from the British government. If it was the case, then, it could have prompted more vigilance on the side of the Algerian corsairs. The corsairs had just started making the difference between Great Britain’s ships, with which they had a treaty, and American ships, unknown to them until the arrival of Logie as consul to Algiers in May 1785. They had also to struggle for recognizing regular passports from forged ones at a time they were completely illiterate—or almost. The task was certainly arduous.

History, however, tells about one of those ironies where Christian mutual understanding remains beyond any suspicion. As long as the forged passports secured lucrative trade for Americans, Congress passed inquiry to oblivion; but “a small box of tea and a piece of silk for Lady Temple’s use”

⁴² *USDC*, 6:32, From John Temple to John Jay, July 5, 1785.

⁴³ Rojas, “‘Insults Unpunished’,” pp. 184-86; Barnby, *Prisoners of Algiers*, p. 71; *SPPD*, 10:282, D. Humphreys, Esq. to the Secretary of State, Oct. 7, 1793.

was taken by the utmost seriousness. After the forged passports' letter, Temple wrote Jay inquiring whether it was "right and proper" for him to pay the duties on tea and silk sent as presents from Canton, China as he was required to do by the State of New York.⁴⁴ Reporting back to Temple, Jay communicated that "Consuls are not, by *the laws or usage of nations*, considered or treated as public Ministers," and therefore "no consuls, of any nation, are entitled to such exemptions in the United States."⁴⁵ In consequence, Temple had to pay for duties but at least he got a three-page long comprehensive report based on a lengthy debate in Congress.

It should be underlined here that the American approach to the *laws of nations* was a two-tiered approach: international laws were respected only when they could be interpreted in a sense favorable to American national interest. In the case of Temple's imported tea, additional revenues for Congress were welcomed so Jay invoked the laws of nations to support his argument. Interpretation, however, would be completely different when it would be question of payment for treaties and tribute. In this case, paying would mean deduction from revenues; therefore it was unfavorable to the USA. For this reason, the self-interested Americans were ready neither to accept to pay for treaties and tribute nor respect the *laws of nations*. Those were respected only when they were suitable to them.

⁴⁴ USDC, 6:33, From John Temple to John Jay, August 16, 1787.

⁴⁵ Ibid., 6:32-35, From John Jay to John Temple, September 25, 1787. The italics are from the researcher.

2. The Advent of Americans: Traders and Privateers

2. 1. American Mediterranean Trade

Stretching from the Strait of Gibraltar in the west to the shores of Asia Minor in the east, the markets on both flanks of the Sea were particularly profitable for European traders. They were even more lucrative for North American merchants and shipowners who were shielded by the treaties of England with the regional powers. By the second half of the 18th century, time at which Great Britain closed its imperial markets to American trade, the Muslim ports situated on the eastern and southern shores of the Mediterranean represented few of the world's free markets that remained open to American merchants. Those ports had not yet fallen to the domination of any of the major European colonial powers even though the latter had largely infiltrated the region since the 16th and early 17th century. The various capitulations had offered generous concessions and privileges to France, England, and The Netherlands.⁴⁶ They made trade even more advantageous for Europeans, especially if we know that the maritime carriers and merchants were exclusively Christians and that the local brokers were non-Muslims—particularly Jews in the case of Algiers—because Muslim ships were forbidden from flying their national flag in European ports.⁴⁷

By the time of the Declaration of Independence, the Americans had already developed a substantial trade in the Mediterranean, an area where they

⁴⁶ Harlaftis, "Ottoman State, Finance and Maritime Trade," p. 17.

⁴⁷ Daniel Panzac, "International and Domestic Maritime Trade in the Ottoman Empire during the 18th Century," *International Journal of Middle East Studies*, 24: 2 (May, 1992), p. 193-94.

“could still seek their fortunes unchecked.”⁴⁸ Although the trip in “unsanitary vessels” was hardly pleasant, Americans did not refrain from steering their merchantmen to the Muslim ports because “the profits often outweighed the hardships.”⁴⁹ According to a report of the Secretary of State made in 1790, prior to independence, Mediterranean trade represented about one-fifth of the colonial trade and involved a large variety of products. Chief among colonial exports were dyes (especially indigo and cochineal), sugar, tobacco, and rice—originating in the southern plantations, and dried fish, timber, and ‘Boston Particular’ (rum) which originated in the New England colonies.⁵⁰ For the sole dyes, figures indicate an increase from 2.3 million *livres tournois* annually in 1750-54 to 3.5 million in 1786-89⁵¹ despite what was much decried as ‘Barbary pirates’ depredations.

The total value of American commodities shipped to the Mediterranean was officially evaluated at about £707,000 for the year 1770. By comparison, the total value of foreign goods (mainly Spanish, French, and Dutch), exported the same year from the West Indies to the same destination was estimated at £6,287.⁵² This is clear indication of the heavy trade activities between the American colonies and Mediterranean ports which could only be motivated by lucrative gains and huge profits. More, exports were more than three times that

⁴⁸ Oren, *Power, Faith, and Fantasy*, p. 18.

⁴⁹ *Ibid.*

⁵⁰ Panzac, “Trade in the Ottoman Empire,” p. 191; Oren, *Power, Faith, and Fantasy*, p. 18. Rum, called also ‘Boston Particular’ because of its importance in the economy of colonial Boston, MA, is an alcoholic beverage which was particularly used as an exchange commodity in the African slave trade, known also as the ‘Triangular Trade.’

⁵¹ Panzac, “Trade in the Ottoman Empire,” p. 192.

⁵² Figures are from Ray W. Irwin, *The Diplomatic Relations of the United States with the Barbary Powers, 1776-1816* (Chapel Hill: University of North Carolina Press, 1931), p. 18.

of imports which allowed for the colonies to constitute a favorable balance of trade of their own. For the same period, imports were officially evaluated at £228,682 (against £707,000 for exports);⁵³ and they consisted largely of salt, olive oil (destined for soap factories), wool (angora from goats or camels), leather (Moroccan), dried fruits (raisins, figs) and “other Oriental delicacies.”⁵⁴

Hundreds of ships and seamen were involved in the Mediterranean business. According to Richard O’Brien, American prisoner at Algiers (1785-1795) and later United States Consul General for the Barbary States,⁵⁵ “before the war the Americans used to employ 200 sail of merchantmen in the streights trade, and used to reap great advantages by it.”⁵⁶ No one is better placed than Thomas Jefferson, the American Secretary of State (1789-1793), for making estimations on colonial Mediterranean trade. Despite loss of information and lack of accuracy, as Jefferson remarked, his 1790 report to Congress is indicative of an active trade:

According to the best which may be obtained from other sources meriting respect, it may be concluded that about one sixth of the wheat and flour exported from the United States, and about one fourth in value of their dried and pickled fish, and some rice, found their best markets in the Mediterranean ports: that these articles constituted the principal part of what we sent into that sea: that that commerce loaded outwards from eighty to one hundred ships, annually, of twenty thousand tons navigated by about twelve hundred seamen.⁵⁷

⁵³ Irwin, *Diplomatic Relations*, p. 18.

⁵⁴ Panzac, “Trade in the Ottoman Empire,” p. 191; Oren, *Power, Faith, and Fantasy*, p. 18.

⁵⁵ From now onwards, the term Barbary States—with capitalization—, unless otherwise indicated, is to be understood as the collective name officially used by the American government for the four North African polities including the three regencies of Algiers, Tunis, and Tripoli in addition to the Kingdom of Morocco; therefore there is no pejorative sense attached to it.

⁵⁶ Thomas Jefferson, *The Papers of Thomas Jefferson*, edited by Julian P. Boyd (Princeton, NJ: Princeton University Press, 1955), 11:322, From Richard O’Brien, 28 April 1787. (Hereafter cited as *PTJ*).

⁵⁷ *SPPD*, 10:41-2, Report of Secretary of State Relative to Mediterranean Trade, 28 Dec. 1790.

But Owing to hostilities triggered by the War of Independence, 1776-1783, American trade in the Mediterranean ceased entirely for the whole period—or almost—as merchantmen were armed and converted to privateers with the aim of attacking British shipping.⁵⁸

2. 2. American Privateers

During the war, American privately-owned commercial vessels were transformed to war vessels or privateers. Those were commissioned—or in other words were granted letters of marque—by the Continental Congress, the acting government of the newly-declared independent United States, to prey on British shipping in the waters of the New World.⁵⁹ Privateering in the home waters proved to be more lucrative than trade and brought a level of prosperity to several American seaports and huge revenues to the Continental Congress as the latter fixed a 10% tax on prize money obtained from the sale of captured ships and their cargoes.⁶⁰ The importance of wartime profit thus obtained is indicated by the fact that the value of prizes and cargoes taken by American privateers during the War of Independence were three times that of the prizes and cargoes taken by the Continental naval vessels (\$18 million against \$6

⁵⁸ Frothingham, “The Armed Merchantman,” p. 466.

⁵⁹ *Secret Journals of the Acts and Proceedings of Congress, from the First Meeting thereof to the Dissolution of the Confederation, by the Adoption of the Constitution of the United States*, 1:297, Articles of Confederation and Perpetual Union, July 12, 1776. (Hereafter cited as *SJ*).

⁶⁰ This point is developed in James R. Holcomb, “Attitudes towards Privateering during the Era of the early American Republic,” Research Follows Paper, Department of History, Texas A&M University, Texas, USA, 2007, pp. 6-14.

million).⁶¹ Compared with the total value of trade in 1770, as indicated above, this explains largely why American merchant ships disappeared from the Mediterranean during the war.

During the war, the numbers of merchantmen armed by American rebels as well as profits made outside trade were enormous. The Continental Congress built, purchased, or hired 64 cruisers armed with a total of 1242 guns and swivels; this government force captured 196 British vessels.⁶² Moreover, there were 792 privateers armed with more than 13,000 guns and swivels that were involved in campaigns against British shipping; those vessels captured or destroyed about 600 British vessels.⁶³ Motivation of privateers for participating in hostilities was partly patriotic but it was also lucrative because they could sell their prizes and make money for themselves.⁶⁴ Those particular deeds of privateers, which in essence and legal status did not differ from those of the Algerian corsairs, were singled out by American politicians, thinkers, historians, sociologists, and a host of other writers of the early Republic as remarkable acts of courage, superiority, and heroism of the American individual. By doing this, they aimed at promoting cohesion and ‘americanness’ among citizens of the United States.⁶⁵ This ideology of the formative years of the Republic contributed largely to the fashioning of a

⁶¹ Edgar Stanton Maclay, *A History of American Privateers* (New York: D. Appleton and Company, 1899), pp. IX-X.

⁶² *Ibid.*, p. VIII.

⁶³ *Ibid.*

⁶⁴ In the war for independence, the entire naval forces of the United States, both Continental and privateers, captured about 800 British vessels valued at \$23.8 million and in the War of 1812, the Americans captured 1,300 British prizes valued at \$39,000,000—“enormous figures for those days.” Maclay, *American Privateers*, p. IX; Frothingham, “The Armed Merchantman,” p. 466.

⁶⁵ Dillon, “Slaves in Algiers,” 417.

“jingoistic and melioristic” American character which was imbued by national pride, self-congratulation, and bombastic rhetoric.⁶⁶ This may let one presage that, after they acquired their independence, the Americans, blinded with pride, egoism, and self-inflated patriotism, would not refrain from quarrelling in a Jingo⁶⁷ and Rambo-like manners⁶⁸ for the advancement of their own interests whenever an opportunity offered itself to them regardless of the laws and usage of nations. More, to judge from the numbers of armed merchantmen and cruisers operating in American waters during the revolution and the damage they caused to British shipping, one may imagine the swarms of armed merchantmen the Americans were going to throw into Mediterranean businesses after independence. This naval force is also indicative of the extent of post-independence American assaults, both economic and political, not only on Mediterranean markets but also on the whole geo-political concerns of the region.

As statistics are available on the Algerian side, one may attempt to make a comparison between the two maritime forces, American and Algerian, for the period 1776-1782. That was the period which immediately preceded the

⁶⁶ John Engell, “Narrative Irony and National Character in Royall Tyler’s *The Algerine Captive*,” *Studies in American Fiction*, 17: 1 (Spring 1989), p. 19; for American character see also, Matthew R. Hale, “‘Many who Wandered in Darkness’: The Contest over American National Identity, 1795–1798,” *Early American Studies: An Interdisciplinary Journal*, 1: 1 (Spring 2003), pp. 127-175.

⁶⁷ This term has its roots in British foreign policy of the late 1870s when Benjamin Disraeli, the Prime Minister, orchestrated a gunboat show against Russia. A music-hall song (1878) coined the term ‘*jingo*’ for the occasion; the opponents of Disraeli’s gunboat policy used it to denounce ‘blind patriotism.’ From ‘*jingo*’ was extracted the term ‘Jingoism,’ which means belligerent nationalism or zealous patriotism; jingoism expresses itself in the form of hostility towards other countries. “Jingoism,” *Microsoft Encarta Premium Suite 2005*. (Accessed 12 Jul. 2008).

⁶⁸ ‘Rambo’ stands for one “who is extremely aggressive or readily resorts to violence, willingly breaking rules, laws, or other generally accepted regulations to achieve what he or she believes to be right;” this stand is named after John *Rambo*, the aggressive protagonist in the film *First Blood* (1982). “Rambo,” *Microsoft Encarta Premium Suite 2005*. (Accessed 12 Jul. 2008).

encounter of the allegedly “frail and fledgling” nascent republic and the “terrifying piratical state” that was ready to harm ‘innocent’ Americans.⁶⁹ The tables below show clearly that American naval forces were far superior to those of Algiers. Ironically, that coincided with the time when American commissioners sent to European courts were brandishing the menace of the Algerian corsairs and sniveling about the frailty of their country and people to obtain European ‘protection’ for the American flag in the Mediterranean.⁷⁰

Tables 6: American & Algerian Naval Forces Compared, 1776-1782.

A: Comparative List of Armed Vessels (1776-1782).

	1776	1777	1778	1779	1780	1781	1782
American Vessels	167	107	136	187	241	458	330
Algerian Vessels	19	15	18	19	28	16	23

B: Comparative Number of Guns carried by the above Vessels.

	1776	1777	1778	1779	1780	1781	1782
American Vessels	1946	1142	1830	2967	3886	6899	5043
Algerian Vessels	178	139	248	280	360	214	400

Source: For American vessels see, Maclay, *American Privateers*, p. VIII; for Algerian vessels see, Devoulx, “Marine d’Alger,” pp. 405-10.

⁶⁹ Donald J. Puchala, “Of Pirates and Terrorists: What Experience and History Teach,” *Contemporary Security Policy*, 26:1 (Apr., 2005), p. 16.

⁷⁰ *SJ*, 2:10, Plan of a Treaty with France, Article VII, September 17, 1776.

Worst, at a time Algerian corsairs had dwindled to between 4 and 13 vessels (totalizing 36 guns)—almost nothing,⁷¹ American politicians continued to maintain the myth of an invincible navy certainly more by ignorance and xenophobia than by accurate fact: “At present we are not in a condition to be at War with any Nation, especially with one [Algiers] from whom we are to expect nothing but hard knocks,” complained one on the congressional delegates.⁷² Today, the so-called ‘specialists’ of American-Arab relations continue nourishing the same ‘fantasy’—to say the least. Over than two hundred years later, they persist in describing an “Algiers’ flotilla—nine large battleships and fifty gunboats strong” that “vastly outgunned that of the United States.”⁷³

As wartime sources of voluptuous prizes tarnished, the merchant vessels renewed with adventuring in the Mediterranean but that time with a long experience of privateering behind them, an inflated nationalistic ego, and more greed for larger profits as testified by this extract of American self-praise’:

Our sailors, in their struggle to maintain their commerce against pirates and privateers, had become notably skillful in their dangerous profession. American seamen, on their armed merchantmen, had fought their predatory enemies in all parts of the world. Their ships were of the best design and noted for their speed. This constant life of adventure had developed resourcefulness in all circumstances of danger which had equipped them for offense as well as defense.⁷⁴

⁷¹ Figures for the years 1787 and 1790 are in Devoulx, “Marine d’Alger,” p. 410-11.

⁷² *Letters of Delegates to Congress, 1774-1789*, edited by Paul H. Smith, 25 vol. (Washington, D.C.: Library of Congress, 1976-2000), 22:686, Pierse Long to John Langdon, 14 Oct. 1785. (Hereafter cited as *LDC*).

⁷³ Oren, *Power, Faith, and Fantasy*, p. 20.

⁷⁴ Frothingham, “The Armed Merchantman,” p. 466.

Certainly, and according to revolutionary era historian Eugene Schuyler, that show off could allegedly not “but be noticed by the Barbary rulers, who saw a strange flag, hitherto unknown, and which certainly had paid no tribute to them, coming gradually into the Mediterranean.”⁷⁵ The country behind that flag certainly also did not favor entering into contact with Algiers to inform about its newly proclaimed existence and seek a regular diplomatic recognition on the basis of existing laws and usage of nations. From sheer selfishness and disregard of a centuries-old established diplomatic system, the United States opted for hiding behind European treaties with Algiers so that it would not have to abide by diplomatic usage, i.e.: payment for treaties and tribute. That would permit it to sneak into the Mediterranean and continue to make huge profits from trade without having to meet regional obligations or deal with other than a “most christian king” as indicated by the founding document of United States foreign policy.⁷⁶

2. 3. Algerian Corsairs and American Privateers Compared

In 1783, Benjamin Franklin, America’s foremost diplomat in Europe, expressed wishes not to see a “new Barbary rising in America and our long extended coast occupied by piratical States.”⁷⁷ Coming from the pen of an

⁷⁵ Eugene Schuyler, *American Diplomacy and the Furtherance of Commerce* (New York: Charles Scribner’ Sons, 1886), p. 196.

⁷⁶ *SJ*, 2:6, 10, Plan of a Treaty with France, September 17, 1776. The American Plan of 1776 which was set to serve as a model treaty for all negotiations was intended for a ‘most christian king;’ probably its Americans drafters did not have the intention to deal with a ‘most *Musulman* king’!

⁷⁷ Benjamin Franklin, *Memoirs of Benjamin Franklin, His Social Epistolary Correspondence, Philosophical, Political, and Moral Letters and Essays, Diplomatic Transactions as Agent at London*

American commissioner who throughout the war of independence defended inexorably piracies of his countrymen against European shipping, those wishes may sound awkward.⁷⁸ Yet, Franklin's wishes as well as fears for the future of "mankind" were genuine considering the large scale depredations committed by American seamen against non-belligerent shipping. The latter's actions were not only contrary to the laws of nations, which the Americans trampled anyway, but they were also contrary to the conditions of letters of marque Congress granted them.⁷⁹

Concerned as he was with the future well-being of his country, Franklin was apprehensive about the havoc caused by American privateers. While still negotiating the peace treaty with Great Britain, he proposed an abolition of privateering for reasons he was best placed to know. To David Hartley, the British negotiator, Franklin expressed concerns about American privateering and argued that "if a stop is not now put to the practice, mankind may hereafter be more plagued with American corsairs than they have been and are with the Turkish."⁸⁰ He feared that the temptation might be too great as the practice seemed to be especially profitable to the Americans because the "rich

and Minister Plenipotentiary at Versailles, 2 vol. (Philadelphia: M Carty & Davis, 1834), 1:528, To David Hartley, May 8, 1783.

⁷⁸ The following correspondence is just an example of many warnings of the French government to American commissioners at Paris about piracies committed by American privateers against French shipping—and this at a time France was their sole ally! As answer, the commissioners—including Franklin—either apologized or asked for more privileges: *USRDC*, 1:227-30, Count de Vergennes to the Commissioners, 16th July, 1777 and Commissioners to the Count de Vergennes, 16th July, 1777. See also, *ibid.*, 1:303-4, M. de Sartine to the Commissioners, 29th July, 1778; *ibid.*, 1:302, Commissioners to M. de Sartine, August 13th, 1778; *ibid.*, 1:305-10, de Sartine to the Commissioners, 29th July, 1778; Commissioners to M. de Sartine, 10th September, 1778; *ibid.*, 1:320-22, M. de Sartine to the Commissioners, 16th September, 1778; Commissioners to M. de Sartine, 17th September, 1778.

⁷⁹ Article 1 and 2 of the instructions authorized them to "attack, subdue and take" British vessels (with certain exceptions in favor of immigrants), or vessels carrying contraband to the British only. For more of those conditions see Stark, *Abolition of Privateering*, pp. 119-21.

⁸⁰ Franklin, *Memoirs*, 1:529.

commerce of Europe with the West Indies is obliged to pass before our doors, which enables us to make short and cheap cruises.”⁸¹

Franklin’s thought is certainly a relevant argument that unveils the piratical nature of the so-called American privateers but by no means could his analogy apply to the Turkish or Muslim corsairs. As discussed in chapter two, the line between piracy and privateering/corsairing was thin; but international law had clearly identified the three prerequisites for an act of robbery on the high seas to pass from illegality to legality: sovereignty, authorization of a sovereign, and more important the existence of a ‘lawful enemy’—in other terms, the *existence of a state of war*.⁸² Those three conditions were plainly fulfilled by Algiers. Corsairing, by nature, legal definition, and practice, was carried by sovereigns against ‘lawful enemies,’ enemies against whom a legal state of war existed; in the case of Spain, for example, it was a perpetual war. That state of war existed because Christians declared Muslims as their enemies and fought them for centuries. Hence, the Muslim-Christians treaties only suspended hostilities for the duration specified by any treaty but as soon as it expired, war was resumed; corsairing, therefore, was a legal act of war.

For the United States, however, the three conditions need some clarification: first, until February 1778 the USA existed clandestinely as none of the existing states recognized its independence, therefore it lacked sovereignty. Second: letters of marque (authorization) were legally null and

⁸¹ Franklin, *Memoirs*, 1:529.

⁸² Hall, *International Law*, pp. 64-74; Benton, “Legal Spaces of Empire,” p. 705.

void because they emanated from a non-sovereign polity. Third, after February 1778—date at which the United States obtained the first diplomatic recognition from France, letters of marque did not give their holders the right to seize property of non-belligerents.⁸³ Therefore, all acts committed before February 1778 by American seamen were acts of *piracy*; those committed after this date against non-belligerents were also acts of *piracy*. To the question ‘who’s who?’ one may answer simply: during the two-sub-phases mentioned above, the Americans were pirates; the Algerians were corsairs who carried legal acts of war against their lawful Christian enemies.

A spirit of fairness here imposes further consideration of the third prerequisite: the existence of a lawful enemy. In his pre-revolution writings Franklin also wrote:

So far as the being of our present colonies in North America is concerned, I think indeed with the remarker, that the French there are not “*an enemy to be apprehended*;”—but the expression is too vague to be applicable to the present, or indeed to any other case. Algiers, Tunis, and Tripoli, unequal as they are to this nation in power and numbers of people, are enemies to be still apprehended.⁸⁴

Even though Franklin decided to consider Algiers and the other Muslim states as “an enemy to be apprehended” without any apparent reason—except perhaps to defend his Francophile inclinations, this does not make of the British colonies of North America a *lawful enemy* of Algiers simply because Franklin

⁸³ For sovereign authorization and Letter of Marque and Reprisal see Ramsey, “Textualism and War Powers,” pp. 1615-16.

⁸⁴ Franklin, *Memoirs*, 2:195, The Canada Pamphlet: The Interest of Great Britain considered, with regard to her Colonies and the Acquisitions of Canada and Guadaloupe. This piece of writing is undated by its classification indicates that it was written before 1776, see *ibid.*, p. iii.

decided it zealously. The colonies were not an enemy for Algiers; they were but one *word* in all the treaties concluded between Algiers and Great Britain.⁸⁵ And even when “Her Majesty’s plantations in America” had been specifically mentioned in the treaty of 1703, it was for giving them exclusive privileges like the right to make prizes of the Algerian corsairs without even having to show a passport; instead, a plain certificate in handwriting was sufficient.⁸⁶ Undoubtedly, Algiers had no specific knowledge about those far-away colonies as testified by Americans who came into contact with Algiers for long years: “the Algerines ... have very little Idea about America” and “do not expect to derive any great advantage by being at war with the Americans, our country being so far situated from them....”⁸⁷ Probably also Algiers did not seek to know about that as long as a treaty of peace existed with Great Britain and the colonials flew the Union Jack. The British colonies were neither one of Algiers’ immediate geopolitical concerns nor did Algiers have any colonial ambitions; therefore, no attitude whatsoever, negative or positive, could possibly have existed, let alone animosity. What is most evident, however, is the animosity and prejudices the Americans nourished towards Algiers and the Muslims in general long before they came to enter into contact with them as it

⁸⁵ For all the treaties between Algiers and Great Britain see Hertslet, *Collection of Treaties and Conventions*, pp. 58-88.

⁸⁶ Hertslet, *Collection of Treaties and Conventions*, Treaty between Great Britain and Algiers, 1682, Article XVI, p. 74-75.

⁸⁷ *The Emerging Nation: A Documentary History of the Foreign Relations of the United States under the Articles of Confederation, 1780-1789*, edited by Mary A. Giunta (Washington, D.C.: National Historical Publications and Records Commission, 1996), 3:195, Richard O’Bryen, Zaccheus Coffin and Isaac Stephens to Thomas Jefferson, June 8, 1786. (Hereafter cited as *EN*). This letter was not published in American state papers series until 1996.

is shown here by Franklin's gratuitous stance and confirmed by many United States founding fathers.

2. 4. Anti-Algiers Attitudes in American Political Thought

Offspring of Old World religion and culture, the Americans were already imbued with some knowledge about the history of relations between Christian Europe and the Muslim countries and the crusades were no secret for them. They certainly understood that those relations were in fact long contests between Europeans on one side and Arabs, Turks, and North African Moors and Moriscos on the other or simply between two religion enemies: Christians and Muslims. Ultimately, they represented those contests as a struggle between what they came to call 'civilization' and 'barbarity.' So, the Americans not only "inherited this understanding of the Muslim world from the Europeans, but chose to pursue this enemy even more relentlessly than the Europeans had done."⁸⁸

Thomas Jefferson, the 'sage of Monticello' and one of America's foremost founding fathers, jubilated at news about a European scheme for "driving the Turks" out of Greece: "I could wish them success, and to see driven from that delightful country a set of barbarians, with whom an opposition to all science is an article of religion," he wrote in 1785.⁸⁹ With a zealous New World spirit, another founding father who was no more than John

⁸⁸ Robert J. Allison, "The Jihad of America's Founding Fathers," Sept., 2001. (Accessed 14 June 2007). <http://www.theglobalist.com/DBWeb/StoryId.aspx?StoryId=2155>

⁸⁹ Thomas Jefferson, *Memoir, Correspondence, Miscellanies, From the Papers of Thomas Jefferson*, 4 vol. (Charlottesville, VA: F. Carr, and Co, 1829), 1:289, To John Page, August 20, 1785.

Adams went as far as to consider that “the policy of Christendom has made cowards of all their sailors before the standard of Mahomet” and that it “would be heroic and glorious” of America to suppress those barbarians.⁹⁰

In American perceptions, therefore, the enemy was identified: he was a pirate, he was Muslim, and he was weak. Here perhaps lay the roots of the uneasy encounter of the United States with the Muslim countries: America had already formulated a certain animosity towards the Muslims and by extension towards Islam. The forthcoming direct contacts would merely crystallize those early distorted perceptions of Islam and Muslims in the American mind.⁹¹ In the ultimate conflict between Algiers and the United States, even if it was not like the classical sort of conflict between Christianity and Islam, religion nevertheless was an underlying issue. The two sides clashed, not over theological differences, but rather as a result of the divergent views that were generated by two different faiths.⁹²

American perceptions of Algiers were formulated long before the two countries entered into formal contact and they were indisputably biased and distorted. George Washington, for example, called the North African states “little piratical states;”⁹³ Jefferson referred to them as “nests of banditti” and to

⁹⁰ John Adams, *The Works of John Adams, Second President of the United States with a Life of the Author, Notes and Illustrations*, edited by Charles Francis Adams, 10 vol. (Boston: Little, Brown, & Company, 1865), 8:407, To T. Jefferson, 3 July, 1786. (Hereafter cited as *WJA*). Also Appendix 5A.

⁹¹ Melvin E. Lee, “The Fallacy of Grievance-based Terrorism,” *Middle East Quarterly* (Winter 2008), p. 72.

⁹² Frank Lambert, *The Barbary Wars: American Independence in the Atlantic World* (New York: Hill and Wang, 2005), pp. 112-14.

⁹³ George Washington, *The Writings of George Washington*, edited by Worthington C. Ford, 14 vol. (New York/London: G. P. Putnam’s Sons, 1891-1892.), 11:59, To the Marquis De Lafayette, 15 August, 1786 (Hereafter cited as *GW*)

Algiers particularly as a “pettifogging nest of robbers;”⁹⁴ John Adams called Muslim rulers “unfeeling tyrants;”⁹⁵ and James Madison described them as “petty tyrants” in his campaign literature and their system as “capricious despotism.”⁹⁶ For them, the ‘despotic’ Muslim became the antithesis of that early American republican identity.⁹⁷ For the Muslims rulers, however, what the Americans regarded as piracy and despotism was no more than self-defense generated by a long history of conflicts between Islam and Christianity, conflicts which had roots in the Crusades, Reconquista, and expulsion of the Moriscos.⁹⁸ This view was also conveyed by James L. Cathcart, a many years American captive at Algiers and later American consul for Tripoli, from a discussion with Ibram Rais, an Algerian corsair who was cruelly treated while he was in captivity in Malta where he remained prisoner for fourteen years:

but you are Christians and if you have not injured Mussulmen it was not for the want of will, but for want of power, if you should chance to take any of our Cruisers how would you treat our people?⁹⁹

No forecast could be more accurate than that of Ibram Rais.

3. American Post-independence Relations with Algiers

After 1776, commerce continued to be the main motivation for American much sought presence in the Mediterranean but the new condition of

⁹⁴ *USDC*, 2:183, From Thomas Jefferson to John Jay, August 11, 1788; also *PTJ*, 7: 640, To James Monroe, 6 Feb. 1785.

⁹⁵ *WJA*, 8:218.

⁹⁶ Lambert, *Barbary Wars*, pp. 110, 123 and *WJM*, 8:227, Fourth Annual Message, November 4, 1812 respectively.

⁹⁷ Lee, “The Fallacy of Grievance-based Terrorism,” p. 73.

⁹⁸ Rojas, “Insults Unpunished,” pp. 173-74.

⁹⁹ Cathcart, *The Captives*, p. 49.

independence raised questions about the future of trade in the Mediterranean in general. The loss of British admiralty passes and privileges enjoyed previously under the Algerian-British treaties, particularly, triggered fears among many leading American politicians who predicted an uneasy, even perilous, situation for American interests in the region. The Continental Congress, as early as 1776, expressed concerns about potential dangers coming from the side of Algiers even though nothing could have indicated that whatsoever aggressive intentions, and even less deeds, towards a country that had not existed yet emanated from that far away and unknown country, meaning Algiers, that the Americans were quick to condemn prematurely. This is clearly discernable in the “plan of treaties to be proposed to foreign nations,” better known as the Plan of 1776,¹⁰⁰ which Congress devised as a model treaty for future American treaties. Article VII of the plan stated:

The most christian king shall protect, defend and secure, as far as in his power, the subjects, people and inhabitants of the said United States, and every of them, and their vessels and effects of every kind, against all attacks, assaults, violences, injuries, depredations or plunderings, by or from the king or emperor of Morocco, or Fez, and the states of Algiers, Tunis and Tripoli, and any of them, and every other prince, state and power on the coast of Barbary in Africa.¹⁰¹

It is evident that this plan was not intended for Muslim kings with whom probably Congress did not envisage to have diplomatic relations and peace treaties but it was intended for a probable ‘christian king’ who would sanction the terms stated by the Americans. Barely two months after declaring

¹⁰⁰ Bemis, *A Diplomatic History of the United States*, 5th edition (New York/Chicago/San Francisco: Holt, Rinehart and Winston, Inc., 1965), p. 66.

¹⁰¹ *SJ*, 2:6, 10, Plan of a Treaty with France, September 17, 1776. See Appendix 3.

independence, the Continental Congress chose to ignore the Muslims. Worse, it presented them as enemies against whom protection was needed from Christian Europe. Far from going beyond moderate analysis, one is tempted to say that the United States, right from the start, had chosen to evolve in a Christian orbit, which is quite legitimate given the background and culture of the Americans. But what is contrary to common sense and diplomatic tradition is to consider the culturally different ‘other’ unduly as an enemy against whom one prepares sinewy plans without even bothering to talk or negotiate with him. Such a stand might certainly have been interpreted by the ‘other’ as a hostile attitude. Therefore, one may deduce that some ‘implicit’ and ‘*reciprocal*’ hostility had installed itself between Americans and Algerians long before they came into contact with each other.¹⁰² It will not be before total failure to obtain ‘protection’ under European treaties that Congress decided finally to change attitude and adhere to the custom of nations which favored initiating peaceful diplomatic talks before accusing and condemning improperly.

3. 1. The Framework of American Diplomacy

To understand later-to-come correspondence relating to Algiers in American state papers, one needs to have at least a succinct idea about the mechanisms which conveyed early American diplomacy. After independence, the task of insuring a durable and secure commerce in the Old World continued to be a priority for the Americans and the task for its everlastingness fell to the

¹⁰² One may also argue for ‘reciprocity’ because at Algiers, too, Christians were perceived as enemies.

Continental Congress.¹⁰³ The latter, acting as a *de facto* government,¹⁰⁴ assumed the conduct of foreign relations of the United States from the date of its first initiation in 1774 up to 1789, time at which a new system of government was established under a new constitution.¹⁰⁵ In 1776, Congress worked simultaneously on three major issues: independence, confederation, and foreign trade and treaties. That work was carried by three committees (Committee on Independence, Committee on Confederation, and Committee on Foreign Correspondence) which were charged with drafting the Declaration of Independence, elaborating a plan for union of the future thirteen states, and drafting a “model set of articles for treaties with foreign nations” respectively.¹⁰⁶ Preceding that three-fold activity, Congress had already appointed a secret committee in 1775 “for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world.”¹⁰⁷ Known at first as the Committee of Correspondence, it soon changed name to Committee of Secret Correspondence (CSC).¹⁰⁸ That committee was in fact the embryo of the currently omnipotent American Department of State; and its creation preceded that of all other structures in the American government. The original appointed members of the CSC included such figures as Benjamin

¹⁰³ *USRDC*, 2:230, Committee of Secret Correspondence to Franklin, Dean, and A. Lee, Dec. 21, 1776.

¹⁰⁴ Bemis, *A Diplomatic History*, p. 46, fn 1.

¹⁰⁵ For developments in American foreign policy under the Continental Congress and federal system see Barnes, William and John Heath Morgan. *The Foreign Service of the United States: Origins, Development, and Functions* (Washington, D. C.: Historical Office, Bureau of Public Affairs, Department of State, 1961), pp. 3-25.

¹⁰⁶ Bemis, *A Diplomatic History*, p. 22.

¹⁰⁷ *SJ*, 2:1, November 29, 1775.

¹⁰⁸ Barnes, *Foreign Service*, p. 5.

Franklin, John Dickenson, Thomas Jefferson, and John Jay, all very influential members of the Continental Congress but answerable to it.

Following the Declaration of Independence, and the appointment of a Joint Commission to the Court of France (consisting of Franklin, Silas Dean—who was later replaced by John Adams, and Arthur Lee), the CSC became the official channel of communication between those diplomatic agents and the Government (Congress). In 1777, the CSC was re-styled Committee for Foreign Affairs (CFA);¹⁰⁹ it was also subjected to the authority of Congress. In general, since its creation, that committee proved to be inefficient and chaotic. The collegiate management and administrative organization further weakened it.¹¹⁰ In 1781, the new Confederation Congress, established under the terms of the Articles of Confederation, created a Department of Foreign Affairs (DFA), a permanent executive department rather than a committee of Congress “as a remedy against the fluctuation, the delay and indecision to which the present mode of managing our foreign affairs must be exposed.”¹¹¹ A Secretary of Foreign Affairs was appointed at the head of that department and he was charged with the following:

to keep and preserve all the books and papers belonging to the department of foreign affairs : to receive and report the applications of all foreigners : to correspond with the ministers of the United States at foreign courts, and with the ministers of foreign powers and other persons, for the purpose of obtaining the most extensive and useful information relative to foreign affairs, to be laid before Congress when required : also to transmit such communications as Congress shall

¹⁰⁹ *SJ*, 2:279, April 17, 1777.

¹¹⁰ Barnes, *Foreign Service*, p. 6.

¹¹¹ *SJ*, 2:581, January 10, 1781.

direct, to the ministers of these United States and others at foreign courts, and in foreign countries.¹¹²

The Department of Foreign Affairs, like its forerunner the CFA, was submitted to the direct authority of Congress; it had to inform and report back to Congress on all matters relating to foreign affairs. It functioned much like a ‘transit agency’ for official correspondence between Congress, on the one hand, and ‘all foreigners,’ American ministers accredited at foreign courts, and ministers of foreign powers, on the other. This explains in part the huge diplomatic correspondence preserved in the files of the Continental Congress, and which actually forms the official diplomatic documents of the USA for the period 1776-1789. The DFA remained in place until it was superseded by the present Department of State in 1790.¹¹³

3. 2. Structural Difficulties impeding Algerian-American Relations

In matters of organization and responsibilities, American foreign policy was at the opposite end from its counterpart in Algiers. At Algiers, diplomatic matters were the exclusive prerogative of the Deys and were limited to audiences with foreign consuls and envoys; they usually ended in ‘verbal’ orders given by the Dey should he come to whatsoever decision. In April 1786, for example, Dey Muhammed Pasha met with the American special envoy John Lamb in no less than four lengthy meetings, but it seems that Cathcart wrote in

¹¹² *SJ*, 2:581, January 10, 1781.

¹¹³ During this period, two secretaries conducted foreign affairs: Robert R. Livingstone (1781-1783) and John Jay (1784-1790). Barnes, *Foreign Service*, p. 7-8.

his letter book more than did the Dey on the Deylik registers!¹¹⁴ Although elected by the Odjac and assisted by a council (Divan), the Deys took decisions independently, sometimes instantly, without even referring to the Divan or any other official of the government.¹¹⁵ With the consuls of Christian countries, the Deys generally behaved haughtily, sometimes with excesses of anger, a conduct which was not always to the taste of those consuls.¹¹⁶ Obviously, such two different ways of conducting diplomatic relations—the first chaotically democratic, the second ostensibly personal—were at the origin of the tricky beginnings of relations between Algiers and the United States.

Perhaps also that kind of ‘personal’ diplomacy partly explains the absence of archives dating back to the Turkish rule of Algiers in Algeria or elsewhere (France for example) relating to relations with the United States during the period under study.¹¹⁷ Furthermore, the fact that Algiers acted independently from Constantinople lets one suppose that no state records on that side either could have existed. According to Cathcart, state records were of a meager nature. In 1792, when he was appointed Christian secretary to Dey Hassan Pasha, he made a description of *El-Djenina*, the Dey’s Palace, and referred to the registers of the Deylik that were kept by Turkish Khodjas:

¹¹⁴ For an account of the audiences see Cathcart, *The Captives*, pp. 32-42.

¹¹⁵ For a view about the personality and character of the Deys see Richard B. Parker, *Uncle Sam in Barbary: A Diplomatic History* (Gainesville, FL: University Press of Florida, 2004), pp. 24-32.

¹¹⁶ For a succinct overview about the Deys’ conduct with foreign consuls see Charles Oscar Paullin, *Diplomatic Negotiations of American Naval Officers, 1778-1883* (Baltimore, MD: The Johns Hopkins Press, 1912), pp. 45-46; also Irwin, *Diplomatic Relations*, p. 14.

¹¹⁷ Until 2006, Algeria did not even have a copy of the treaty of 1795. It was only during an official visit to the USA, that the Department of State offered a copy of that treaty to Mohammed Bedjaoui, Algerian Minister of Foreign Affairs. “Bedjaoui aux Etats-Unis d’Amérique: Une Visite très Fructueuse,” *EL-Moudjahid*, 14 April 2006. (Accessed 5 March 2008).

<http://www.elmoudjahid.com/stories.php?story=06/04/14/8098232>

On the Dey's right hand is the large divan where the four Turkish Hodges or Secretaries of State sit and where archives of the nation are kept, which consists [sic] of a few large books and papers, the whole not comprising as much paper as would be found in the office of a country attorney.¹¹⁸

Furthermore, the very nature of the early American system of government as established under the Continental and Confederation congresses contributed to those early difficulties. The diplomatic papers of the Confederation period attest of a total lack of a firm and coordinated decision-making process—if not total failure: the Commissioners kept referring matters to the Secretary for Foreign Affairs, the Secretary to Congress, and congressional delegates would not act without referring to their respective states; and all that was carried out on a background of capricious transatlantic communications, unsafe mail, and political and social uneasiness in the USA.

The accountability of ministers, agents, and a host of special envoys to foreign countries to Congress generated a considerable amount of diplomatic correspondence that either waited for instructions, approval, funding, or the like from the central government, i.e.: Congress. But the latter, lost in an irresponsible bureaucracy and administered by incompetent government officials,¹¹⁹ was extremely handicapped by the Articles of Confederation. Each state retained “its sovereignty, freedom and independence, and every power, jurisdiction and right” which the states refused to concede to the union

¹¹⁸ Cathcart, *The Captives*, p. 195. It is to be noted that in addition to the Turkish secretaries (Khodjas), the Deys also kept a Christian clerk at their service. Cathcart occupied that job from 1792 to 1796.

¹¹⁹ *USRDC*, 3:288, Lovell to A. Lee, Aug. 6, 1779. Lovell was a member of the CFA; he wrote: “But there is really no Such Thing as a Committee of foreign affairs existing, no Secretary or Clerk, further than I persevere to be one and the other. The Books & Papers of that extinguished Body lay yet on the Table of Congress, or rather are locked up in the Secretary's private Box.”

Congress (Art. 2). More, the delegates from states were annually appointed and could be recalled or replaced at any time (Art. V); therefore they were not steady and their vote was needed for making policy and taking decisions. More, “All charges of war and all other expenses” were to be “defrayed out of a common treasury, which shall be supplied by the several states” (Art. VIII); yet, while prohibiting to Congress to levy taxes, the states refused to provide it with the agreed on financial quotas. Finally, Congress obtained “the sole and exclusive right” of making treaties and alliances (Art. VIX); but it was subjected to the assent of nine out thirteen states at a time the quorum could barely be reached.¹²⁰ All those weaknesses were not of a nature to facilitate negotiations or ransom American captives at Algiers at a time prices of treaties and redemption of prisoners were fixed and regulated by treaties, conventions, and custom.

What certainly added to the difficulties that surrounded early Algerian-American relations were communications.¹²¹ In addition to the chaos and inefficiency of Congress and whims and authoritative diplomatic style of the Deys, relations were affected by the physical distance separating the two countries, mode of transportation, and caprices of the sea. In an age of sailing wooden ships, “even under the most favorable circumstances, the transit-time for correspondence between Philadelphia and Paris averaged two months;”¹²² and that without counting the necessary time needed for relaying

¹²⁰ *SJ*, 1:449-464, Articles of Confederation and Perpetual Union, March 1, 1781.

¹²¹ For problems of communications in general see Thomas A. Bailey, *A Diplomatic History of the American People*, 10th ed. (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1980), pp. 28-29.

¹²² Barnes, *Foreign Service*, p. 9.

correspondence between the different ministers plenipotentiaries at European courts, special envoys, diplomatic agents, and Algiers. That factor in itself caused many delays and generated much distrust, frustration, and anger, both among Algerian state officials as well as among American captives at Algiers.

As an indication: in May 1784, Congress decided finally to negotiate with the North African states and set a commission for the purpose.¹²³ Late in 1784, John Lamb, an American in the “Barbary trade” was proposed to be special agent for Algiers but he was not commissioned until March 1785—almost one year later;¹²⁴ and it took him another year to reach Algiers. Meanwhile, the Algerian corsairs captured the two first American ships in July 1785.¹²⁵ When Lamb finally arrived at Algiers in March 1786, matters had become more complicated than they had been two years earlier because the Americans had also to negotiate for the redemption of captives.¹²⁶ In October 1786, he was recalled back to the USA to report to Congress but he did not sail back home until May 1787.¹²⁷ Late of that same year, he had not reported to Congress yet.¹²⁸

Four full years had been spent in correspondence and Atlantic crossing and re-crossing and Congress did not take a decision relating to negotiations with Algiers. It was a lengthy but fruitless course of action which caused the

¹²³ *SJ*, 3:489, May, 7, 1784.

¹²⁴ *USDC*, 1:652, From Thomas Jefferson to John Jay, October 11, 1785; Commissions to Thomas Barclay and John Lamb, p. 657.

¹²⁵ *Ibid.*, 1:655, From Richard O’Bryen to Thomas Jefferson, August 24, 1785.

¹²⁶ *Ibid.*, 1:739, From John Lamb to Thomas Jefferson, March 29, 1786. In all, two full years elapsed between the time Congress resolved for negotiations and the time Lamb arrived at Algiers.

¹²⁷ *Ibid.*, 2:59, From John Lamb to Thomas Jefferson, May 20, 1787.

¹²⁸ According to Parker, Lamb reported to Congress in April 1788; however, none of the American state documents indicated that. Parker, *Uncle Sam in Barbary*, p. 54.

rulers of Algiers to doubt American seriousness about a peace treaty and gave American captives false hopes. Cathcart penned clearly the consequences of that ill-fated early contact:

by deceiving the Dey with unwarranted expectations he [Lamb] committed the honor and dignity of his country and led the Dey and Grandees to believe that the government of the United States was trifling with them ... a sacred adherence to, and compliance with, ought forever to characterize the public operations of contracting powers, especially those divided by so great a distance as the United States and the Regency of Barbary.¹²⁹

The impact of bad communications was undoubtedly damaging to early diplomatic contacts between Algiers and the United States and revolting for the first captured crews. Those remained in captivity until a treaty of peace was finally concluded in September 1795 more than eleven years after Congress first resolved to negotiate a treaty with Algiers!

During the War of Independence, and always because of the hazards of ocean-crossing, including the possibility of capture by British cruisers, Congress introduced some security measures such as cipher and the forwarding of quadruple copies of every document.¹³⁰ Yet, that was not sufficient and delay of instructions from Congress to diplomatic representations continued to be a serious handicap even after the cessation of hostilities. To palliate to that handicap, Congress gave its diplomatic agents in Europe, particularly those accredited to France (Franklin and Jefferson) and Great Britain (Adams), “full powers and authority ... to confer, treat, and negotiate” with foreign

¹²⁹ Cathcart, *The Captives*, p. 31.

¹³⁰ Barnes, *Foreign Service*, pp. 9-10.

countries.¹³¹ The latter, when they had commissioned Lamb to negotiate with Algiers, instructed him “to use his own discretion” in carrying negotiations: “Where alterations which, in your opinion, shall not be of great importance, shall be urged by the other party, you are at liberty to agree to them.”¹³² That was precisely what Lamb did. During the first Algerian-American negotiations that took place in April 1786, an agreement was reached with the Dey for the redemption of captives. Nevertheless, after the ministers had allowed Lamb some latitude in negotiations, they rejected that agreement arguing that Lamb had gone beyond his prerogatives. Worse, they did not even think it worth to give the Dey official notification about it—after all it was them who initiated negotiations. That switch in position turned out to be a thorny problem in future Algerian-American relations. Hence, what originally had started as a measure to overcome problems of communications was going to lead to lasting misunderstandings between Algiers and the United States. As a consequence, never again did the Deys trust American envoys; at best, they had always remained suspicious about them.¹³³

¹³¹ *SJ*, 3:536, March 11, 1785; *USDC*, 1:656, 659, From Thomas Jefferson to John Jay, October 11, 1785.

¹³² *USDC*, 1:658, From Thomas Jefferson to John Jay, Commissions to Thomas Barclay and John Lamb, October 11, 1785.

¹³³ Parker, *Uncle Sam in Barbary*, p. 57.

Conclusion

The Ocean fashioned the Thirteen Colonies in much the same way as did the land; and the 'frontier' may be seen as both terrestrial and oceanic. It was that dimension which shaped American expansionism first toward the wilderness of the American West, then at a later stage, towards the trans-oceanic Orient. While forcibly penetrating the West in the name of Manifest Destiny, the Americans moved to force the door of Mediterranean trade open in the name of free navigation and free markets. In both cases, ready-made justifications were at hand: on the one hand, the native Americans were no more than heathens and savages who did not deserve to enjoy the abundant natural resources of the West and on the other, the 'pirates' of the 'Barbary Coast' were a hindrance to America's economic well-being. Therefore, for the American bullish settlers and trans-Atlantic merchants alike, both had to disappear so that room would be made for the white, civilized, and Christian element and his growing insatiable interests.

From Franklin who declared enmity to Algiers while the United States was still an embryo, passing by Adams who explicitly aggressed Islam and Jefferson who started devising plans for attacking Algiers when the United States was still in layers, to Stephen Decatur who midway, with the growth of the first American tooth, bit Algiers, and ending by William Shaler who barely as soon as the United States could stand on its feet recommended colonization, Algiers definitely was going to have hard times with that new race of rising jingos and Rambos. But before all that, the Americans had first to secure an

advantageous place in Mediterranean markets among European powers that were as alert to their own economic interests as Americans were. But for the Americans that was a child's game. The American mind that devised long-lasting ideals in the Declaration of Independence in July 1776 complemented them with a politico-economic vision barely two month later. The document that incorporated America's nascent economic philosophy is simply called 'plan of 1776' and the means used for the attainment of American commercial objectives is simply referred to as 'commercial diplomacy.'

CHAPTER V

American Commercial Diplomacy, 1776-1783

Our diplomacy, in its aim and purposes, from the beginning was commercial as distinguished from political, and this purpose, in its very nature, gave to it the character of sincerity and straightforwardness... our first concern was to negotiate treaties of amity and commerce.¹

Oscar S. Straus (1911)

Introduction

The handicap of “an imperfect union and an impotent national government,” did not halt American commercial expansionism.² Right from the beginning, the United States set out seeking a place among centuries-old nations that were already evolving in a complex system of international relations. As wicked and self-centered as children playing at the courts of the great nations, its ‘militia diplomats’ were going to use all possible and impossible means to place American commerce in an advantageous position on international markets. From a position of duplicity, American envoys

¹ Oscar S. Straus, “American Commercial Diplomacy,” *The North American Review*, 194: 2 (Aug., 1911), p. 218.

² Bemis, *A Diplomatic History*, p. 65.

relentlessly invoked financial and naval powerlessness in an attempt to sell a picture of a ‘fledgling United States’ that was in desperate need for European ‘protection’ for American citizens and their property against “the piratical states” which according to them exacted tribute and depredated on American shipping.³ Straightforwardness, along with naïveté and pettiness, the American agents exchanged it in their ‘secret’ and ‘ciphered’ correspondence but hypocrisy and humility they exhibited at every European court. The aim was boringly the same: single-way profit-making treaties; historians call this approach in American foreign policy ‘Commercial Diplomacy.’⁴ More, American envoys to Europe wanted others to assume charges that, by laws and usage of nations, were attached to privileges and pay the bill for them while they enjoy the ‘fruits of vine and fig-tree’ as in the old days.

The Europeans, as good accountants as America’s commercial agents as well as well-trained in the art of diplomatic shrewdness—rather they invented it—knew it all perfectly well and would not let them get peace or commercial treaties, sometimes none of the last, except on the basis of reciprocity. All that at a time Algiers was still clinging to principles that were three centuries-old, lost the protective shield of its once powerful navy, and was ruled by a group of aging and despotic Turks who kept from the founding principles of the Regency but the shell while real power had long evaded them. In a world where it lost the privileges of the British treaties, the United States was going to face enormous difficulties chiefly with the European powers because, like

³ *DCAR*, 4:184, Franklin to the President of Congress, December 25, 1783.

⁴ Straus, “Commercial Diplomacy,” pp. 218-25.

the Americans, the Europeans were keen on their national interests and would not allow competition, particularly commercial, from that surely enterprising yet aggressive new nation. Astonishingly, the problems for the conclusion of treaties of peace and commerce which confronted the United States starting from 1776 did not emanate from the powers “on the coast of Barbary in Africa” but originated in Europe which gave the Americans hard times before conceding to sign treaties with them.

1. America’s ‘New Diplomacy’

Even though the term ‘New Diplomacy’ was used for the first time in 1793, the idea of a new form of diplomacy, different from ‘old policy’ or ‘power politics’ as exercised so far by the warring colonial powers, found expression in the ‘model treaty’ that was introduced by the Americans in 1776 as a basis for negotiations with the European powers for diplomatic recognition and commercial treaties. The ideas and arguments implied in this concept were picked almost word for word from European eighteenth-century thinkers and philosophers—just like the Declaration of Independence.⁵ Originally defending an idea of *national interest*—particularly trading freely in Europe and its colonial markets, the Americans argued that commerce without the hindrance of privileges or monopolization of markets, in other terms open markets, would favor world peace, or to use the expression of Benjamin Franklin the *general*

⁵ The theoretical roots of New Diplomacy are traced back to the physiocrats and *philosophes* of the Enlightenment Age. For origins and evolution see Felix Gilbert, “The ‘New Diplomacy’ of the Eighteenth Century,” *World Politics*, 4: 1 (Oct., 1951), p. 1-16.

*good of mankind.*⁶ Accordingly, by opening markets, which is the antithesis of mercantilist thought and practice as discussed earlier, the colonial powers would stop making wars and people would live in peace. By linking national interest to the general good of mankind, the Americans argued, “foreign policy would become more *moral*.”⁷

By the end of the 18th century, that idea evolved and came to mean that the *moral* of the United States, because it was a republic, was superior to that of the European states because they were monarchies; thus appeared the “notion of ‘*moral superiority*’ of American foreign policy.”⁸ Consequently, the Americans came to believe that, because of that moral superiority, their new mission was to meliorate the world; hence the doctrine of ‘meliorism’ which became a founding principle in American foreign.⁹ The French historian Jean-Baptiste Duroselle (1917-1994) called that approach “unconscious nationalism” which made the Americans “sincerely” believe that “*what is good for America is good for the world.*”¹⁰ The concept of national interest mixed up with the idea of meliorism, result of a nationalistically inflated ego, ended up in jingoism, i.e.: belligerent nationalism. In matters of foreign policy, that unusual blend was going to express itself for the first time during the so-called Barbary Wars, 1801-1816 in the form of what is traditionally termed ‘gunboat

⁶ *SJ*, 2:335, October 17, 1780.

⁷ Jean-Batiste Duroselle, *La France et les Etats-Unis: des origines à nos jours* (Paris: Editions du Seuil, 1976), p. 37.

⁸ *Ibid.*, p. 37.

⁹ “Meliorism” is founded on the belief that human society has a natural tendency to improve and that humans can consciously assist this process of its betterment. “Meliorism,” *Microsoft Encarta Premium Suite 2005*. (Accessed 12 Nov. 2008).

¹⁰ Duroselle, *La France et les Etats-Unis*, p. 37.

diplomacy'. Barbary, then, became the first experimental field in which the Americans exhibited arrogance and aggressiveness in foreign policy and put their concept of 'new diplomacy' into practice. That stance was going to be America's guiding line for the next two hundred years or so.

1. 1. The Founding Principles of American Foreign Policy

The fundamental principles of American foreign policy as expressed by the founders of the republic may be summarized in these words from John Adams (1735-1826), influential American statesman from the early revolutionary period and architect of the 'model treaty' or Plan of 1776.¹¹ Reviewing the debates of the fall of 1776 on the "application to foreign powers," Adams wrote that he had laid it down as a first principle that:

we should calculate all our measures and foreign negotiations in such a manner, as to avoid a too great dependence upon any power of Europe—to avoid all obligations and temptations to take any part in future European wars: that the business of America with Europe was commerce, not politics or war.¹²

In other terms, at its very foundation, American foreign policy was in essence and principle straightforwardly selfish and aggressive. The Americans wanted to hit two birds with the same stone: obtain an alliance with the European powers against Great Britain to achieve independence, on the one hand, and force the door of international markets open for their trade, on the other,

¹¹ First vice-president (1789-1797) and second president (1797-1801) and of the United States, John Adams is one of the Founding Fathers. His leadership in the movement for independence won him the title of 'Atlas of Independence.'

¹² *WJA*, 8:5, Letter to Secretary Livingston, Paris, 5 February 1783.

without providing a counterpart for that. Hence, selfishness and aggressiveness are inherent characteristics of American foreign policy. For Adams and fellow revolutionaries, the plan was intended to realize the ideas of an alliance that “did not imply a political bond” but establish contacts with outside powers “that should be limited to trade relations.”¹³ The American historian Samuel Flagg Bemis (1891-1973), an authority on American diplomatic history, called that “a very one-sided treaty” by means of which Congress expected Europe “to recognize the independence of the United States and extend military aid and protection, without any guaranties by the new republic.”¹⁴

The Plan of 1776 may be considered as the founding document of American foreign policy. Initially, it was drawn up to serve as a model treaty for negotiations with France but later it was extended to all European courts.¹⁵ A quick analysis of that document shows that American foreign policy was founded on self-interested commerce. Of the thirty articles of the proposed treaty, twenty were concerned with the general principles of commerce, rules of trade and navigation, and miscellaneous issues relating to commerce; the remaining ten articles (nos. 3-5, 7-9, and 11-14) related to different matters.¹⁶ Although of a political and military nature, the latter were all the same introduced to enhance or secure already existing commercial interests as is the case of Article VII particularly, which emphasized protection of American

¹³ Gilbert, “New Diplomacy,” p. 24.

¹⁴ Bemis, *A Diplomatic History*, p. 26.

¹⁵ The Plan, along with instructions to diplomatic agents, can be found in *SJ*, 2:6-27, 27-30, Plan of a Treaty with France, Sept. 17, 1776.

¹⁶ For an in-depth analysis of the Plan of 1776 see Gilbert, “New Diplomacy,” pp. 18-32.

trade against the North African states. The very structure of the plan shows how commerce was at the heart of American diplomatic endeavors.

The Plan of 1776 exercised a “profound influence” on the would-be American diplomacy because “it crystallized the policy which the United States has generally pursued throughout its history in regard to certain fundamental concepts of maritime law and neutral rights.”¹⁷ The principles outlined in the plan were to be incorporated in future treaties of amity and commerce with foreign countries. In general, they duplicated existing maritime practice such as ‘free ships make free goods’ and freedom of neutrals to trade in non-contraband goods (excluding naval stores and foodstuffs) with belligerents, a principle which was defended by the small naval powers.¹⁸

A particularity of American principles as embodied in the Plan of 1776, however, was the rejection of Congress to engage in binding politico-military alliances.¹⁹ But the prevailing circumstances soon made the Americans deviate from those early ideas and move to seek political and military alliances with European countries not only against Great Britain but also against the North African states. That American diplomatic offensive prompted the British to change their policy towards the rebellious colonies and made concessions to them. Lord North, Great Britain’s Prime Minister (1770-1782), moved to offer peace on the basis of home rule within the empire.²⁰ That possibility of peace

¹⁷ Bemis, *A Diplomatic History*, p. 25.

¹⁸ *Ibid.*, p. 26; Gilbert, “New Diplomacy,” p. 26.

¹⁹ Pierre Melandri, *La politique extérieure des Etats Unis de 1776 à nos jours* (Paris: Presses Universitaires de France, 1982), pp. 18-19

²⁰ *Ibid.*, p. 27; Bailey, *A Diplomatic History*, p. 35.

was not to the taste of its French colonial rival which had been engaged actively in clandestine military support for the Americans, a support that made the victory of George Washington, commander of the Continental Army (1775-1783), at the Battle of Saratoga (1777) possible.²¹ From the beginning, and even before the Declaration of Independence, France found in the growing tensions between the colonies and their mother country an opportunity to take revenge and regain its lost power in North America; power it had lost after the humiliating treaty of 1763.²² That the Americans had realized very early in the conflict and Congress instructed its agents at Paris to accept an alliance with France and Spain, if those powers could be persuaded to make one.²³

Weak as they supposedly were, the American Commissioners at Paris, of whom Benjamin Franklin (1706-1790) with his “*air faussement naïve*”²⁴ was the most prominent, shrewdly played off those European powers’ rivalries to the most advantage of the USA. When offers of peace came from Great Britain, they pressed France for a treaty of amity and commerce and an alliance which they obtained finally in 1778.²⁵ That alliance was the decisive factor in the final military victories that led to the independence of the United States. The principle that rejected binding alliances was discarded for more practical and strategic considerations but the commercial principles—free maritime trade

²¹ Duroselle, *La France et les Etats-Unis*, pp. 25-30.

²² *Ibid.*, p. 22.

²³ *DCAR*, 1:416, From B. Franklin to Arthur Lee, March 21, 1777.

²⁴ Duroselle, *La France et les Etats-Unis*, p. 23. Dean of the founding fathers and diplomats, Franklin was a printer, editor, scientist, philanthropist, ‘philosopher,’ and above all a Free-Mason. He served as a colonial agent in England (1760-75), then in Paris as a diplomatic agent for the USA (1776-1785). Today he is considered as the ‘Father of the Foreign Service’ of the USA, Barnes, *Foreign Service*, p. 17.

²⁵ Duroselle, *La France et les Etats-Unis*, p. 24. Congress ratified the treaties with France within an expedite length of two days.

and neutrality of shipping—continued to prevail and became the guiding line of early American diplomacy. By 1783, the American agents were assaulting Europe in what they called ‘militia diplomacy’²⁶ to obtain commercial treaties but also military alliances but that time against Algiers particularly as will be seen in chapter VI.

1. 2. ‘Militia Diplomacy’ or Beginning of American Aggressive Diplomacy

During the revolutionary period, two views of how to conduct foreign policy were debated in Congress: the first view advocated aggressiveness in international intercourse, the other, more cautious, proposed a moderate and dignified conduct. Those opposing views were well expressed in Congress by John Adams, for the former, and Benjamin Franklin for the latter, and were followed by debates in Congress.²⁷ The majority of the delegates believed that the United States should launch a campaign with the European countries to obtain diplomatic recognition and military assistance. Although the general circumstances were not encouraging, the most aggressive among the delegates defended it enthusiastically and proposed sending agents abroad that would attempt to be received in European courts regardless of the prospects of success.²⁸ The delegates called that ‘militia diplomacy’;²⁹ a new brand diplomacy that carried within it the seeds of aggressiveness and audacity.

²⁶ Barnes, *Foreign Service*, p. 17-8.

²⁷ John W. Foster, *A Century of American Diplomacy: Being a Brief Review of the Foreign Relations of the United States, 1776-1876* (Boston/New York: Houghton, Mifflin And Company, 1900), p. 9.

²⁸ *Ibid.*

²⁹ *USRDC*, 1:523.

Franklin, however, was of another view.³⁰ For the attainment of independence, he argued, Americans should seek good relations with the nations unfriendly to England instead of pressing them for alliances.³¹ Franklin's view failed while the former prevailed because it "harmonized with the necessities of the situation."³² The advocates of aggressive diplomacy had their way in Congress and elected a number of agents to the courts of Europe. Special agents, disguised as 'commercial agents,' were commissioned by Congress and dispatched to Spain, Austria, Prussia, Russia, the Netherlands, and the Duchy of Tuscany. France was singled out by a Joint Commission in proportion with the expectations of Congress.³³ That diplomatic offensive proved to be fruitless as no European country intended to recognize or support the rebellious colonies, let alone grant them commercial privileges. Except for Franklin who was informally received in France,³⁴ the rest of agents were either arrested, rebuffed, humiliated, or simply ignored and scorned.³⁵ But Adams was optimistic: "wise men know that militia sometimes gain [sic] victories over regular troops even by departing from the rules," he wrote.³⁶ With regard to the performance and the results the 'militia diplomats' were obtaining, however, they were considered to be "as ineffective as the blundering militiamen at home."³⁷

³⁰ Barnes, *Foreign Service*, p. 17.

³¹ Foster, *A Century of American Diplomacy*, p. 9.

³² *Ibid.*, p. 10.

³³ *Ibid.*, p. 9-11; Bailey, *A Diplomatic History*, p. 27-28.

³⁴ Duroselle, *La France et les Etats-Unis*, p. 23.

³⁵ *USRDC*, 5:196, John Adams to Livingston, February 21, 1782; Barnes, *Foreign Service*, p. 17-20.

³⁶ *USRDC*, 5:196, John Adams to Livingston, February 21, 1782.

³⁷ Bailey, *A Diplomatic History*, p. 28.

Once on the field, Franklin wrote commenting:

Our business now is to carry our point. But I have never yet changed the opinion I gave in Congress, that a state should not go abroad suitoring for alliances; but wait with decent dignity for the application of others. I was overruled—perhaps for the best.³⁸

Years later, Adams returned on the question and wrote Franklin explaining:

we have not meanly solicited for friendships anywhere. But to send ministers to any great court in Europe, especially the maritime courts, to propose an acknowledgment of the independence of America and treaties of amity and commerce, is no more than becomes us, and in my opinion is our duty to do. It is perfectly consistent with the genuine system of American Policy, and a piece of respect due from new nations to old ones.³⁹

No one is better placed than Adams to describe the foundations he laid for American foreign policy. True, aggressiveness is “perfectly consistent with the genuine system of American Policy” but one may not say the same about Adams’ “piece of respect due from new nations to old ones.” Adams respect was limited to a ‘most christian king’ but did not extend to include Muslim rulers and their countries which he considered protection against them was desperately needed.⁴⁰ For long years, that assaulting militia was going to beg and snivel, ruse and plot, maneuver and plan, cheat and lie, deceive and fuss, and league and counter-league just for this: not to spend ‘a cent’—as one of American later maxims would say—on treaties with the North African states as

³⁸ *DCAR*, 1:416, From B. Franklin to Arthur Lee, March 21, 1777.

³⁹ *Ibid.*, 5:361, John Adams to B. Franklin, October 14, 1780.

⁴⁰ *SJ*, 2:6-27, Plan of a Treaty with France, Sept. 17, 1776, *USRDC*, 6:537, John Adams to Livingston, July 12, 1783.

it was customary; a temporary stand that could be explained more by greediness and deceitfulness than by principle and meliorism.⁴¹

2. United States Search for European Protective Treaties

United States' self-interested search for a protective umbrella for its commerce in the Mediterranean, and later relations with Algiers, could only be understood when put in the proper commercial and diplomatic contexts of American and European policies. Commercially, as previously discussed, the Americans had already developed a large and profitable Mediterranean trade and were intent upon keeping it. The Europeans too had even more important commercial interests in the area but, unlike the Americans, they had also obtained favorable trading concessions on Algerian soil, monopoly over Algiers's external trade, and different sorts of political and legal privileges they secured for themselves by the means of scores of treaties often concluded by 'visiting', menacing, or cannon-balls spitting squadrons at the Bay of Algiers. European rivalry for power and markets was at its height then, and logically it would be unconceivable to think that the European powers, after centuries of power-struggle with Algiers, were going to make room, or even accept American commercial rivalry in the area.

Diplomatically, the Americans set out to find a 'protector' for their shipping to replace Great Britain which had withdrawn its passes. As colonies, Britain's protective diplomatic shield and naval might had secured those

⁴¹ One may be tempted here to approach *realpolitik* in early American foreign policy but it may be considered out of context.

markets and consequently economic prosperity; but since they had declared their independence, and subsequently obtained it, they were in the position of the rival that had to be checked. Now that the United States was claiming markets for itself, and a part of the cake, it was unlikely that the Europeans were going to lend it a helping hand or allow a treatment of favor for its seaborne trade. Hence, when the first American envoys to the European courts asked for security guarantees for American shipping in the Mediterranean to be included in treaties of peace, the European countries, one after the other, rejected the request because abiding by the American demand would have meant that they were welcoming a trade rival, therefore contributing to their own commercial decline. More, the American demand was badly perceived because it seemed to Europeans “that the American government was trying to maintain their [sic] merchants in a profitable area without paying for the privilege.”⁴² Great Britain and France, for example, could not see why they would continue to spend huge sums of money to maintain fleets—that from time to time visited Algiers on menacing missions—if not for the privileges the Americans wanted to get for free. The Netherlands and Sweden, particularly, two lesser powers that were bound to Algiers with treaties that stipulated payment of tribute and presentation of consular gifts, could certainly not either understand why the Americans wanted to get privileges and not pay for the attached charges, i.e.: tribute and consular presents.⁴³

⁴² Barnby, *Prisoners of Algiers*, p. 71.

⁴³ For more, see *ibid.*

Throughout the period 1776-1783, and beyond, the Americans had realized that power rivalry was a hindrance for them and that they had to move boldly to secure their commercial interests. Insightful and astute politicians and diplomats, like Franklin, Jefferson, or Adams, would not hesitate to strike at all chords for attaining their objectives. Petty and friendly with the European courts at first, they did not hesitate to shift attitude and policy when they could not obtain what they wanted; disdainful and treacherous with Algiers at first, they did not also hesitate to knock its door when they were let down by the Europeans; arrogant and aggressive, they did not either hesitate to turn the cannons of their infant navy, as soon as they could organize one, against their former benefactor France (1794-1798), procreator Great Britain (1812-1814); and of course Algiers, the despised 'pirate state' (1815).

In that context of European and American steadfast rivalry, Algiers had been used not only as a scapegoat of Christendom but it was also played as a pawn on the chessboard of the great powers. Regardless of its estimated might, real perhaps during the second and first halves of the 16th and 17th centuries respectively but certainly imaginary for the most part of its history, Algiers was played off by the Christian powers for their own interests. It happened that Algiers belonged to a different culture and a different faith; but that could other than reinforce westerners' determination for gaining more influence and profits on Algerian soil. A succinct look into American alliances and treaties of peace and commerce with European powers is of crucial importance to Algerian-

American diplomatic relations because it was in the crucible of European diplomacy that those relations were given their early shape.

2. 1. Algiers in American-French Diplomacy

With regard to Algerian matters, the first step in American diplomatic undertakings with France was opportunistic and selfish—to say the least. Because peace treaties with Algiers particularly, and the North African states in general, were reputed to be expensive, the Americans judged them to be beyond their reach despite the enormous profits they were making from their Mediterranean trade. So, Congress instructed its envoys to France to negotiate a treaty that would include a protective clause for trade in the Mediterranean. In that way, the Americans would continue to enjoy their lucrative trade without having to negotiate with the North African states that after all share in the Mediterranean and were even in control of its southern flank.

Initially in the model treaty of 1776, Congress sought no less than the boundless task of protecting the people of the United States, “their vessels and effects, against all such attacks, assaults, violences [sic], injuries, depredations and plunderings [sic]” of the state of Algiers “in the same manner, and as effectually and fully” as the King of Great Britain did “before the commencement of the present war [of independence].”⁴⁴ As France would not agree to such unconditional and sweeping guarantees, Congress, instead of jeopardizing the whole negotiations, instructed the Joint-Commission to “relax

⁴⁴ *SJ*, 2:6, 10, Plan of a Treaty with France, September 17, 1776.

the demands” and “to enlarge their offers agreeably” so that “His most christian majesty” would agree, nevertheless, “to use his interest and influence to procure passes ... for the vessels of the United States upon the Mediterranean.”⁴⁵ So, with a simple pen-stroke, the egotistical and greedy Americans wanted to get Mediterranean passes for free and with the least effort at a time those passes were regulated by intricate treaties and were causing enormous problems both for Algerian corsairs as well as for European cruisers and privateers.

Obviously, the French who were supportive of the Americans in matters of credits and arms because it served them against their colonial rival Great Britain, were absolutely not intent upon bringing American trade into the Mediterranean. Furthermore, at that time the French were entertaining good relations with the Dey of Algiers;⁴⁶ and evidently they did not want to irritate him lest they would jeopardize their interests at Bastion de France—as it was customary when the Deys were displeased. Therefore, after a long and intricate bargaining that lasted for almost two years, the Americans could obtain no more than promises from “The most christian king” of France to “employ his good offices and interposition” with the regency of Algiers in the final Treaty of Amity and Commerce of 1778.⁴⁷

Bullying escalated when Commissioners Franklin, Adams, and Lee moved unscrupulously to interpret the treaty to their advantage. Pressuring for

⁴⁵ *SJ*, 2:27-28, Instructions to _____, September 17, 1776.

⁴⁶ Grammont, *Histoire d'Alger*, pp. 333-34.

⁴⁷ *SJ*, 2:63, Treaty of Amity and Commerce, May 4, 1778.

further French intervention on their behalf, they wrote Charles Gravier Count de Vergennes (1719-1787), the French Foreign Minister, an incomprehensible letter in which they invoked Article VII of the above mentioned treaty and referred to some American ships blocked in Italy because of supposed fears of Algerian corsairs and invoking some Italian merchants who were “desirous of entering into the American trade” but “apprehension of danger from the corsairs of Barbary is a discouragement.”⁴⁸

Unable to take a decision on such a strange request, Vergennes referred the letter to Count de Sartine, Minister of the Marine who in turn could not understand what the Commissioners were maneuvering at. According to de Sartine, under the eighth article of the treaty, the King “promised to employ his mediation” with Algiers and France would “comply with it, notwithstanding any difficulties which seem to lie in the way.”⁴⁹ But beyond that personal engagement of the King, France would not go as far as to expose its “own interests for those of the United States.”⁵⁰ For de Sartine, the Commissioners had to clarify what they wanted exactly: a treaty with Algiers or French influence to force Algiers to acknowledge the American flag? If a treaty, France would use the “good offices of the king” to mediate one even though negotiations “will be long and arduous” and results “illusive”; if protection of the flag, in other terms, the use of military force to convoy American shipping in the Mediterranean, France would never succeed because “the Algerines, in

⁴⁸ *DCAR*, 1:315, Commissioners to Count de Vergennes, August 28, 1778.

⁴⁹ *Ibid.*, 1:330-32, M. de Sartine to Count de Vergennes, September 21, 1778.

⁵⁰ *Ibid.*, 1:331.

particular, would never acknowledge the flag of the United States, unless it were made for their interests to do so.”⁵¹

Well knowledgeable about the particularities of diplomatic relations between Algiers and France, de Sartine, nevertheless, pointed out that “it would probably be less difficult to induce them [Deys] to acknowledge the independence of the United States, and to conclude treaties with this new Power.”⁵² He clearly indicated to Vergennes that it was easier for the Americans to conclude a treaty directly with Algiers than to seek a treacherous deal with France against Algiers. What de Sartine did not say, however, was that the treaties of France with Algiers did not guarantee other than the French flag and Algiers was extremely demanding about the respect of those treaties.⁵³ Many a time by the past hostilities broke between the two countries particularly because France did not respect its treaties with Algiers.

By inclosing de Sartine’s clarifications in his answer to the Commissioners, Vergennes was clearly signifying that France would not go fighting in the Mediterranean for the American flag but offered mediation only in case the Americans wanted to negotiate a treaty of peace.⁵⁴ The Commissioners, however, would not let go of—a trait of ignorant and ill-mannered ‘militia diplomacy’—and insisted on “obtain[ing] passes for vessels of the United States and their subjects” from Algiers.⁵⁵ But conversely to their

⁵¹ DCAR, 1:331, de Sartine to Count de Vergennes, September 21, 1778.

⁵² Ibid.

⁵³ See different treaties in Card, *Traité de la France*, pp. 3-99.

⁵⁴ DCAR, 1:337, Count de Vergennes to Commissioners, September 27, 1778.

⁵⁵ Ibid., 1:339-40, Commissioners to Count de Vergennes, October 1, 1778.

earlier sniveling fears and accusations of assaults, violence, and injuries against Algiers, the Commissioners admitted that:

an acknowledgment of the independence of the United States, and a treaty of commerce between them and us, would be beneficial to both, and a negotiation to that end not unlikely to succeed, because there has been heretofore some trade between them and us, in the course of which our people and vessels were well received.⁵⁶

And carrying on boldly with the offensive, they offered “either to commence a negotiation for passes for American vessels immediately or to wait until we can write to Congress, and obtain power to conclude treaties of commerce with them [Barbary States],” because, as they explained, their powers do not “extend to conclude treaties with the Barbary States.”⁵⁷

The Commissioners’ alternative was certainly a relief for the assaulted but shrewd Foreign Minister who disposed of them politely but not without specifying that two prerequisites were necessary for making treaties: presents and funds. This is an indication that France, mindful about treaties and customs that regulate relations with Algiers, would engage in mediation only when those two conditions were fulfilled:

I think it proper that you should be provided with full powers from Congress, and that you should be not only authorized to propose the presents which you may be expected to bestow, but also supplied with the necessary funds to satisfy these expectations.⁵⁸

Indeed, the Commissioners reported to Congress. While enclosing correspondence with the French officials “on the subject of negotiation with the

⁵⁶ *DCAR*, 1:339-40, Commissioners to Count de Vergennes, October 1, 1778.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, 1:353-54, Count de Vergennes to Commissioners, October 30, 1778.

Barbary States” in general, they observed briefly: “We do not find ourselves authorized to treat with those Powers, as they are not in Europe, and, indeed, we are not furnished with funds for making them presents.”⁵⁹

In 1779, Congress “Ordered, That the papers relative to a negotiation with the states of Barbary, be referred to a committee of three.”⁶⁰ After that, those early initiatives for launching negotiations stalemated and the Barbary States passed into oblivion. For the next five years or so, Algiers disappeared almost completely from American state papers; it reappeared from time to time either furtively or under the general entry of ‘Barbary States’ as in 1782 when Livingston, Secretary for Foreign Affairs, wrote Franklin asking him to procure the United States “new connexions,” i.e.: new diplomatic recognitions from other countries. On the occasion, Livingstone reminded him about a subject that “seems to have been forgotten in the hurry of business,” adding: “I mean that with the States of Barbary.”⁶¹

2. 2. Negotiating Algiers in Other Treaties

When the Netherlands found itself forced into a League of Armed Neutrality⁶² (1780) to protect its own commerce against Great Britain, the American Commissioners seized the opportunity and moved to seek on the

⁵⁹ *DCAR*, 1:359, Commissioners to the President of Congress, November 7, 1778.

⁶⁰ *SJ*, 2:520, Proceedings, February 24, 1779.

⁶¹ *DCAR*, 4:32, Robert R. Livingston to B. Franklin, November 9, 1782.

⁶² The League of Armed Neutrality was an alliance formed in 1780; it included the northern states of Europe (Denmark, Prussia, and Sweden) in addition to Russia. It was formed with the purpose of forcing Great Britain to respect their right as neutrals to trade in non-contraband goods (not involving arms, naval stores, and foodstuffs) with France with which it was at war. For further details see Bemis, *A Diplomatic History*, pp. 35-45.

Dutch side what had already been denied to them by France, i.e.: official Dutch passports for American trade in the Mediterranean! It is true that throughout their long diplomatic history with Algiers, the Dutch had been the suppliers of forged passports *per excellence*,⁶³ but to do it officially, that they did not consent to. As one might expect, the Commissioners could obtain but the same answer as with France. The American treaty of 1782 with the Netherlands included an article that differed in the matter from article VII of the American-French Treaty of Amity and Commerce (1778) only in wording. Article XXIII specified:

If at any time the United States of America shall judge necessary to commence negotiations with ... Algiers, to obtain passports for the security of their navigation in the Mediterranean sea, their high mightinesses [the States General of the United Netherlands] promise, that upon the requisition which the United States of America shall make of it, they will second such negotiations in the most favourable manner by means of their consul [residing at Algiers].⁶⁴

In short, that meant that the Dutch accepted to act only as mediators if their services were solicited. They agreed to have commercial cooperation with the USA according to the principles of the League of Armed Neutrality but not to deliver Mediterranean passports for American merchantmen.

With Sweden, a lesser power, the United States could only obtain a Treaty of Amity and Commerce (1782) clearly denoting reciprocity as “having for its basis the most perfect equality, and for its object the mutual advantage of the parties.”⁶⁵ Basically, the treaty provided for conveying each other’s ships

⁶³ Krieken, *Corsaires et marchands*, p. 11.

⁶⁴ *SJ*, 3:304-5, A Treaty of Amity and Commerce, January 23, 1783.

⁶⁵ *Ibid.*, 3:367, A Treaty of Amity and Commerce, July 29, 1783.

and that only at times of European hostilities. That stand also conformed to the principles of the League of Armed Neutrality to which Sweden adhered. The Swedish, keen as they were about neutrality that so far secured them enormous freight profits, would certainly not venture to secure a place in Mediterranean trade for a potential carrying rival. Moreover, their own position with the Dey of Algiers was not that much consolidated: first, because they entered in diplomatic relations with Algiers relatively late (1727); and second, being a small power, they certainly could not exercise great leverage on the rulers of Algiers. Nevertheless, that accomplishment let the Americans presage that they “shall have, undoubtedly, a considerable commerce in the Mediterranean;” and for that reason, they expressed thoughts as to the need to take early measures “to cultivate the friendship of the States of Barbary.”⁶⁶

The treaty of 1783 with Great Britain, and thanks to Americans’ betrayal of their wartime allies, France and Spain, was to secure to the United States immense land gains in North America;⁶⁷ but it unequivocally excluded American trade from British markets and rejected protection of Mediterranean trade. After the provisional treaty of peace had been ratified by Congress, the latter instructed its negotiator to include in the definitive treaty certain commercial provisions of which one committing “His Britannic majesty” to “employ his good offices and interposition with ... Algiers, in order to provide as fully and efficaciously as possible for the benefit, convenience, and safety” of the United States “against all violence, insult, attacks, or depredations” on

⁶⁶ *DCAR*, 9:166, Carmichael to Robert R. Livingston, March 13, 1783.

⁶⁷ Duroselle, *La France et les Etats-Unis*, pp. 32-33.

the part of that state or its subjects.⁶⁸ That attempt also ended in failure. Adams reported to Congress that “We cannot as yet obtain from Mr. Hartley [British negotiator], or his principals, an explicit consent to any one proposition whatever.”⁶⁹ Two days later, he was also writing: “The liberal sentiments in England respecting trade are all lost for the present, and we can get no answer to anything.”⁷⁰ The Commissioners tried repeatedly to insert in the final treaty a protective clause for their Mediterranean trade but Britain turned a deaf ear to their demands. Adams reported again desperately one week later, but that time enclosing a document that, once read, one understands why Britain refused to conclude a commercial agreement with the United States:

I think it is evident that the coalition [government], do not intend to make any agreement with us about trade, but to try experiments by their proclamations. I think, too, that they mean to postpone the definitive treaty as long as possible. We can get no answer, and I believe Mr. Hartley gets no decisive answers to any thing. Enclosed, also, is a pamphlet entitled “Observations on the American States,” said to have been published by Lord Sheffield, and to have been composed by four American renegadoes. The spirit of it needs no comments.⁷¹

Less than one month later, the Commissioners signed the provisional treaty with Great Britain as a definitive one with no securities for commercial cooperation or protective clause for Mediterranean trade attached to it.⁷²

To judge by the mass of distressed correspondence between the American negotiators in Europe and the Department of Foreign Affairs, the

⁶⁸ *USRDC*, 6:471, Propositions made by the Commissioners to David Hartley for the Definitive Treaty, June 1, 1783.

⁶⁹ *Ibid.*, 6:517, J. Adams to Livingston, July 7, 1783.

⁷⁰ *Ibid.*, 6:529, From the same to the same, July 9, 1783.

⁷¹ *Ibid.*, 6:545, From the same to the same, July 15, 1783.

⁷² *Ibid.*, 6:645, From the same to the same, August 13, 1783.

issue of commerce was of utmost importance. Yet, the British refused categorically to open their markets for American goods and provide for the commerce protection clause so dear for the Americans. The classical analysis imputed that refusal to two major reasons, both closely linked to the prevailing political conditions in the United States and Great Britain, as expressed by the negotiators themselves:

Whether the British court meant to avoid a definitive treaty with us through a vain hope, from the exaggerated accounts of divisions among our people and want of authority in Congress, that some revolution might soon happen in their favor, or whether their dilatory conduct was caused by the strife of two opposite and nearly equal parties in the cabinet, is hard to decide.⁷³

The first reason may be found in the internal political strife in Great Britain itself which was a serious handicap for negotiations. After years of hostilities in the colonies which culminated in the prospective of loosing them, politicians, commercial interests, and public opinion split over the question. The Whigs, supported by public opinion, who were favorable to American independence wrestled with the Tories and commercial interests who were opposed to it. The coalition Government, headed by William Pitt, was strongly reflective of those two antagonist positions and risked defeat at any time should it make too many concessions to the Americans.⁷⁴ A commercial agreement would have exposed it to a loss of vote, therefore, ousting from government.⁷⁵

⁷³ *USRDC*, 6:688, Adams, Franklin, and Jay to the President of Congress, September 10, 1783.

⁷⁴ During the single year of 1783, three different governments were formed of which a coalition government (April 1783-December 1783) in which Tories and Whigs were extremely divided over the question of commerce with the USA.

⁷⁵ *USRDC*, 6:651, Adams to Gerry, August 15, 1783.

If the British government suffered internal problems, the Confederation was in no enviable condition either. The reluctance of the different states to share in the financial burdens of Congress as well as give up some of their sovereignty to the national government was a serious handicap too. Such conditions gave an impression of total anarchy and made the British predict that it would not be long before the rebellious Congress crumbled and a social upheaval or “revolution might soon happen” and reverse the situation “in their favor.”⁷⁶ Looking back on the situation in 1783, the American historian Charles Francis Adams, grandson of John Adams and editor of *The Works of John Adams* (1865), wrote summarizing the approach of Lord Sheffield, a Tory member of the British government and one of the most fervent opponents of a commercial agreement:

Lord Sheffield gave expression to the remonstrance of the navigating interest, the ruin and confusion in which the colonists were involved by the state of anarchy consequent upon their independence. And then he ventured to whisper the prediction that, out of this chaos, New England, at least, would, in the end, solicit to come back as a repentant child to the maternal embrace.⁷⁷

Whatever the fragilities of both governments, one may find in Lord Sheffield’s pamphlet *Observations on the Commerce of the American States* (1783), which was originally published as an argument against a commercial treaty, another plausible explanation for failure.⁷⁸ In that widely circulated

⁷⁶ *DCAR*, 6:688, Adams, Franklin, and Jay to the President of Congress, September 10, 1783.

⁷⁷ *WJA*, 1:422.

⁷⁸ John Baker Holroyd, Lord of Sheffield (1735-1821) was President of the Board of Agriculture, a Lord of Trade and one of the Privy Council members. He was best known for his writings on political economy. His work was published while negotiations between the United States and Great Britain were going on. Extremely influential and very popular, his booklet went through 6 editions between 1783 and 1786. Schuyler, *American Diplomacy*, p. 227.

work, and for the first time, one reads that the Barbary States were perceived as positive agents in international commercial relations, at least from a British point of view, and that contrary to the views which present them today as “agents of transnational harm.”⁷⁹ According to Sheffield, the Barbary corsairs were advantageous to English commerce because they prey on the shipping of weaker nations:

That the Barbary States are advantageous to the maritime powers is obvious. If they were suppressed, the little states of Italy, etc. would have much more of the carrying trade. The French never showed themselves worse politicians than in encouraging the late armed neutrality. . . . The armed neutrality would be as hurtful to the great maritime powers as the Barbary States are useful.⁸⁰

The Barbary States’ value, therefore, laid in keeping down Americans’ commercial competition because the United States could protect its trade in the Mediterranean contrary to Great Britain—and the other European powers—which had a strong fleet and could use it against the corsairs:

It is not probable that the American States will have a very free trade in the Mediterranean. It will not be for the interest of any of the great maritime powers to protect them from the Barbary States. If they know their own interests, they will not encourage the Americans to be carriers. . . . The Americans cannot protect themselves from the latter; they cannot pretend to a navy.⁸¹

That view which put forward the impotence of the United States was also conveyed by the British Consul at Algiers Charles Logie to the Dey. According to Cathcart, Logie “had represented us to be a set of beings without strength or

⁷⁹ Oded Löwenhiem, *Predators and Parasites: Persistent Agents of Transnational Harm and Great Power Authority* (Detroit, MI: University of Michigan Press, 2006), p. 80.

⁸⁰ As cited in Irwin, *Diplomatic Relations*, pp. 24-25.

⁸¹ *Ibid.*

resources, and so contemptible, that his Master [King George III] did not think us worth the trouble or expense of subduing.’’⁸² Sheffield’s argument gives a clear answer about the reason which caused all European powers to reject the request of the United States for a protective clause: it was not in their interest to allow American trade in the Mediterranean, and since the Americans could not protect themselves against the corsairs therefore it was unlikely that they would trade in the region.

On their side, the Americans had always argued that Great Britain was the only power sufficiently strong at sea to put an end to corsairing but it did not do it because, according to them, it found it advantageous to its commerce “to leave them [Barbary pirates] in existence and to pay a large annual tribute, so that they might remain a scourge to the commerce of other powers.”⁸³ They even went to accuse it of “submit[ing] to be tributary to these robbers, and even encourage[ing] them by paying a sum so great that other states might find it difficult to make peace with them.”⁸⁴ The ‘scourge of Christendom’ was in fact no more than a scourge which the major European powers used against the commerce of their co-religious Christian rivals. Muslim corsairing, other than its original religious and defensive functions, was unscrupulously manipulated by Christian powers towards their own advantage.

⁸² Cathcart, *The Captives*, p. 4.

⁸³ Straus, “Commercial Diplomacy,” p. 221.

⁸⁴ *WJA*, 8:217-19; also, Schuyler, *American Diplomacy*, p. 195.

3. Algiers between Europeans and Americans

3. 1. A Chess Game Pawn

Europe's maritime powers had always shown duplicitous attitudes towards Algiers. In public, they condemned the activities of Muslim corsairs and demanded a concerted action to suppress them. Privately, however, they conceded that the corsairs were acting to their commercial advantage by harassing maritime interests of weaker powers.⁸⁵ That duplicity could partly explain why despite the decline of Algerian naval power, insatiable desire for colonization of the European powers, and complaints about the so-called Algerian pirates, despotism of the Deys, and enslavement of Christian captives Algiers continued to exist as a polity.⁸⁶ Perhaps there was some good sense in Benjamin Franklin's reflection when he wondered why "the rest of Europe do [sic] not combine to destroy those nests, and secure commerce from their future piracies."⁸⁷ Designs and recommendations for colonization indeed existed. As discussed previously, the Spaniards attempted to do it but failed in their venture and others like Napoleon who surveyed the Algerian coast secretly in 1808 or else Shaler who recommended that Britain should occupy Algiers in 1826 prepared for it.⁸⁸ But probably, at that point, none of the European countries felt itself strong enough to claim single-handed occupation of Algiers because

⁸⁵ James R. Sofka, "The Jeffersonian Idea of National Security: Commerce, the Atlantic Balance of Power, and the Barbary War, 1786-1805." *Diplomatic History*, 21: 4 (Fall, 1997), p. 531; Cordingly, *Pirates*, p. 99.

⁸⁶ Views about this question are numerous. One view imputes it to a reminiscence of the "really formidable" power of Algiers of the 16th century; this caused European powers in the 18th century to over-exaggerate Algiers' fast-declining resources and courage. For more see Paullin, *Diplomatic Negotiations*, pp. 46-7.

⁸⁷ *DCAR*, 4:149, Franklin to Robert R. Livingston, July 22, 1783.

⁸⁸ Shaler, *Sketches of Algiers*, p. 171.

of the existing ‘balance of power.’ The Europeans had rather opted for using Algiers as a ‘pawn’ against the commercial interests of their rivals while waiting for more appropriate conditions for colonization. Considering the network of never-ending plots and intrigues the Christian consuls—along with Jew bankers—knitted against each other and subtly communicated to the Deys of Algiers, it was evident that, in one way or another, the latter were manipulated for various ends.⁸⁹

Moreover, by pointing out the probable hindrance of the Barbary States for American commerce and their usefulness for Great Britain, Lord Sheffield was in fact unveiling the true approach of Britain to Algiers: that of a weapon that could be used efficiently against the rebellious Americans. For Britain, more than just on the battlefield, the war against the United States was also commercial. By refusing to agree to a commerce protection clause, the British meant to asphyxiate American trade; an alternative which could perhaps reverse the general situation in their favor.⁹⁰ A close look at Great Britain’s policies during the crucial year of 1783 shows that the British were reluctant to recognize the independence of their American colonies. And since they could not prevent it, then they could at least deny the Americans access to British markets, and even hinder their attempts to reach non-British markets. As for the first, they could do it of right by refusing to include commerce agreements in

⁸⁹ The judge from the account of the French historian Henri de Grammont *Histoire d’Alger* (1886), which according to the Algerian historian Lemnouar Merouche stands out today as an unequalled work on Ottoman Algeria, El-Djenina was infected by consuls’ intrigues. British intrigues (pp. 331, 340, 345, 348, 397), French intrigues (pp. 118-19, 243, 297), and Jews’ intrigues (pp. 236, 341, 350, 363) are few examples.

⁹⁰ *USRDC*, 6:790, Laurens to Thomson, March 28, 1784.

the peace treaty; for the second, however, they had to devise a strategy. For Mediterranean markets and passports, which were assuredly the obsession of Americans, the British had to have recourse to their influence in the region and one may not wave away the possibility that Great Britain had already a plan which it intended to execute with the *indirect* help of the Dey of Algiers.

Indeed as early as 1783, Franklin wrote Livingstone, the Secretary for Foreign Affairs, pointing out at the possibility that Great Britain might be plotting against American shipping. The letter was prompted by intelligence brought to the knowledge of Franklin by one Salva, an agent to the Austrian court,⁹¹ in which the latter warned against an “imminent danger to which the vessels of your nation were exposed.”⁹² According to Salva, Algerian corsairs attempted to capture two American vessels that were leaving the port of Marseille and imputed it to

Some secret enemies, (whom I know) having giving [sic] information to this regency of their departure, ... the politics of certain European powers do not restrain them from paying tribute to enjoy peace; they make use of these human harpies as a terror to the belligerent nations, whose commerce they chain to the car of Algerine piracy.⁹³

Based on Salva’s allegation, Franklin thought it “not improbable, that those rovers [Algerine] may be privately encouraged by the English to fall upon us, and to prevent our interference in the carrying trade.”⁹⁴ Similarly, Ralph Izard, a delegate to Congress, wrote Jefferson that “it is said that Great Britain has

⁹¹ Austria, a small state, had been bound to Algiers by a treaty since 1727 according to which it paid annual tribute to the Dey. Tribute seemed not to be appreciated by that Salva who was writing clandestinely to Franklin since Austria had not yet recognized the USA.

⁹² *DCAR*, 4:95, M. Salva to B. Franklin, April 1, 1783.

⁹³ *Ibid.*, 4:96.

⁹⁴ *Ibid.*, 4:149, Franklin to Robert R. Livingston, July 22, 1783.

encouraged the piratical states to attack our vessels.”⁹⁵ The assumption that Britain was using the Algerian corsairs against the shipping of its rivals and that it had just unleashed them on American commerce was so spread in London maritime circles at that time, probably because there was some truth in it, that a maxim soon found its way among merchants and sailors: “*if there were no Algiers, it would be worth England’s while to build one.*”⁹⁶ That belief was so sustained that, two years later, Jefferson wrote a congressional delegate that, despite treaties, Great Britain was still the enemy of the Americans.⁹⁷

Even supposing that no official plan as to the use of Algerian corsairs against American trade really existed, the British consul Logie was most likely behind much of the trouble that affected Algerian-American relations starting from the mid-1780s. O’Brien and Cathcart left accounts in which they charged Logie personally with instigations that caused the Algerian corsairs to capture American ships.⁹⁸ O’Brien, for example, suspected that the apparent friendship of Logie masked a duplicitous attempt to undermine American negotiations which potentially would bring American ships into the Mediterranean thus loosening British grip on American commerce.⁹⁹ He even accused Logie of spreading exaggerated reports of the dangers of ‘Algerine pirates’ to American commerce so that the British insurance companies would benefit from it by

⁹⁵ As cited in Peskin, “Lessons of Independence,” p. 309.

⁹⁶ *DCAR*, 7:55, Adams to Robert R. Livingston, July 3, 1783; *ibid.*, 4:149, Franklin to Robert R. Livingston, July 22, 1783.

⁹⁷ “Her hatred is deep rooted and cordial, and nothing is wanting with her but the power to wipe us and the land we live on out of existence,” Jefferson wrote. Jefferson, *Memoir*, 1: 313, To John Langdon, September 11, 1785.

⁹⁸ Rojas, “Insults Unpunished,” pp. 185-86. John Foss, another captive, made the same accusation.

⁹⁹ *EN*, 3:193, Richard O’Brien, Zaccheus Coffin and Isaac Stephens to Thomas Jefferson, June 8, 1786.

increasing insurance rates on American ships to squeeze them out of the Mediterranean trade,¹⁰⁰ a view which was also shared by Jefferson. On his side, Cathcart indicated that immediately after his arrival,¹⁰¹ Logie gave “the Executive of Algiers” some information about the last war between the United States and Great Britain and declared that:

the United States were no longer under the protection of his Master [the King of Great Britain], and, that wherever the Cruisers of Algiers should fall in with the vessels of the United States of America, they were good prizes.¹⁰²

He also accused Logie of wishing the Algerians “success in their attempts to capture those who refused allegiance to his Master.” Nevertheless, Cathcart imputed Logie’s maneuvers “more to individual inveteracy than national animosity” thus discarding official involvement of the British government.¹⁰³ Richard B. Parker, former ambassador of the United States to Algeria, 1974-1978, rejected that Logie’s intrigues were at the origin of tensions between Algiers and the United States, at least those of the 1780s,¹⁰⁴ on the ground that no official document confirming the captives’ accusations could be found.¹⁰⁵ Parkers’ view about the role of Logie, however, conforms to his general approach to early Algerian-American relations; an approach which tends to put most of the blame, if not all the blame, on Algiers first then on

¹⁰⁰ *EN*, 3:194.

¹⁰¹ He arrived in May 1785. The first American ships were captured two months later.

¹⁰² Cathcart, *The Captives*, p. 4.

¹⁰³ *Ibid.*, p. 5.

¹⁰⁴ Logie was also accused of more intrigues during the 1790’s particularly one that led to the capture of more American ships.

¹⁰⁵ Parker, *Uncle Sam in Barbary*, p. 43. Logie was also bleached in Barnby, *Prisoners of Algiers*, p. 71.

Britain and France and makes them responsible for the failure of negotiations during the 1780s.

But when considering another allegation relating to events which occurred a year later, one may conclude that either Cathcart had vowed enmity to Logie—regardless of what happened actually, or Logie was not a stranger to what he was accused of, or else the Dey was completely disconnected from the outside world. To a proposal of a peace treaty with the United States, the Dey allegedly answered the American negotiator: “Make peace with your father the King of England and then come to me and I will make peace with you.”¹⁰⁶ Strange as it may appear, this was recorded for the month of April 1786 i.e.: almost three years after Great Britain and the USA concluded the treaty of peace which ended hostilities between them!

3. 2. Algiers in American Barbary Diplomacy

Up to 1786, the American Congress dealt with Algiers as part of a whole unit rather than a separate state. Accordingly, and for a whole decade, Algiers was included under the denomination ‘Barbary States’ in American state papers. So, in terms of approach and decisions making all that related to the Barbary States was also true about Algiers. In general, the American approach to North Africa at the age of corsairs was injurious, contemptuous, ignorant, and self-interested. A quick look at two of the most prestigious and influential writings on American diplomatic history gives us a middling picture about the

¹⁰⁶ Cathcart, *The Captives*, p. 39.

general American approach to the region at the end of the 18th century. For Bemis, “the Barbary States were the nest of professional corsairs” whose “unblushing depredation” jeopardized American shipping in the Mediterranean; the rulers were “obnoxious” and “rascally potentates” whose “sinister profession of piracy set in unabashed to make sport of American property and citizens;” American ships were “unprotected” and caused them to fall “easy prey” to the “Algerine pirates” and shipping was “at the mercy of those robbers,” and “American sailors were enslaved with impunity by those “avaricious free-booters and slave-catchers.”¹⁰⁷ The picture Thomas A. Bailey (1902-1983), another authority on American diplomatic history, painted was no better than the previous one.¹⁰⁸ For him:

The petty North African states loosed upon the commerce of the Mediterranean as raffiantly a lot of cutthroats as history can offer. They not only enslaved their captives for ransom but collected huge sums of protection money from those nations that could afford to make payments. Piracy was a profitable national industry.¹⁰⁹

In such a context loaded with disdain, ignorance, and outright prejudice and infamy, the USA set out to make some “arrangements with them as may prevent their committing any future depredations on the American vessels and trade.”¹¹⁰ That American move, however, did not occur until after the European states successively declined to make room for American shipping in the Mediterranean.

¹⁰⁷ Bemis, *A Diplomatic History*, p. 67-68.

¹⁰⁸ Bailey’s textbook *A Diplomatic History of the American People*, first published in 1940, is widely used in American universities.

¹⁰⁹ *Ibid.*, p. 64.

¹¹⁰ *USDC*, 2:507, Report of John Jay on a Reference of his Report of 31st January Last, March 22, 1786.

Then, it was only when the Americans realized that “there was to be no inexpensive short cut to peace with North Africa”¹¹¹ that Congress decided to negotiate directly with the “Barbary Powers” for “treaties of amity, or of amity and commerce.”¹¹² The treaties were to be negotiated for a duration of ten years “or for a term as much longer as can be procured.”¹¹³ The resolution adopted on May 7, 1784 provided for the creation of a commission consisting of Franklin, Adams, and Jefferson and operating from Paris and London with the purpose of carrying negotiations, signing such treaties when concluded, and “transmitting them to Congress for their final ratification.”¹¹⁴ To that Commission Congress appointed David Humphreys, U. S. representative in Portugal, as secretary.¹¹⁵ That diffuse responsibility was one of the major problems which handicapped negotiations with Algiers. When information and mutual consultations had to transit through five capitals separated by two seas and one ocean in an age of sail before any decision could be taken that must certainly account for one of the reasons which led to the failure of negotiations with Algiers.

Besides that intricate and unreasonable diplomatic machinery, Congress did not allot the funds necessary for the conclusion of peace treaties with the North African states. For a number of years, however, the commissioners had been spying in all courts of Europe about the amounts of money Barbary treaties and tributes cost as well as about presents (what were they? How much

¹¹¹ Barnby, *Prisoners of Algiers*, p. 71.

¹¹² *SJ*, 3:489, May 7, 1784.

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*, Franklin left France in July 1785; consequently, the responsibility to negotiate the redemption of prisoners and to conclude a treaty with Algiers fell largely to Adams and Jefferson.

¹¹⁵ *Ibid.*, 3:499, May 12, 1784.

did they coast, from where were they bought etc ...). The *Secret Journals*' correspondence is rich in the matter. For example, Adams wrote to the Secretary for Foreign Affairs that the Netherlands, a smaller power which the American ministers were projecting to imitate for payment, "paid annually to the regency of Algiers a hundred thousand dollars" and added "I hope a less sum would serve for us; but in the present state of our finances it would be difficult to make payment."¹¹⁶ The first report the three ministers made to Congress indicated that expenses of treaties, presents and annual tribute are necessary for negotiations and informed that they "cannot proceed at all till the money necessary is actually ready at our command."¹¹⁷

Even so, it was not until early 1785 that Congress authorized the ministers to spend a sum "not exceeding eighty thousand dollars" on *all* treaties with the Barbary States, including tributes and presents.¹¹⁸ That allotted sum which, if not suggestive of the meanness of the American mind, is clearly indicative of the avidity and cupidity of the American character.¹¹⁹ The decision of Congress implies that the Americans wanted to conclude treaties for a symbolic price in total disregard for the prevailing pricing. By way of comparison, for Algiers alone at about the same time, the renewed treaty with France (1788) cost \$100,000 in annual tribute in addition to presents made

¹¹⁶ *USRDC*, 6:537, J. Adams to Livingston, July 12, 1783; also, *USDC*, 1:475, From John Adams to John Jay, March 9, 1785.

¹¹⁷ *USDC*, 1:357, First Report of the Commissioners to Congress, November 11, 1784.

¹¹⁸ *SJ*, 3:528-29, February 14, 1785.

¹¹⁹ More than two hundred years later, American meanness has persisted and animosity has exceeded tributes and presents to compliment and courtesy. Thus, commenting the respect Dey Muhammed Pasha expressed for George Washington in 1786, one of the contemporary heinous crusaders writes: "Instead, he [Lamb] received a list of additional *ransom demands* [emphasis added], which included a portrait of General Washington, whom the dey [sic] professed to admire." Oren, *Power, Faith, and Fantasy*, p. 25.

every ten years according to custom, that with Spain (1786) was said to have cost from three to five millions dollars, England was paying an annual tribute of about \$280,000, and the lesser powers were paying from \$24,000 to \$36,000 in annual tribute.¹²⁰ In 1786, one year later, the funds were not only not made available for negotiations but the commissioners also judged them to “be not sufficient” which would augment “the difficulty of making peace,” as Adams pointed out.¹²¹ More, an October 13, 1785 report from the Secretary for Foreign Affairs entitled “A proposed peace with the Algerines & the Barbary States” was referred to a Congressional committee consisting of six members on March 29, 1786. The committee’s report stated that “the sum appropriated to the purchasing peace with those States was insufficient [and] Contemptable [sic].”¹²²

On the eve of negotiation, and as funding was still lacking, Jefferson and Adams wrote a joint letter to the new Secretary for Foreign Affairs John Jay inquiring “if Congress should authorize us to go to the necessary expense.”¹²³ Jay’s answer was unequivocally negative. As a justification he argued that because of the “the reluctance of the States to pay taxes, or to comply with the economical requisitions of Congress, or to give efficacy to their Federal Government,” and because “the people or generality will never provide for the

¹²⁰ *American State Papers, Class I: Documents, Legislative and Executive, of the Congress of the United States: Foreign Relations, 1789-1828*, edited by Lowrie and Clarke (Washington, D. C.: Gales and Seaton, 1832-1861), 1:105, Report of Secretary of State Relative to Mediterranean Trade, December 30, 1790. The cost of the treaty with France could not be known. (Hereafter cited as *ASP/FA*). Available at <http://lcweb2.loc.gov/ammem/amlaw/lwdg.html>

¹²¹ *USDC*, 2:566, From John Adams to John Jay, February 16, 1786.

¹²² *LDC*, 23:256, Thomas Rodney’s Diary, May 2, 1786.

¹²³ *USDC*, 2:566, From the Commissioners to John Jay, March 28, 1786.

public expenses unless when moved thereto by constitutional coercion, ...

[which] is here out of the question;”¹²⁴ therefore, he concluded:

your Secretary is much inclined to think that a fair and accurate state of the matter should be transmitted to the States, that they should be informed that the sum of _____ will be necessary to purchase treaties from the Barbary States, and that until such time as they furnish Congress with their respective proportions of that sum, the depredations of those barbarians will, in all probability, continue and increase.¹²⁵

Jay’s answer, in fact, unveils one of those wicked stratagems of American politicians: the use of Barbary corsairs as a scapegoat to attain domestic political ends. Many politicians, particularly Jay, were indeed critical of the Confederation and wished to see a more efficient system of government established. For the purpose, they did not refrain from using the ‘scare of the Barbary pirate’ to pressurize the different avaricious states to pay their financial contribution to Congress.

In the midst of total dysfunctions and weaknesses of the Confederation, the United States approached the Barbary States as a wholesale package and not as separate political entities.¹²⁶ Total ignorance of the particularities of each state like its form of government, rulers, and institutions was a dominant characteristic among American politicians. Their knowledge about the Barbary States was limited to the word ‘piracy,’ undoubtedly because they excelled at it and know all its attributes; they used it as a common identifier and criterion

¹²⁴ *USDC*, 1:607, Report of John Jay on a Joint Letter from Messrs. Adams and Jefferson, May 29, 1786.

¹²⁵ *Ibid.*, 1:608, Report of John Jay on a Joint Letter from Mrs. Adams and Jefferson, May 29, 1786.

¹²⁶ Up to mid-1786, the policy adopted towards the Barbary States related also to Algiers because until then, the four states were dealt with as a unit without any distinctions.

according to which the draft treaties were molded. Up to 1785, confusion was such that accreditation letters of the commissioned agents had to be corrected to take into account the titles of the Barbary sovereigns.¹²⁷ But despite that, and contrary to the cunning European states, the United States attained peace treaties with the easy-going Muslims states of North Africa relatively easily, albeit later, but only after it gave those hard times. With Morocco, for example, Congress chose to ignore, or at least not to answer correspondence of various agents who were acting on behalf of its ruler. As early as 1778 the King was “willing to sign a treaty of peace and commerce” and had literally to ‘invite’ them repeatedly for making peace before they conceded to start negotiations in 1786.¹²⁸ Negotiations nonetheless were successful and Morocco became the first non-European country to sign a treaty of commerce and amity with the USA in 1787.

Of the four North African states, however, the road to a treaty with Algiers was the longest and most intricate. The reasons were numerous: the American ministers were already apprehensive about Algiers as they had already reported it as being “the most formidable of the piratical states,” therefore they anticipated that “the price of their peace” would be higher.¹²⁹ Probably that stand explains why the Americans decided to put an abrupt end to negotiations with Algiers shortly after they started. Negotiations also

¹²⁷ *USDC*, 1:502; *LDC*, 22:243, Charles Thomson to John Jay, March 3, 1785.

¹²⁸ *USRDC*, 4:170-71, From D’Audibert Caille to Jay, April 21, 1780; *DCAR*, 4:135-136, Giacomo F. Crocco to B. Franklin, July 15, 1783.

¹²⁹ *Ibid.*, 1:576, Fifth Report of the Commissioners to Congress, Addressed to John Jay, Secretary For Foreign Affairs, April 13, 1785.

dragged on for a long time before they were initiated partly because of the problem of funding and partly because of delays in arrival of the negotiating agent. Worst, to conduct that delicate mission Congress chose John Lamb, a Connecticut mule trader with no diplomatic experience.¹³⁰

Despite all, negotiations started in 1786. After an agreement over prisoners and delays of execution was reached with the Dey, Lamb left Algiers and soon after that he was recalled. Meanwhile at New York, the congressional committee that was appointed to consider the proposal of peace with Algiers was reporting; one of its members said that they “ought to send a Sufficient Sum and a person of Talents & Integrity to Negotiate a Treaty---; that Mr. Lamb the person now there is not a Sober Man but of a Loose Caractor [sic] unfit for that purpose,” and that he was “surprized Congress appointed Such a person &c.”¹³¹ Too late! Lamb had already left Algiers and negotiations were drawn. After that short contact the Americans disappeared for nine years without any official notification before renewing contacts in the mid-1790s. So, by opting for incompetence and contempt, they caused the treaty with Algiers not to be concluded until 1795.

Finally, and contrary to Algiers, Tunis and Tripoli were seen as lesser Barbary powers that were not even worth negotiating with; so, the United States did not even bother entering into negotiations with them.¹³² The

¹³⁰ Robert J. Allison, *The Crescent Obscured: The United States and the Muslim World: 1776-1815* (London/New York: Oxford University Press, 1995), p. 7; Peskin, “Lessons of Independence,” p. 304.

¹³¹ *LDC*, 23:256, Thomas Rodney’s Diary, May 2, 1786.

¹³² After a meeting with the Tripolitan ambassador in London in 1786, Adams reported to Jay: “Feeling his appearance here to be ominous like that of other irregular bodies, which, “from their horrid hair, shake pestilence and war,” I thought at first to avoid him ... It would scarcely be reconcileable [sic] to

American agents, however, without instructions of their government sought the good offices of the amicable and friendly Dey Hassan Pasha who did the preliminary job and secured them advantageous treaties. The Dey even went further; he guaranteed the treaties with Tunis and Tripoli that were signed in 1796 and 1797 respectively but also advanced the money needed for those treaties.¹³³ But before all that was accomplished for the United States, Algiers had to put up with all the drawbacks of an irresponsible Congress and contemptuous and duplicitous amateurs in diplomacy.

Upon concluding those treaties, the United States moved further in its penetration of the Mediterranean but that time it exported influence, not just goods, into the Muslim world; or as the American historian Field and authority on American relations with the Mediterranean world put it:

In the Mediterranean and Near East the export of American produce was soon followed by an export of American skills and of American missionary benevolence, commodities which over the long run would prove of greater importance than the items on conventional bills of lading.¹³⁴

Finally, economic and missionary activities brought about a naval presence which proved to be long-lasting. From its first sail in the Mediterranean in 1801 and until 1816, America's last show of muscles at the port of Algiers, Jefferson's "squadron of observation" had become involved in

the dignity of Congress to read a detail of the ceremonies which attended the conference: it would be more proper to write them to harlequin, for the amusement of the gay at the New York theatre." *USDC*, 4:489-90, From John Adams to John Jay, February 17, 1786.

¹³³ Irwin, *Diplomatic Relations*, p. 76.

¹³⁴ Field, James A., Jr. "Trade, Skills, and Sympathy: The First Century and a Half of Commerce with the Near East," *Annals of the American Academy of Political and Social Science*, vol. 401, *America and the Middle East*, (May, 1972), p. 2.

blockades, hostilities, intimidations, and terrorism. Tripoli was blockaded and bombed by American cruisers during the so called First Barbary War, 1801-1805, Tunisia was blockaded, and Algiers was intimidated and threatened. Greek vessels were also taken prize by the “American Navy in its first imperialistic attempts in the Mediterranean” simply because they were hosting the Turkish flag.¹³⁵

Conclusion

Set within a complex background of international relations, The United States diplomatic approach to North Africa definitely evolved from an early simplistic view to a more realistic one. Maneuvers for placing American Mediterranean trade under the protective umbrella of the European powers failed. From France to the Netherlands, the American commissioners could obtain but promises of good office from their sovereigns at a time they were seeking similarly favorable terms as those enjoyed under the British treaties with Algiers. Britain, reluctant to let loose of its former colonies, would not even go beyond recognizing their independence. More, mercantile interests were strictly opposed to any extension of privileges or opening of imperial markets to American trade. The interest of Britain resided in curtailing competition from a raising rival; therefore, instead of providing the requested protection against Barbary corsairs, it recurred cunningly to the use of the latter as a weapon against American trade. By inciting corsairs’ attacks against

¹³⁵ Harlaftis, “Ottoman State, Finance and Maritime Trade,” pp. 21-2.

American vessels, Britain hoped to achieve its own ends. Progressively, and starting from late 1783, intrigues of European consuls and Jews against American shipping became of feature of the political scenery at Algiers and the Deys became mere pawns that were played when they were needed.

By 1784, when negotiations were closed and treaties with the European states were signed, the Americans realized that the problem of navigation in the Mediterranean remained still unsolved. In a more realistic but chaotic move, the Congress decided finally to undertake direct negotiations with the Barbary Powers. Toward that end, it appropriated a sum of money judged by all contemporaries inadequate for concluding treaties. Anticipating difficulties and high exigencies from Algiers, the Americans set out to negotiate with pre-set ideas and fixed prejudices inspired to them by Europeans who already perceived them as potential rivals in the Mediterranean. That bad start was going to do little good for the subsequent negotiations with Algiers. Inherent aggressiveness in American foreign policy further complicated matters. The American ministers in Europe embarked on plans for attacking Algiers in concert with Christian countries if possible, unilaterally had they had the necessary funding, long before dispatching a peace negotiator to Algiers.

CHAPTER VI

Diplomacy of Aggression, 1784-1789

America has never ceased to be an enigma to itself and to others, incalculable because so untried, so little ballasted by tradition: compared with any of the European countries a figure without a shadow, a young giant, childlike, at once heroic and destructive, an innocently-trampling Siegfried.¹

Victor G. Kiernan (2005)

Introduction

From the long history of diplomatic relations between Algiers and foreign states this work has already identified four major principles that were still in force at the end of the 18th century. Those principles included: recognition of the sovereignty of Algiers, maritime control which necessitated the use of valid passports to identify friendly shipping, and redemption or exchange of captives. Finally expenses for treaties, tribute, and consular presents were negotiated, fixed, and incorporated into treaties. It is, therefore, worth noting right at the beginning that the crisis of the 1780s in Algerian-American relations related directly to those principles, or at least all excepting sovereignty.

¹ Victor Gordon Kiernan, *America, the New Imperialism: From White Settlement to World Hegemony* (London/New York: Verso, 2005), pp. 3-4.

Passports seemed not to bother the Americans as long as they could devise a substitution for that: counterfeiting. Through misconduct the Americans transgressed the principle of control of shipping with all impunity. For the two last principles, the approach was simple: as expense was involved, which was contrary to the principles of the greedy and avaricious American mind, payment for treaties and tribute as a counterpart for privileges, therefore, could not be conceived of. Even though sanctioned by the “laws or usage of nations,” to quote the famous American lawyer and later-to-be first Chief-Justice of the United States John Jay, the Americans cheating mind decided otherwise. For the treaties, they opted first for evading them by attempting to hide behind the flag of other nations, a ruse which did not work. The second alternative consisted of getting those treaties at cheap, or indeed very cheap, expenses which was also the case for redemption. As a treaty could not be negotiated, regardless of the expenses so dear to the Americans, Algiers agreed to redemption on the basis of a negotiated price with the special envoy in April 1786. The Americans, however, failed to follow suit and turned the back to their captives and disappeared.

So, according to existing laws of nations and custom, none of the above mentioned principles were respected by the Americans; instead, those resorted to a two-tier maneuver. While crying their indignation, the Americans proceeded to conspire with Christian states for a naval strike against Algiers at the condition that that also would cost cheap. That line of conduct was going to be America’s policy towards Algiers for the next three decades. In other terms,

while trampling international law and custom, the emerging Siegfried sought to use force, as soon as it could get that, to reverse the existing system of international relations.² Accordingly, disdain, deceit, greed, selfishness and aggressiveness were going to be the characteristics of America's new diplomacy towards Algiers.

1. Maritime Tensions and Diplomatic Failures in early Algerian-American Relations

1. 1. The Captives in early Algerian-American Diplomacy

In general, American ships sailing in the Atlantic and the Mediterranean, even though they lost legal bearing of British passports after 1776, carried on their trading activities as they had always done without any major incident—except for rumored news of capture or declaration of war on the United States by Algiers.³ Those rumors were probably orchestrated by the major European powers or their agents to scare the Americans out of Mediterranean trade. The Americans on their side did not relinquish trade and for that they cheated. Anticipating control at the sight of Algerian corsairs, they resorted to hosting the British flag and producing forged British Mediterranean passports,⁴ a deeply-rooted illegal activity which the Americans inherited from their colonial past and amplified after independence.

² Siegfried is a mythical figure who appears in Old Norse and German literature. He is presented as a boy who grew up without parental care and stands for strength and courage. As to his end, it is not clear whether he triumphed or was defeated. "Siegfried," *Encyclopædia Britannica*. (Accessed 4 August 2008).

³ *LDC*, 22: 230, North Carolina Delegates to Alexander Martin, March 1, 1785; *CPPJJ*, 3:171, Jay to the President of Congress, October 13, 1785.

⁴ Peskin, "Lessons of Independence," p. 197-98.

Algiers, and for other reasons, was unaware about the developments that altered British-American relations until a new British consul, Charles Logie, reached Algiers in May 1785.⁵ Whether incited by Logie or just routine control, in all events two American ships, the first not having a passport at all and the other carrying an old British pass were captured and declared legal prize in July 1785.⁶ The crews, according to custom, joined the other Christian captives at Algiers to wait for the usual procedure: redemption or other options to regain freedom.⁷ Soon afterwards, the captives informed Jefferson about their new condition as slaves of the “Dey of Algiers, King of Cruelties” and invoked “sufferings ... beyond our expressing, or your conception” in the hope that Congress “will take such measures as tend to our speedy redemption.”⁸ Capture caused the distress of captives but for Jay it was a matter for rejoice; already critical about the Confederation he considered that:

It does not strike me as a great evil. The more we are ill-treated abroad the more we shall unite and consolidate at home. Besides, as it may become a nursery for seamen, and lay the foundation for a respectable navy, it may eventually prove more beneficial than otherwise.⁹

The capture of the two ships had the effect of speeding up diplomatic moves but those would not materialize until almost one year later. Once negotiations

⁵ A Scot, Charles Logie was moved from Morocco to Algiers to occupy the post of Consul which remained vacant since the death of the previous consul Benton in 1778. Logie served as British consul at Algiers from 1785 to 1793. Barnby, *Prisoners of Algiers*, p. 34, 71; Parker, *Uncle Sam in Barbary*, p. 61. Cathcart wrote that it was “by no means incumbent on the Agents of France or Holland to give him [the Dey] information either of those differences or the result of the war.” Cathcart, *The Captives*, p. 3.

⁶ Cathcart, *The Captives*, p. 5, 17; *USDC*, 1:655, From Richard O’Byren to Thomas Jefferson, August 24, 1785.

⁷ John M. Bassett, *The Principles of American Diplomacy*, 2nd ed. (New York/London: Harper & Brothers Publishers, 1918), p. 106.

⁸ *USDC*, 1:655, From Richard O’Byren to Thomas Jefferson, August 24, 1785.

⁹ *CPPJJ*, 3:171, Jay to the President of Congress, 13th October, 1785.

started, they immediately collapsed due to the divergent views and realities that prevailed at that time.

The context in which the first diplomatic contacts between Algiers and the United States occurred was not of a nature to facilitate the progress of negotiations. Algiers was evolving in a centuries-old Mediterranean system that was shaped by constant warring between two utterly different cultures: Muslim and Christian. The historical, religious, and geopolitical constraints were formidable but relations with European countries were meticulously ballasted by treaties and traditions so as to avoid excessive tensions and therefore prevent wars. On its side, while an offspring of European culture, the United States did not grasp the subtleties which so far maintained a precarious balance of power between the two flanks of the Mediterranean. Add to that an egotistical and aggressive new diplomacy, doubled with insurmountable Confederation weaknesses which were certainly a handicap for the promotion of good relations with Algiers. All those differing elements had already laid an uneasy basis for whatsoever *rapprochement* between the two countries.

Even though Congress had resolved to negotiate a peace treaty with Algiers as early as May 1784, the implementation of the decision dragged on for a long time.¹⁰ By the time that diplomatic move was put afoot, the prospective negotiations became even more complicated because, by then, seizure of ships and enslavement of captives were involved. Half-way between a cheap treaty and seizures for which Congress did not make provisions, Lamb

¹⁰ *SJ*, 3:489, May 7, 1784.

was instructed to redeem cheap on the conditions that the prisoners would accept to pay back the money advanced by Congress.¹¹ Then without notification, Lamb dropped on a busy and aging Dey who could but allow him landing and several audiences, Muslim tolerance and generosity obliging.¹² As the Dey was in the midst of negotiations with Count d'Expilly, the Spanish envoy, he accorded Lamb audiences "to treat only for the redemption of his countrymen in captivity" but "not speak of peace."¹³ Primarily, the meetings involved price-fixing for the captives and delays of execution. From the very beginning, it appeared that the sum which Lamb was instructed to offer for the release of captives "was ridiculous,"¹⁴ which gave the impression that the Americans were trifling with the Dey. In short, against the sum of \$100-200 for each captive or "two hundred dollars apiece" as Jefferson put it¹⁵ (\$4,200 at most for all), the ransom settled at a sum of \$59,496 according to the pricing of the time (with a 10% remission offered by the Dey as a sign of good will).¹⁶

That first experience of 'Uncle Sam in Barbary' shocked the American mind and still continues to shock today.¹⁷ It shocked not because Uncle Sam found himself bargaining for the release of his enslaved citizens with the "King

¹¹ "You will take from them [prisoners] their obligations ... to indemnify the United States for the moneys which shall be paid for their redemption, subsistence, transportation to their own country, and other charges incurred." *USDC*, 1:661, From Thomas Jefferson to John Jay, October 11, 1785, Enclosure: Supplementary Instruction for Mr. Lamb; Jefferson, *Memoir*, 1:353-54, To Richard O'Bryen, November 4, 1785.

¹² According to American reports, he was more than 80 years old. See *USDC*, 1:745, From William Carmichael to Messrs. John Adams and Thomas Jefferson, Madrid, February 3, 1786.

¹³ Cathcart, *The Captives*, p. 37; *USDC*, 3:81, From John Lamb to Thomas Jefferson, May 20, 1786.

¹⁴ Parker, *Uncle Sam in Barbary*, p. 64.

¹⁵ *USDC*, 2:14, From Thomas Jefferson to John Jay, December 31, 1786.

¹⁶ The bargain is more sinuous than it is summarized here. American state papers and historians discuss details to a point nearing obsession. For individuals' pricing as set at the term of audiences see *USDC*, 3:81-85; Cathcart, *The Captives*, pp. 32-42.

¹⁷ This expression, originally part of a book title, is borrowed from Parker, *Uncle Sam in Barbary*.

of Cruelties” at a Barbary court but because the Americans considered the price exorbitant. Indeed, fixing prices and bargaining for human beings was common practice in the United States itself; the only difference is that it was practiced on a much larger scale and involved human beings with other than the white skin.¹⁸ Indeed, what was shocking for Americans was the “soaring avarice of the Dey” and the “enormous ransom he demanded for twenty-one prisoners.”¹⁹ Condemnation reached a peak when to the total sum was added an 11% tax “according to custom.”²⁰

But according to Cathcart and the other captives, although Lamb considered the price exorbitant he agreed to pay it but he also specified that “as the United States were at a great distance, that he could not promise to return with the cash in less than four months from his departure from Algiers.”²¹ To confirm the agreement with the American envoy, the Dey summoned Lamb before his departure and asked him whether he was “perfectly contented with the agreement he had made.”²² Lamb answered that he would have been better content had the terms been more favorable, but that he had “ratified the agreement.”²³ Lamb held a last meeting with Sidi Hassan, the *Wakil Khardj* or

¹⁸ At the first population census of the USA in 1790 the number of the slave population was 757,000 while at Algiers there were about 1,500 slaves from the different nations, in addition to 21 Americans, as reported by Lamb in 1786 (the ratio is approximately 500 to 1). That number, however, kept gradually decreasing. The last group comprising 500 Christian captives was forcibly released in 1816 after the bombardment of Algiers by the British. For the number of Christian captives at Algiers in 1786 see *USDC*, 3:88, From John Lamb to Thomas Jefferson, May 20, 1786.

¹⁹ Irwin, *Diplomatic Relations*, p. 38. Cathcart, however, estimated that that sum could have been easily raised: “One cargo of tobacco sold in England, ... would have paid our ransom.” Cathcart, *The Captives*, p. 42.

²⁰ *Ibid.*; *USDC*, 3:84, From John Lamb to Thomas Jefferson, May 20, 1786.

²¹ *USDC*, 2:749, From the American Captives to John Adams, February 13, 1787.

²² Cathcart, *The Captives*, pp. 38-9.

²³ *Ibid.*

supreme admiral of the Algerian navy. The latter explained to him that the circumstances were not appropriate for negotiating a peace treaty because the Dey was engaged in negotiations with the Spanish envoy. He nevertheless assured him that the price would be lowered after which Lamb left Algiers with a commitment to return before long to complete the procedure of redemption.²⁴

From Madrid, Lamb wrote a detailed report to the commissioners at Paris and London but he omitted to mention the time pledge he made to the Dey and which was news with all American prisoners.²⁵ For the rest, the report abounded with espionage data gathered on the spot as requested by Jefferson.²⁶ On the basis of Lamb's report, Jefferson wrote William Carmichael, the American Minister to Spain, instructing him to inform Lamb that "the demands of Algiers are so infinitely beyond our instructions, that we must refer the matter back to Congress," and, therefore, to pray him "to come on immediately." Jefferson decided to suspend negotiations till the commissioners "receive further orders" from Congress;²⁷ and Congress answered by an act recalling Lamb and negotiations stalemated.²⁸ The United States was then transiting to a new system of government; as a result, the polemic over a new constitution diverted attention from captives and negotiations but not completely. Immediately, Algiers was transformed to fodder for a gigantic propaganda machine.

²⁴ Cathcart, *The Captives*, pp. 38-9.

²⁵ *Ibid.*

²⁶ *USDC*, 1:660, From Thomas Jefferson to John Jay, October 11, 1785, Enclosure: Heads of Inquiry; also Appendix 4.

²⁷ *Ibid.*, 3:74, From Thomas Jefferson to William Carmichael, June 20, 1786.

²⁸ *Ibid.*, 3:113, From John Jay to Thomas Jefferson, October 12, 1786.

1. 2. Aspects of Contempt and Duplicity in American Diplomacy

A close look at the very particular circumstances which surrounded the first American diplomatic mission to Algiers reveal a number of elements which undoubtedly were the direct cause that brought about the failure of negotiations but also were responsible for much of the distrust and suspicions that ensued. First, the special envoy Lamb was chosen not because of his competence but because of his acquaintances. He was poorly educated and spoke only one language, English, which in itself was a serious handicap for an envoy to a foreign country which official languages were Turkish and Arabic and in which Italian and “Lingua Franca” were widely in use.²⁹ According to Jefferson, the only qualification retained for his appointment was that because “he has followed for many years the Barbary trade, and seems intimately acquainted with those States.”³⁰ Lamb’s acquaintance, however, seemed to be more with the mules of Barbary than with men who governed those states as reflected in his muling “grasp of spelling and punctuation, even in an age when there was little standardization in these matters.”³¹ The mule trade was then a prosperous activity for Americans who exported them from Morocco to the Americas.³² Very early, Jefferson thought Lamb’s “manners and appearance not promising” but concluded to his possessing “some talents which may be

²⁹ “Lingua Franca” is an informal jargon composed of a mixture of Turkish, Italian, and Spanish languages. *USDC*, 3:88, From John Lamb to Thomas Jefferson, May 20, 1786. For further information see Alan D. Corré, “A Glossary of Lingua Franca,” 5th edition, 2005. (Accessed 28 July 2008). <http://www.uwm.edu/~corre/franca/go.html>

³⁰ Thomas Jefferson, *The Writings of Thomas Jefferson: Being his Autobiography, Correspondence, Reports, Messages, Addresses, and other Writings*, edited by H. A. Washington, 9 vol. (New York: H. W. Derby, 1861), 1:438, To John Adams, September 24, 1785. (Hereafter cited as *WTJ1*).

³¹ Peskin, “Lessons of Independence,” p. 305.

³² *USDC*, 2:703, From Thomas Barclay to Messrs. Adams and Jefferson, November 10, 1786.

proper in a matter of bargain.”³³ However, as time passed and information accumulated about his passing here and there borrowing money and leaving unpaid bills behind him, the American ministers grew increasingly uneasy about him.³⁴ They sent reports to Congress notifying about delays in his arrival and intentions of replacing him as negotiator, especially after the captures of July 1785 when negotiations became more pressing. They even doubted his competence and could not understand how Congress recommended him:

This gentleman’s motions are slow; what can have detained him so long I know not; I can say nothing of his character or conduct. Mr. Jefferson understood him to be recommended by Congress; and he was certainly the bearer of their orders Since the appointment, I heard such opinions and reports of him as have astonished me.³⁵

His incompetence was revealed shortly afterwards when redemption of American captives reached a deadlock. While O’Brien, a witness to that fiasco, wished “never to see Captain Lamb in Barbary again except to buy horses and mules,”³⁶ Cathcart noted that he “was extremely illiterate and as vulgar as can well be imagined, which did not create the most favourable opinion of the government which he said had sent him.”³⁷ The ministers acknowledged Lamb’s incompetence and the debacle he was causing but they preferred to put the blame on Algiers and take another course of action. Jefferson suggested replacing him to “shut the mouths of those who might impute our failure at

³³ Jefferson, *Memoir*, p. 350.

³⁴ One’s experience has shown that throughout the three-year period during which Lamb was a point of focus in this work, time was lost just for locating him as it was indeed the case for all those of his time. At the end, it turned out that he made only one consistent report about Algiers before disappearing again.

³⁵ *USDC*, 2:566, From John Adams to John Jay, February 16, 1786.

³⁶ As cited in Oren, *Power, Faith, and Fantasy*, p. 25.

³⁷ Cathcart, *The Captives*, p. 41.

Algiers to an injudicious [appointment]” but Adams disagreed on the ground that he “cannot see any advantage in it, but, on the contrary, several disadvantages.”³⁸ To Jay he justified his position on the ground that it “would cost us three or four thousand pounds to send any one.”³⁹ Ultimately, the Americans decided to stop negotiations and Jefferson carried on with a plan he started working on earlier for a joint Christian attack or blockade against Algiers. On the other side of the Atlantic, however, the delegates to Congress imputed failure to “the unskfulness [sic] of the Negotiator, the poverty of the United States, and the Very unfriendly opposition given by the British there” than to any faulty conduct on the part of Algiers.⁴⁰

The commissioners on their side, after they had authorized Lamb some room for maneuver in negotiations, did not approve of the agreement he had made at Algiers but they did not judge it important to inform the Dey. About the Dey-Lamb agreement, or what Jefferson called “positive stipulation,” the latter wrote in 1792 to John Paul Jones, a new commissioned envoy to Algiers: “we disavow it totally, as far beyond his [Lamb’s] power,” but he added: “We have never disavowed it formally, because it has never come to our knowledge with any degree of certainty.”⁴¹ A letter from the American captives written early in 1787, however, clearly contradicts Jefferson’s assertion. Indeed, the captives informed the ministers about the proceedings, price set for their

³⁸ *WJA*, 8:413, T. Jefferson to John Adams, 27 August, 1786 and *ibid*, 8:415, To T. Jefferson, 11 September, 1786 respectively.

³⁹ *Ibid.*, 8:417, To Secretary Jay, 27 October, 1786.

⁴⁰ *LDC*, 24:240, North Carolina Delegates to Richard Caswell, April 18, 1787.

⁴¹ *SPPD*, 10:262, Thomas Jefferson to Admiral John Paul Jones, 1 June 1792.

redemption, and promise of Lamb to “return in four months” with the redemption money. More, they pointed it out clearly: “We hope Mr. Lamb has not told us one story, and wrote the Ministers another; ... he has misrepresented his proceedings in Algiers to you.”⁴² They even went beyond that and expressed fears for the “good and honor” of the USA if the Americans fail to respect their engagements:

Sir, we would not wish to be understood that we write so urgent on Mr. Lamb’s contracts with the Dey to facilitate our redemption; but it is to give you a true representation of Mr. Lamb’s proceedings, for the good and honor of our country, as we are fearful that if another American Ambassador came here it would be a very great detriment to his proceedings, and should not be much surprised if the Dey told him that he had made one bargain already with the Americans which they did not keep or fulfill.⁴³

Actually, Jefferson knew about the details of the agreement but he opted for ignoring the Dey by not disavowing that “positive stipulation” formally. Such a disdainful and opportunistic conduct was dictated by sheer cupidity and selfishness because he had already judged the price to be expensive long before receiving Lamb’s report.⁴⁴ As he was also busy preparing an alliance for attacking Algiers, he certainly did not judge the Dey worth an answer.

Worse, Congress failed to follow up with the talks it had itself initiated and also did not judge a letter dated February 25, 1787 from “Sidji Assan Nickillange of the Marine of Algiers to Congress,” worth answering.⁴⁵ The

⁴² *USDC*, 2:748-50, From the American Captives to John Adams: Extract from our Journals in Algiers, February 13, 1787.

⁴³ *Ibid.*, 2:749.

⁴⁴ *WTJI*, 1:569, To John Adams, May 11, 1786.

⁴⁵ *EN*, 3:435, Sidi Hassan to Congress, February 25, 1787. This letter was not published in American state papers series until 1996.

latter informed Congress that “Lamb has been here at Algiers, and having treated and spoken on certain points respecting peace and captives, went away and has not returned.”⁴⁶ That Algerian official was no more than Sidi Hassan, the Wakil Khardj, or minister of the marine.⁴⁷ In hierarchy, he was the second important official in the state after the Dey. At the death of Dey Muhammed Pasha in 1791, he was elected to succeed him to the Deyship. The consequences of such a conduct emanating from the American government and its leading diplomats abroad towards the rulers of Algiers were damaging to the credibility of the USA and the consequences could not be better observed than by the captives who were left at Algiers:

that he [Lamb] made the agreement and that the government of the United States never ratified it, the consequences of which was no confidence was placed in anything that was said in our behalf ... are facts as incontrovertible as they are lamentable.⁴⁸

In general, such an inconsiderate behavior left a negative imprint on Algerian perceptions of the United States; and all Americans at Algiers felt it. For the prisoners it was “better to say no, than to make promises that he was not empowered to do; not to deceive the Dey and dishonor his country.”⁴⁹ In a separate letter, O’Brien even warned: “in any future negotiations the Dey would maintain that the Americans had made a bargain and not fulfilled it.”⁵⁰ Needless to say that deceitfulness was not of the kind of conduct that could

⁴⁶ *EN*, 3:435. For the full text of the letter see Appendix 7.

⁴⁷ In American state papers series, no less than five different spellings are used for Wakil Khardj (وکیل): Vikilharche, Mickelhadge, Micklassha, Vikilhadge, and Nickillange.

⁴⁸ Cathcart, *The Captives*, pp. 40-1.

⁴⁹ *USDC*, 2:750, From the American Captives to John Adams: Extract from our Journals in Algiers, February 13, 1787.

⁵⁰ *PTJ*, 11:322, From Richard O’Bryen, 28 April 1787.

leave favorable impressions at Algiers about the Americans. The Algerian officials believed that the Americans lacked sincerity; therefore, they were not trustworthy. That attitude was slightly perceptible in 1786 but nine years later it was plainly expressed by the new Dey Hassan Pasha to the American envoys who decided to reappear at Algiers. When an Algerian Muslim culture and diplomacy that were sincere, straightforward, and respectful of its engagements and traditions met with an American culture and diplomacy that were opportunistic, dubious, adventurous, and devoid from the least form of diplomatic tradition—like the respect due to a head of a state—forcibly that could but lead to tensions.

1. 3. The ‘Algerine Scare’

Although privateers—not to say pirates—and slaveholders per excellence,⁵¹ the capture of the American ships hypocritically shocked the American mind and caused an anti-Algerian campaign in the United States; the rupture of negotiations worsened it. For the next four years, the United States plunged into internal chaos: inefficacy of Government, bad credit, “a spirit of licentiousness, a reluctance to taxes, an impatience of government, a rage for property... together with a desire of equality in all things” among unsatisfied Americans infected the country.⁵² “In short,” as Jay summarized it, the United States was “in a very unpleasant situation. Changes are necessary”; and

⁵¹ For the paradox of continuing slavery at an age of revolutionary ideals see Gary B. Nash, *The Forgotten Fifth: African Americans in the Age of Revolution* (Cambridge, MA: Harvard University Press, 2006).

⁵² *USDC*, 3:114, From John Jay to Thomas Jefferson, October 27, 1786.

according to him, only “the wisdom or passions of the people may produce changes.”⁵³ The aristocratic federalists opted for playing on the second alternative—passions—to avert those who wanted “equality in all things.” For the purpose, no better argument could be more forceful than the Algerine scare: “the Algerines exclude us from the Mediterranean and adjacent countries; and we are neither able to purchase nor to command the free use of those seas,” bragged Jay.⁵⁴ Likewise, Jefferson lamented: “Before the war, these States depended on their whale oil and fish... now the Algerines exclude them from bringing their fish into the Mediterranean.”⁵⁵ Subsequently, unscrupulous politicians and propagandists skillfully used the issue of captives and the so-called Algerine piracy as an argument in the campaign for the ratification of a new constitution. What American writers call the ‘Algerian crisis’ or America’s most alarming foreign policy emergency⁵⁶ was no more than the victimization of Algiers as a result of embellished rumors and politician machinations to attain political ends.

From 1785 to 1789, an ‘Algerine scare’ spread throughout the thirteen states to reach the point of hysteria. During the summer of 1785, for example, erroneous rumors spread throughout the country that Benjamin Franklin, on his way back to the USA, was captured by Algerine pirates and that he bore his “slavery to admiration.”⁵⁷ That rumor produced a frenzied correspondence in

⁵³ *USDC*, 3:115, From John Jay to Thomas Jefferson, October 27, 1786.

⁵⁴ *CPPJJ*, 3:300, An Address to the People of the State of New York, 17 September 1787.

⁵⁵ Jefferson, *Memoir*, 2:71, To Mr. Carmichael, December 26, 1786.

⁵⁶ Peskin, “Lessons of Independence,” p. 298.

⁵⁷ *WTJI*, 1:449, To Dr. Franklin, October 5, 1785.

the states warning against travel to and from Europe. Even Jefferson got the virus and wrote home insisting that his daughter must be sent to Europe in a French or English vessel!⁵⁸

Even more hysterical were the news that the Algerines were on their way to invade the United States. The alarm was triggered by the visit of three strangers, probably from North African origins, who landed at Norfolk, Virginia in November 1785.⁵⁹ Soon, they were jailed, interrogated, and then deported on mere speculation from the Governor of Virginia, Patrick Henry, that they were spies sent by the Dey of Algiers.⁶⁰ James Madison (1751-1836), prominent member of the Virginia legislature, was critical of the measures adopted by the Governor against the strangers. Because they “have no apparent object,” he wrote Jefferson, “they were suspected of an unfriendly one.”⁶¹ More, Governor Henry seized the occasion and passed legislation which empowered him to “confine or send away suspicious aliens.”⁶² In Virginia, the incident fortified Henry’s detractors and culminated in the passage of The Statute of Virginia for Religious Freedom (1786).⁶³ That statute was originally

⁵⁸ Peskin, “Lessons of Independence,” pp. 298-99.

⁵⁹ Robert J. Allison, “The United States and the Specter of Islam,” *Council on Middle East Studies*, 3: 1 (2005), pp. 1-2; Allison, *The Crescent Obscured*, pp. 1-7, Peskin, “Lessons of Independence,” p. 300.

⁶⁰ The three strangers (2 men and a woman) embarked from England. They spoke only French, carried papers written in Hebrew (?) and were interrogated by one Dr Foushee who could only speak and read English! So, historians are not even sure that papers were in Hebrew; but the assumption today is that they were Moroccan Jews. For details see *ibid*.

⁶¹ James Madison, *The Writings of James Madison Comprising his Public Papers and his Private Correspondence, including Numerous Letters and Documents*, edited by Gaillard Hunt, 9 vol. (New York/London: G. P. Putnam’s Sons, 1908), 2:217, To Thomas Jefferson, Jan. 22d, 1786. (Hereafter cited as *WJM*).

⁶² *Ibid*.

⁶³ The Statute of Virginia for Religious Freedom is one of three achievements, in addition to the Declaration of Independence and University of Virginia, Jefferson suggested inscribing on his tombstone. Thomas Jefferson, *The Writings of Thomas Jefferson Containing his Autobiography, Notes on Virginia, Parliamentary Manual, Official Papers, Messages and Addresses, and other Writings*,

drafted in 1779 by Thomas Jefferson but since, it had been rejected by the Virginia legislature on many occasions. But the irony of history had made it in such a way that the ‘despicable’ and ‘tyrannical’ Dey of Algiers would contribute, even though indirectly, to its adoption and subsequently, to the establishment of religious freedom in the United States because that Virginia statute was at the origin of the first article of the American constitution of 1787.

Elsewhere in the United States, the rumor spread and took wider proportions. Newspapers depicted the three strangers as ‘advance scouts’ of a dangerous enemy; subsequently, panic took hold of the whole country as they were reported to have been spotted in different states and even aggressing inhabitants.⁶⁴ So deep was the concern that a Virginia member of the Legislature wrote Jefferson: “the inhabitants of these states are greatly alarmed at the hostility of the Algerines.”⁶⁵ A Frenchman warned that even if the Algerians would not threaten the American coast “some ill-designed Brittons, Irish, Jersey, or Guernsey men, under the cloak of a Barbarian, with an Algerine commission,” might do it.⁶⁶ He even suggested that he be sent to France to buy a frigate to defend Virginia from the imminent Algerian attack! More, in 1786, newspapers reports spread sensational news about no less than nine more captures of American ships which caused the French Chargé

Official and Private, edited by Andrew A. Lipscomb and others, 20 Vol. (Washington, D. C.: The Thomas Jefferson Memorial Association, 1894, 1903), 1:xii. (Hereafter cited as *WTJ2*).

⁶⁴ At Charleston, SC, it was reported that one of the two men “draw a dirk” and attempted to stab a Charlestonian who questioned him. For newspapers’ reports see Peskin, “Lessons of Independence,” p. 300.

⁶⁵ *PTJ*, 9:75-6, From John Bannister, December 2, 1785.

⁶⁶ As cited in Allison, *The Crescent Obscured*, p. 4.

d’Affaires Guillaume Otto to write to Jefferson saying: “the hostilities of the Barbarian corsairs have made a great sensation in America.”⁶⁷

That ‘algiersmania’ reached a climax at the height of the Constitutional Convention in 1787 with the publication of an anonymously written book *The Algerine Spy in Pennsylvania*, a work which forecasted the collapse of the USA if the different states would not unite under the new constitution.⁶⁸ The book consists of a series of letters—24 letters—supposedly written by an Algerian spy, ‘Mehemet,’ to his friend Solyman, an official of the Divan at Algiers.⁶⁹ In his letters, he allegedly proposed a plan for infiltrating the Shaysist rebels and suggested proposing protection to Rhode Island against the other states by sending an army of 100,000 *janizaries*.⁷⁰ In that way, he argued, the latter would be to Muslims what Malta was to Christians, i.e.: a Muslims’ spearhead in Christian lands and source of constant next-door Muslim attacks against Christian America. The book was highly influential and circulated mainly among the delegates to the Constitutional Convention. Ultimately, it helped lean the balance for those who were in favor of federalism.⁷¹ Although the style and arguments used are typical of the literature of the federalists, contemporary

⁶⁷ As quoted in Peskin, “Lessons of Independence,” p. 298.

⁶⁸ Later, the book was attributed to American poet and playwright Peter Markoe (1752–1792); a new edition was published recently (June 2008). The edition used for this work is that of 1787. Peter Markoe, *The Algerine Spy in Pennsylvania: or Letters Written by a Native of Algiers on the Affairs of the United States of America, from the Close of the Year 1783 to the Meeting of the Convention*, 3rd edition (Philadelphia, PA: Prichard & Hall, 1787). For a literary analysis of the work see Lotfi Ben Rejeb, “Observing the Birth of a Nation: The Oriental Spy/Observer Genre and Nation Making in Early American Literature.” *Council on Middle East Studies*, 5: 9 (2007), pp. 256-273.

⁶⁹ According to the publisher, the letters were originally written in Arabic, translated anonymously, and deposited in a bundle at his doorstep. Markoe, *The Algerine Spy*, p. ix.

⁷⁰ Markoe, *The Algerine Spy*, pp. 103-105. Shays Rebellion (1786-87), was a protest movement that was principally directed against the aristocratic ruling class in Massachusetts; and Rhode Island refused to send delegates to the Constitutional Convention, therefore both were seen as threats to the future constitution.

⁷¹ The book went through three editions for the single year 1787.

studies attributed the *Algerine Spy* to the anti-federalists who supposedly “were furious” at the federalists and “tried to counteract them by printing Federalist-style propaganda so exaggerated as to be ludicrous.”⁷²

Whoever was behind those politician manipulations, the result was indisputably damaging to the image of Algiers—rulers and corsairs alike. Starting from the mid-1780s, the image of Algiers among American public opinion could not sink lower: it reached a mucky button. Threats of invasion, cruelties of the Algerine pirates, and sufferings of innocent Americans enslaved at Algiers all mingled with the drum rolls of astute manipulating politicians and propagandists who systematically spread misleading and distorted information about Algiers. That anti-Algiers campaign had the effect of uniting the Americans to face a purported impending danger, fostered cohesion at home, and offered the USA a new constitution⁷³—as it would offer it a new navy during the 1790s. Bailey could not ignore the impact of that anti-Algiers propaganda on the adoption of the Constitution: “in an indirect sense,” he wrote, “the brutal Dey of Algiers was a Founding Father of the Constitution.”⁷⁴ The Algerine scapegoat functioned well and beyond all hopes; never again would Algiers be seen differently.

⁷² Frederick W. Marks, “Foreign Affairs: A Winning Issue in the Campaign for Ratification of the United States Constitution,” *Political Science Quarterly*, 86: 3 (Sep., 1971), pp. 458-59.

⁷³ For the ‘algiersmania’ that swept the United States between 1785-1790 and its role in shaping early American identity, see Peskin, “Lessons of Independence,” pp. 297-319; see also, Ben Rejeb, “Observing the Birth of a Nation,” pp. 253-281.

⁷⁴ Bailey, *A Diplomatic History*, p. 65.

2. Anti-Algerian Attitudes in early American Diplomacy

Early in the 19th century, the French political philosopher Alexis de Tocqueville (1805-1859) examined the functioning of the administrative and political institutions in the United States. When noting their influence on the habits and manners of the American people, he criticized certain aspects of American democracy:

All free nations are vainglorious, but national pride is not displayed by all in the same manner. The Americans in their intercourse with strangers appear impatient of the smallest censure and insatiable of praise. The most slender eulogium is acceptable to them, the most exalted seldom contents them; they unceasingly harass you to extort praise, and if you resist their entreaties they fall to praising themselves. It would seem as if, doubting their own merit, they wished to have it constantly exhibited before their eyes. Their vanity is not only greedy, but restless and jealous; it will grant nothing, while it demands everything, but is ready to beg and to quarrel at the same time.⁷⁵

No other words could paint so brilliantly the American concept of ‘new diplomacy’ at practice. What Tocqueville observed in the early 1830s had already been in the making during the last quarter of the 18th century. Within less than a decade from the declaration of independence, the American early sniveling and greedy diplomacy grew some teeth and turned quarrelsome before cloaking itself in plain aggression. From Lamb’s petty huckstering at Algiers to Adams and Jefferson’s aggressive stands, American diplomacy made a giant jump from cunning begging to a shrewdly knitted plan for a naval attack on Algiers.

⁷⁵ Alexis de Tocqueville, *Democracy in America*, Translated by Henry Reeve, vol. 2, 4th ed. (New York/Boston: C. C. Little & J. Brown, 1841), p. 238.

2. 1. An Aggressive Yankee in a Barbary Court

It is true the Turkish rulers of Algiers were haughty with foreign envoys, cruel among themselves and with the non-Turkish native population particularly but they were correct and courteous in their relations with the Christian countries and their diplomatic agents. They were also as good and thrifty accountants as the westerners themselves were, a fact which was often misinterpreted as avariciousness by western writers, and in this particular context the American ones.⁷⁶ Dey Muhammed Pasha, for example, after twenty years of rule had accumulated a long diplomatic experience and good relations with Europe that towards the end of his life the Algerian navy was on the verge of extinction because of idleness. His long peaceful rule culminated in the conclusion of peace treaties with almost all Christian nations—except for catholic Portugal, some of the Italian city States, and of course Malta, who were the traditional enemies of Algiers.⁷⁷ His diplomatic conduct was indicative of an inclination towards the recognition and conclusion of a peace treaty with the United States.⁷⁸ But when an ill-mannered and aggressive

⁷⁶ Richard Parker, in his portrait of Dey Muhammed Ben Uthman found no ‘vice’ to reproach to him except his “too much economizing. He never lets any means of increasing the state treasury escape him, and he can never decide, even in the most important occasions, to let out money he has put in.” For the full portrait see Parker, *Uncle Sam in Barbary*, pp. 24-29.

⁷⁷ Lamb wrote: “They are at war with all nations, except France, England, Denmark, Holland, Spain, Sweden, Venice, and the Emperor of Germany.” Note that from *all nations* one must deduct the eastern half of Europe because it was part of the Ottoman Empire. This leaves us with an insignificant number of small polities as indicated above. For quote see Lamb’s report in, *USDC*, 3:88.

⁷⁸ When informed about George Washington by the American emissaries, the Dey expressed admiration for his exploits; but said as he “never expected to see him, he hoped that Congress would do him the favor to send him a full-length portrait, that he might hang it up in his palace.” Schuyler, *American Diplomacy*, p. 206; for nasty comments see on the Dey’s statement see Ralph W. Page, *Dramatic Moments in American Diplomacy* (Garden City/New York: Doubleday, Page & Company, 1918), pp. 106-7 and Oren, *Power, Faith, and Fantasy*, p. 25.

American turned up at his court he could but appeal to his wisdom and generosity as a Muslim but the statesman remained unshakeable.

With Lamb at the vicinity of the Dey, either the habit of the mule trader took the upper hand over the diplomatic envoy or he considered that the Dey and his Divan were not worth much respect. Completely lacking courtesy and good manners, Lamb stepped at El-Djenina the way he probably did to mule markets.⁷⁹ His aggressive discussions were short of huckstering and were a source of annoyance for the Dey who, according to Cathcart, “was displeased with his supposing him to be capable of huckstering like a Jew.”⁸⁰ Harassed, the Dey explained clearly that he would not defraud the treasury of the state “one dollar in my demand,” but on his personal expense he would remit 10 per cent of the price asked for the redemption of captives. All the more he added: “if you are not satisfied I desire you will not trouble me any more on the subject. I told you already that we have plenty of bread and olives to give them [the captives].”⁸¹

That Yankee’s boastful character exceeded the Dey to the Spanish envoy Count d’Expilly and took the form of accusations and direct threats. The Dey and d’Expilly were already engaged in difficult negotiations when Lamb dropped in without prior notice.⁸² Although the Spanish envoy intervened in his

⁷⁹ Lamb remained in the mule-trading business as late as 1795. Irwin, *Diplomatic Relations*, p. 83.

⁸⁰ Cathcart, *The Captives*, p. 38.

⁸¹ *Ibid.*; also *USDC*, 5:248, From the American Captives to John Adams, February 13, 1787.

⁸² It should be noted here that after almost three centuries of constant warfare Algiers and Spain moved finally to make peace. The one-year truce which was concluded in March 1785 had already expired and both sides were working for its renewal before hostilities broke again. Unfortunately, Lamb’s mission fell at that critical period and he was impatient. For Algerian-Spanish negotiations of 1785-1788 see Grammont, *Histoire d’Alger*, pp. 333-37.

favor to permit him landing and audiences with the Dey, Lamb was not satisfied. At a time the Dey reasonably conceded to allow talks over captives only, Lamb accused d'Expilly of not cooperating and became entangled in a dispute with him. As reported by Lamb, the Spanish envoy refused to help him because he "cares very little about our peace in that quarter" and complained that the Count did not comply with the instructions of his government and kept him "in the dark as much as he could on all accounts."⁸³ One year later he kept accusing him of baffling his efforts and for being "turned out of Algiers for the most atrocious crimes."⁸⁴

Count d'Expilly, however, wrote the American minister at Madrid assuring him that he had not trifled with Lamb and that he had simply explained to him that his "unseasonable arrival" was to no avail because the "Dey had some days before declared publicly that he would treat with no power about peace that had not previously made it with the Sublime Porte."⁸⁵ The captives and historians, on their side, attribute to Lamb threats that if Spain would not help him settle negotiations with Algiers satisfactorily, the United States would seize Spanish territory in America.⁸⁶ O'Brien wrote a long letter on June 8, 1786 to Jefferson, which was also signed by other captives; the letter was devastating for Lamb.⁸⁷

⁸³ *USDC*, 3:83, 86, From John Lamb to Thomas Jefferson, May 20, 1786.

⁸⁴ *Ibid.*, 3:258, From John Lamb to Thomas Jefferson, May 20, 1787.

⁸⁵ *Ibid.*, 6:306, From William Carmichael to Messrs. Adams and Jefferson, May 19, 1786, enclosure: From Count d'Espilly to Mr. Carmichael.

⁸⁶ *EN*, 3:197, Richard O'Bryen, Zaccheus Coffin and Isaac Stephens to Thomas Jefferson, June 8, 1786; also Irwin, *Diplomatic Relations*, p. 39; Parker, *Uncle Sam in Barbary*, pp. 49, 63-65.

⁸⁷ *EN*, 3:192-7, Richard O'Bryen, Zaccheus Coffin and Isaac Stephens to Thomas Jefferson, June 8, 1786. Also this letter was not reproduced in American state papers series until 1996.

His unguarded expressions, his hints, threats, etc. despising the French and Spanish, signifying their defeat and in fact everything he could possibly utter in the most vulgar language that it was with pain we see him so unworthy of his commission and the cloth he wore.⁸⁸

What was at stake then at Algiers was more than the Dey and his Divan could have possibly imagined. Their position was obsolete and one-dimensional: militarily, they strove to maintain strong fortifications of the city to avert attacks and pursued corsairing as a defensive measure; diplomatically, they persevered in maintaining the same line of diplomatic conduct—based on the above mentioned principles—at a time the world was rapidly changing around them. But they did not realize that their defenses were weak and the navy was vanishing compared to that of the western world.⁸⁹ They were also far from realizing that a player entered on the international stage with new concepts and views totally different from their own.

For Europeans and Americans particularly, the situation was more complex and completely different. During that short period of negotiations, Algiers was transformed, on the one hand, to a cluster of intrigues knitted by the major players particularly Great Britain, France, and Spain against the United States—and against each others—in which the Dey was played as a simple pawn; and on the other, to an espionage ground for the American envoy who already had as instructions a certain number of intelligence questions to answer. Those stressed matters relating to fortifications, arsenals, port defenses,

⁸⁸ *EN*, 3:197.

⁸⁹ For a broad view about Algiers's military and naval capacities during the 1780s see *SPPD*, 10:46-47, 49-50, 52-53, Report of Secretary of State Relative to Mediterranean Trade, Dec. 28, 1790.

coastal forts, size of the navy and land forces, commerce, revenues, and languages.⁹⁰

Lamb failed as diplomatic negotiator but he proved to be a good spy. By furnishing the American ministers with the requested information and estimations for a strike force, he contributed valuable data to an on-going plan which consisted of using force against Algiers.⁹¹ More, in terms of long-term strategic counseling and management accounting, he proved to be more farsighted accountant than Jefferson and Adams. Lamb came to the conclusion that attacking Algiers would cost a lot more money than negotiating a peace treaty, therefore he recommended making peace:

To fight these people, the first year will cost us more than half a million pounds sterling. I have a perfect knowledge of the cost of armed vessels; and at the distance we are from these people, and foreign ports to make use of, it will be a heavy tax upon us, and without the least prospect of gain... it is my opinion, that for a less sum we can make peace.⁹²

But he also saw that, in the case the United States would decide to use force, a coalition with the countries that were at war with Algiers was necessary to reduce costs. The only problem with his last option, however, is that there were not many countries that were at war with Algiers. Lamb advised the ministers:

My advice is, if we should arm against these people, to unite ourselves with those nations that are not at peace with Algiers; and that will lessen our expense much on the occasion.⁹³

⁹⁰ *USDC*, 1:660, From Thomas Jefferson to John Jay, October 11, 1785. For the full list of inquiries see Appendix 4.

⁹¹ For intelligence data see *USDC*, 3:83, 86-88, From John Lamb to Thomas Jefferson, May 20, 1786. For a strike force, he estimated that "five thirty-six gun frigates will be the least force and two large tenders," see *USDC*, 3:33, From John Lamb to Thomas Jefferson, March 29, 1786.

⁹² *USDC*, 3:85.

⁹³ *Ibid.*, 3:86.

Lamb's first option was not heeled by Jefferson and Adams; as for the second, the ministers held different views. By the end, when George Washington leaned the balance for a peace treaty a decade after, the cost involved was going to be much higher than the initial cost of 1786 which was then considered as exorbitant; but reasonably Jefferson and Adams could not foresee that. Nonetheless, either because of worries about Confederation finances or because the Americans had other running plans, the process of that first diplomatic contact was amateurish and the results were disappointing. Former ambassador Parker considers that "the fatal flaw in the American approach at this point was an unwillingness as well as an inability to pay what was needed."⁹⁴ Washington himself, even though he had retired from public life to Mount Vernon at the end of the war, could but see the mess of Confederation diplomacy and foresee its outcome. While Lamb was still at Algiers, he wrote Confederation delegate Henry Lee:

my opinion is, that there is more wickedness than ignorance in the conduct of the States, or, in other words, in the conduct of those who have too much influence in the government... I was more certain of the aggregate of our [ills], than I am now of the remedy, which will be applied. Without the latter, I do not see upon what ground your agent at the court of Morocco, and the other at Algiers, are to treat, unless, having to do with new hands, they mean to touch the old strings, and make them dance awhile to the tune of promises.⁹⁵

2. 2. A Predilection for Enmity

When the British historian H. G. Barnby writes that "the proverb says that it takes two to make a quarrel, but history frequently makes nonsense of

⁹⁴ Parker, *Uncle Sam in Barbary*, p. 64

⁹⁵ *WGW*, 11:28, fn 2, Washington to Henry Lee, 5 April, 1786.

proverbs,” one may but agree with his writing.⁹⁶ But when he goes on saying that the seizure of the American ships was an “aggressive act against the United States of America, yet that brand new nation had absolutely no hostile thoughts or intentions against Algiers,”⁹⁷ one is inclined to think that the order of words, particularly the actors, may well be turned all the way around and that for good reasons. Taking into consideration the sequence of a number of elements, an undeniable fact emerges: the Americans had developed hostile attitudes and planned hostile action against Algiers long before the latter even became aware that such a people and a country existed.

a) **Hostile attitudes:** in American history, the writings of the ‘Founding Fathers’ are sacred. When Benjamin Franklin in his pre-revolutionary historical and political writings stated without cause that “Algiers, Tunis, and Tripoli... are enemies to be still apprehended,”⁹⁸ he was in fact laying the foundations for American animosity towards Algiers for generations to come. Time after that, and as minister plenipotentiary to France, he officially moaned for protection against the “Barbary pirates;” but to the American Secretary for Foreign Affairs Livingstone he expressed thoughts of aggression when he wrote him in 1783 wondering why “Europe do [sic] not combine to destroy those nests [of pirates].”⁹⁹ Franklin’s wonder was superseded by Jeffersonian plans for “cutting them [Barbary corsairs] to pieces by piecemeal” and the progressive

⁹⁶ Barnby, *Prisoners of Algiers*, p. 11.

⁹⁷ Ibid.

⁹⁸ Franklin, *Memoirs*, 2:195, The Canada Pamphlet (1760).

⁹⁹ *DCAR*, 4:149, Franklin to Robert R. Livingston, July 22, 1783.

extermination of that “race of seamen,”¹⁰⁰ a method reminiscent of the one adopted for the extermination of Native Americans:

The attempts heretofore made to suppress these powers have been to exterminate them at one blow. They are too numerous and powerful by land for that. A small effort, but long continued, seems to be the only method. By suppressing their marine and trade totally and continuing this till the present race of seamen should be pretty well out of the way, these nests of banditti might be reformed.¹⁰¹

From his retirement Washington, however, could but implore providence for wiping the corsairs from the face of earth simply because paying tribute was not to his taste: “Would to Heaven we had a navy able to reform those enemies to mankind, or crush them into non-existence.”¹⁰²

b) Fallacious preempting: For centuries, the European countries had paid the North African regencies tribute in the form of naval stores as a counterbalance for commercial privileges according to bilateral treaties; and since 1783, rumors had been spreading that the Algerian corsairs particularly had seized or were about to seize American ships. Late in 1784, following one of those rumors, Adams speculated that the naval material provided by tribute was probably “employed in corsairs against American trade.” More, since such alarms generally caused a raise in insurance rates, he thought that “the piratical corsairs will go all over the ocean, and will even raise the insurance upon all

¹⁰⁰ *PTJ*, 7:511-12, To James Monroe, 11 Nov., 1784.

¹⁰¹ *PTJ*, 7:639, To James Monroe, 6 Feb. 1785.

¹⁰² *WGW*, 11:59, To the Marquis de Lafayette, 15 August, 1786. R. T. Naylor considers that “it was perhaps the first statement by a President of the “dead or alive” policy against Islamic Terrorists which would figure so vividly after 9/11.” R. T. Naylor, “Ghosts of Terror Wars Past? Crime, Terror and America’s First Clash with the Saracen Hordes,” *Crime, Law & Social Change*, 45:2 (Mar., 2006), p. 100.

our commerce.”¹⁰³ Finally, and contrary to Franklin who believed that American Mediterranean trade was not sufficiently important to be worth purchasing by treaties and tributes,¹⁰⁴ Adams argued that the Americans “have, or shall have, a rich trade at sea exposed to their depredations.” So, according to him, the situation “rendered it necessary that something should be soon done” against “such enemies of the human race.”¹⁰⁵

Based on the views which prevailed at that time among Americans, Adams considered two options: an American unilateral action and a European joint action. For the first option he contemplated the use of privateers to capture Algerian mariners, which in itself was not out of context—after all it was an age of privateering and corsairing.¹⁰⁶ One should note, however, that at the time when Adams was proposing capture, i.e.: December 1784, no American ships were seized by the Algerian corsairs up to then. But because he believed that the American race and its attributes were superior to those of ‘Barbary,’ he quickly discarded it arguing that:

If we take a vessel of theirs, we get nothing but a bad vessel, fit only to burn, and a few guns and a few barbarians, whom we may hang or enslave if we will; and the unfeeling tyrants whose subjects they are will think no more of it than if we had killed so many caterpillars upon an apple tree.¹⁰⁷

¹⁰³ *WJA*, 8:217-19, From John Adams to John Jay, December 15, 1784. The Americans were hypersensitive about insurance; since their vessels were insured by banking houses in London, they kept accusing the British of spreading rumors about captures to raise insurance rates. See for example *PTJ*, 8:559, 585-87; 9:615-622.

¹⁰⁴ *USRDC*, 6:587, Franklin to the President of Congress, December 25th, 1783.

¹⁰⁵ *WJA*, 8:217-19, From John Adams to John Jay, December 15, 1784.

¹⁰⁶ This idea Adams shared with Jefferson but the latter was more virulent: he suggested ‘hijacking’ Ottoman vessels, ‘kidnapping’ Muslim passengers and crew, and selling the captives on the slave-market of Christian Malta. Joseph Wheelan, *Jefferson’s War: America’s First War on Terror, 1801–1805* (New York: Carroll & Graf, 2003), pp. 59, 109; also *ASP/FA*, 1:101, Report of the Secretary of State in relation to American prisoners at Algiers, December 30, 1790.

¹⁰⁷ *WJA*, 8:218, From John Adams to John Jay, December 15, 1784.

But, he carried on, “when they take a vessel of ours, they not only get a rich prize, but they enslave the men, and ... demand most exorbitant ransoms for them.” Accordingly he envisaged “send[ing] a force sufficient to burn a town,” but he doubted its success on account of the long experience of Algiers with such assaults on its coast and therefore their ineffectiveness. He, however, considered that such an action would be reasonably feasible if the great maritime powers of Europe could be persuaded “to unite in the suppression of these piracies.” But, according to him, the second option was almost desperate since those powers “submit to be tributary to these robbers, and even encourage them;” so, it would be unwise to act unilaterally against them. Ultimately, he recommended prudence arguing that “it would be very imprudent for us to entertain any thoughts of contending with them.”¹⁰⁸ Adams’ opinion is illustrative of a wide political debate over the issue of ‘war vs. tribute’; an issue that dominated American politics until 1815.

c) Accounting Management: War or Peace? Which would Cost Less? Typical to American commercial diplomacy is the constable role endorsed by its ministers plenipotentiaries, on top of that of commercial agents. Adams and Jefferson were no exception; rather they were its initiators and founding fathers. Up to 1789, the conduct of American relations with Algiers fell entirely to them; they referred to Congress only in matters relating to appropriations. Therefore, what they could have decided was of crucial

¹⁰⁸ WJA, 8:218, From John Adams to John Jay, December 15, 1784.

importance to relations with Algiers up to that date. During that early period, the two ministers debated two courses of action on the basis of cost.¹⁰⁹ The first view consisting of making peace was defended by Adams while the second standing for war was defended by Jefferson.¹¹⁰ From the following exchange of views, it comes out that both were more concerned about the expenses involved rather than about establishing peaceful relations with Algiers according to the laws and usage of nations.

Adams favored negotiating a peace treaty with Algiers, not because his intentions were peaceful, but because he estimated that war would cost the United States more than concluding a peace treaty including tributes and consular presents.¹¹¹ He was also convinced that paying tribute to Algiers “was simply the price of doing business in the Mediterranean.”¹¹² Calculating the cost of war against the benefits from Mediterranean trade and the loss in insurance, he argued:

To fight them at the expense of millions, and make peace, after all, by giving more money and larger presents than would now procure perpetual peace seems not to be economical.”¹¹³

¹⁰⁹ A case study illustrating various cost concepts (incremental cost, opportunity cost, sunk cost, and cost allocation) based on Adam’s and Jefferson’s exchange of views is discussed in Dennis Caplan, “John Adams, Thomas Jefferson, and the Barbary Pirates: An Illustration of Relevant Costs for Decision-Making,” *Issues in Accounting Education*, 18: 3 (Aug. 2003), pp. 265-274. The Adam-Jefferson exchange appears in Appendix D.

¹¹⁰ For an alternative discussion of both views see Sofka, “Jeffersonian Idea of National Security,” pp. 532-34.

¹¹¹ *WJA*, 8:400-01, To Thomas Jefferson, 6 June, 1786; also *WJA*, 8:406-07, To Thomas Jefferson, 3 July, 1786. The Adams exchange of letters with Jefferson is reproduced in Appendix 5A and 5C.

¹¹² Allison, “The Jihad of America’s Founding Fathers.”

¹¹³ *WJA*, 8:400, To Thomas Jefferson, 6 June, 1786; in the other letter he started: “At present we are sacrificing a million annually, to save one gift of £200,000. This is not good economy.” *Ibid.*, 8:407, To Thomas Jefferson, 3 July, 1786.

Finally, comparing the total cost of a peace treaty with Algiers with what “Jews and Judaizing Christians” would exact in duties on exports and imports and interest rates should Mediterranean trade would be abandoned to European carrying, he remarked that it would be “richer plunder than that of Algerines,” therefore a peace with Algiers would be most efficient for the United States.¹¹⁴

Jefferson, however, held an unequivocated hawkish view. Discussing Adams’ position, he acknowledged that he “very early thought it would be best to effect a peace through the medium of war.”¹¹⁵ According to him, war would procure them justice, honor, and respect in Europe. He also thought it least expensive and equally effectual. More, he believed that a war would serve the American system of government better as it would give the federal head (president) “the safest of all instruments of coercion over its delinquent members”—meaning the states which refuse to pay their financial contributions to Congress. As to cost, he comforted Adams by assuring him that America would not pay for that alone and proposed an armed confederacy which he believed would be joined by Naples and Portugal, if not by other powers.¹¹⁶ Therefore, making war was not a problem for him; the fundamental issue of cost, however, remained unaltered: “the question is, whether their peace or war will be cheapest? But it is a question which should be addressed to our honor as well as our avarice,” as he stated at an earlier date.¹¹⁷ Similar

¹¹⁴ *WJA*, 8:401.

¹¹⁵ *WTJ2*, 5:364, To John Adams, July 11, 1786. See Appendix 5B.

¹¹⁶ *Ibid.*, 5:364-68, To John Adams, July 11, 1786. Many historians consider that this letter is one of the best Jefferson ever wrote. See *WJA*, 8:411, fn 1.

¹¹⁷ Jefferson, *Memoir*, 1:290, To John Page, August 20, 1785.

pro-war positions are scattered throughout his entire correspondence. That view was also defended by Jay: “I should prefer war to tribute, and carry our Mediterranean trade in vessels armed and manned at the public expense.”¹¹⁸

In his reply, Adams could but agree with Jefferson but only in the sense that an alternative of war “would raise the spirits and courage of our countrymen immediately” and they “might obtain the glory of finally breaking up these nests of banditti;” but he held to the position of not engaging into war.¹¹⁹ He estimated that Jefferson had undercalculated the cost, but most important, that he had underestimated the force of Algiers. According to Adams, Algiers had a formidable force and strong fortifications which would render it “more difficult and dangerous to attempt a blockade.” Besides that, he argued that because of expense, Congress would never consent to war, or at least not before years to come. Therefore, he reasoned “we ought not to fight them at all, unless we determine to fight them forever.”¹²⁰ Adams did not reject the use of force on “grounds of principle” but rather on the basis that the United States was not yet in a position to meet the objectives it desired.¹²¹

d) Duplicity: The Americans had always accused the Europeans of duplicity and for good reasons.¹²² Based on the promises of good offices of the French King according to the treaty of 1778, the American commissioners had approached the French government on many occasions soliciting help for the

¹¹⁸ *CPPJJ*, 3:223, Jay to Thomas Jefferson, 4 December, 1786.

¹¹⁹ *WJA*, 8:411, To T. Jefferson, 31 July, 1786.

¹²⁰ *Ibid.*

¹²¹ Sofka, “Jeffersonian Idea of National Security,” p. 534.

¹²² For a summary diverse European perfidies relating to that period see Parker, *Uncle Sam in Barbary*, pp. 58-63.

conclusion of a peace treaty with Algiers.¹²³ On many occasions also, the French government officials assured them of the support of France.¹²⁴ Two documents addressed to the French consul de Kercy at Algiers by the French Minister of the Marine Marshall de Castries, however, unveil a bare double-play. The first document in plain text dated October 23, 1785 was a recommendation delivered for Lamb which instructed de Kercy to do all that he could to help the Americans negotiate a treaty with Algiers. The second was a cryptogram dated October 30, 1785 containing instructions to de Kercy; the clear text reads:

You will easily sense that there is no advantage to us in procuring for them a tranquil navigation in the Mediterranean. You will therefore limit yourself to giving them satisfaction to the extent that you can serve them to acquit yourself outwardly of the king's promise, but you will go no further, and above all you will avoid *démarches* and demands effectively pronounced in a negotiation in the success of which we have no real interest.¹²⁵

That same perfidious de Castries wrote a letter to the French vice-consul at New York on August 11, 1786 an extract of which was communicated to Jay. In that letter, de Castries reiterated French good will deceitfully while imputing the failure of the Lamb negotiations to Algiers and the Dey personally:

The United States must have seen our readiness to lend our good offices to their agents sent to the Regencies of Barbary. But the present system of Algiers, and the personal character of the Dey, give occasion to fear that they have not the success that we have desired.¹²⁶

¹²³ See for example *USDC*, 1:569, The Commissioners to the Count de Vergennes, March 28, 1786.

¹²⁴ *USDC*, 1:234-35, From Monsieur De La Foret to John Jay, _____ 23, 1786, Enclosure: Extract of a Letter from Marshal de Castries to M. De la Foret, January 22, 1786.

¹²⁵ For both letters (original, translation, cryptogram) see Parker, *Uncle Sam in Barbary*, Appendix 5, pp. 215-17.

¹²⁶ *USDC*, 1:234, Extract of a Letter from the Marshal de Castries, of the 11th August, 1786, to M. de la Foret.

It was clear that the Europeans did not welcome the Americans in the Mediterranean; but the Americans themselves did not play a fair game with Algiers. Whereas the Americans were outcrying European duplicity, in their relations with Algiers they excelled in it. At all European courts they were politely begging for letters of introduction to the Dey for their envoys but at the same time, and under utmost secrecy, they were already debating about the most cost-efficient way for striking Algiers. By doing that, America proved that it had not only “recapitulated many forms of behaviour of the Old World,” particularly unethical practice in conducting diplomatic relations, but it also gave them a “stamp of its own” and even originated new ones.¹²⁷ That “young giant” had surprised and even surpassed its procreators in treachery.

3. Aggression against Algiers: A Founding Pillar of ‘New Diplomacy’

More than just hostile attitudes and deceitfulness in their relations with Algiers, the Americans moved effectively to materialize the principles of New Diplomacy. They elaborated different designs for attacking Algiers at a time many elements indicated that the latter, and despite European intrigues and American disdain, was much inclined to knit peaceful relations with the United States. The Americans, however, disregarded all Algerian attempts for a rapprochement and carried on with a stratagem of aggression. Stripped from any diplomatic tradition or respect for existing laws and custom, America’s

¹²⁷ Kiernan, *New Imperialism*, p. 3.

New Diplomacy, combining self-centeredness and nationalistic belligerence, entered into its earliest phase of application.

3. 1. Algerian Attitudes

Researched material had shown that Algiers had absolutely no hostile predispositions against the United States. According to the laws and usage of nations which prevailed at that time, Algiers had committed no hostile acts against the United States. A so-called Algerine hostility could only be found in American interpretations and rumored or manipulated news. The following elements are indicative of Algerian friendly attitudes:

a) Unawareness: Up to April 1786, it seems that Deys were ignorant about the existence of a United States as attested by different western accounts about Algiers during that early period. After seizure of the first American ship in July 1785—that was the first Algerian-American contact—Cathcart noted:

On being boarded the Mahometans asked us for our flag and papers. Of the first they had no knowledge and the papers they could not read and Mediterranean pass we had none; consequently, they conceived us to be a good prize.¹²⁸

More, in his 12 April 1786 report to London, the British consul Logie reported the Dey saying when he was announced the coming of an American:

What are they come to purchase a Peace? Tell them to carry their money to the King of England, their King I have no War with His Subjects, I have never heard of such a Nation as Americans.¹²⁹

¹²⁸ Cathcart, *the Captives*, pp. 5-6; he also reported the Rais who made the capture saying: “when you make your peace with your father, the King of England, the Dey of Algiers will liberate you immediately.

¹²⁹ As quoted in Barnby, *Prisoners of Algiers*, p. 74.

b) Cordiality and Peaceful Intentions: The Dey welcomed American friendship and even was ready to conclude a peace treaty with the United States; the only thing he needed was some time so that he could finish negotiations with the Spanish emissary. Sidi Hassan was even more predisposed for that peace. The previously mentioned letter of ‘Sidji Assan Nickilange to Congress’ is a proof in itself that Algiers was inclined towards peace with the United States. Both were even ready to face the wrath of Great Britain for an amicable relationship with the United States. An incident that took place after the departure of the American envoy and reported by both the French Consul de Kersey and the Spanish envoy d’Expilly indicated that tendency. In a letter to Carmichael, the latter recounted the following: Logie, having learnt too late that the vessel on which Lamb sailed to Algiers was American property—therefore technically it was subject to seizure—communicated the information to the Dey alluding that the vessel could be sized. The Dey who did not appreciate Logie’s conduct replied that

he had permitted the American officers to land; that they were gone away, that the vessel was now under his protection; and concluded by telling the Consul to mind his own business, and not intermeddle in future with what did not concern him.¹³⁰

Apparently Logie communicated the same information and insinuation to Wakil Khardj too and had the right to the same answer as that given by the

¹³⁰ *USDC*, 3:121, Extract of a letter from William Carmichael to Thomas Jefferson, July 15, 1786. Note: Lamb bought the vessel from the money which was appropriated for the treaty and ransom of captives; he left it at Algiers in the care of d’Expilly and returned to Spain.

Dey. That was noted by the American prisoners and reported by de Kercy in his dispatch of 13 June, 1786.¹³¹

c) A Westerners' Verdict: Algiers sincerely looked forward for peace with the United States. Lamb, Carmichael, and O'Brien noted it in their correspondence and Cathcart detailed it in his memoirs.¹³² Carmichael, for example, and despise his blatant unfair play was conscious about the sincerity of Algerian officials, particularly Sidi Hassan; but he abused it:

I think it necessary to induce the Algerines to believe that the United States are more disposed to be at peace than at war with them. Their Minister of Marine desires peace with us, and appears apprehensive of seeing American cruisers in the Mediterranean. I have ways of cultivating his friendly disposition, and exciting his apprehensions.¹³³

Unfriendly and treacherous utterance indeed; nevertheless it shows clearly that Algiers was sincerely inclined towards peace but the Americans were in fact playing an outward game of peace while in reality they had warring intentions. Even the mule trader had understood that a treaty of peace was possible with Algiers: "I have good reason to think that peace may be made with these people," Lamb wrote before meeting the Dey.¹³⁴ At the term of his mission he reported that "their principal Minister [Sidi Hassan]" told him that it was his "greatest desire that our peace might be made with their Regency," and that "he would use his utmost endeavors for the purpose."¹³⁵ The only ones who seem

¹³¹ *EN*, 3:198, Richard O'Bryen, Zaccheus Coffin and Isaac Stephens to Thomas Jefferson, June 8, 1786; Parker, *Uncle Sam in Barbary*, p. 59.

¹³² *EN*, 3:194, Richard O'Bryen to Thomas Jefferson, June 8, 1786; Cathcart, *The Captives*, 39-40.

¹³³ *USDC*, 1:800, Extract of a Letter from William Carmichael to Thomas Jefferson, July 15, 1786.

¹³⁴ *USDC*, 3:33, From John Lamb to Thomas Jefferson, March 29, 1786.

¹³⁵ *USDC*, 3:82, From the same to the same, May 20, 1786; Lamb reiterated that view in another letter, that of July 18, 1786, *USDC*, 3:125.

to have gone astray were Adams and Jefferson—probably because they were much absorbed in trivial constable calculations or because they already had something else underway. Perhaps also their lack of knowledge about Algiers, which was to the image of the Dey’s unawareness about the United States, and lack of experience with that totally different region was at the origin of the collapse of that first contact.¹³⁶

3. 2. American Aggression Designs

Contrary to Algiers’ friendly attitudes, three cases are plainly illustrative of America’s ‘belligerent nationalism’: diplomatic intrigues, a plan for a unilateral naval aggression, and a coalition with the lesser European powers to attack Algiers.

a) An Aggressive Move Curbed: In March 1785, half-knowledgeable about the peace treaties between Algiers and France, Adams visited Vergennes and indiscreetly inquired whether the treaty of April 1684 had expired, or near expiring, and whether it had been renewed.¹³⁷ Vergennes turned him down and required an official application to his ministry so that he would submit it to the appropriate French ministry to obtain him an answer.”¹³⁸ Soon afterwards, the commissioners put their inquiry into writing and explained that:

¹³⁶ The total ignorance of America’s leading diplomats about Algiers is illustrated by the intelligence ‘shopping list’ they loaded Lamb with. *USDC*, 1:660, From Thomas Jefferson to John Jay, October 11, 1785, Enclosure: Heads of Inquiry.

¹³⁷ The treaty of 1684 was concluded for 100 years and it effectively expired; but another treaty of peace concluded in September 1689, also for 100 years, was still in vigor. For the duration of both treaties’ see Card, *Traité de la France*, pp. 45, 51-52.

¹³⁸ *WJA*, 8: 229, To Benjamin Franklin and Thomas Jefferson, 20 March, 1785.

if there is a probability of a war, Congress would probably prefer joining in the war, rather than to treat with nations who so barbarously and inhumanly commence hostilities against others who have done them no injury.¹³⁹

Before long, the chilling answer of de Castries fell:

When our treaty with Algiers shall expire, we shall desire to renew it, and even may flatter ourselves to be able to do it without any difficulty. But should any occur that must be surmounted, the King is accustomed to use no foreign interventions to establish or preserve the good understanding which it suits him to maintain with the Barbary Powers.¹⁴⁰

De Castries answer which was intended for the American commissioners meant in short: mind your business! It appears that the French government did not receive well the proposal of the commissioners regarding a military adventure against Algiers undoubtedly because France already considered Algiers an exclusively French game preserve.

b) A Prospect for Blockading Algiers: Not content with that bold belligerence, the Americans relaunched the offensive with the French government about a year later but with Jefferson as assault leader. While negotiations with Algiers were still in the making, Jefferson was already nourishing a plan for attacking it. In May 1786, following one of those bullying visits to Vergennes, he wanted to make sure that the English would not “administ[er] aid to the Algerines,” a probability which Vergennes discarded

¹³⁹ *USDC*, 1:569, The Commissioners to the Count de Vergennes, March 28, 1785.

¹⁴⁰ *Ibid.*, 1:572-74, Count de Vergennes to the Commissioners, April 28, 1785, Enclosure: Copy of the Letter from M. Marshal de Castries to the Count de Vergennes, Translation, April 24, 1785. In *USDC*, 1: 572 the letter of Vergennes was mistakenly dated April 28, 1784.

“on account of the scandal it would bring on them.”¹⁴¹ Previously, Jefferson had obtained a detailed account and opinion from Count d’Estaing, former vice-admiral in the French navy who served unsuccessfully in the American war of independence,¹⁴² about an incident that happened between Algiers and France in 1741-42 and which led to a diplomatic crisis. Based on his contacts with the two Frenchmen, and on his own thoughts, Jefferson reported to Jay on May 23, 1786. In his report, he submitted a plan for bombarding or blockading Algiers apparently inspired to him by an opinion made by one de Massiac, one of those actors who were involved in the 1741-42 incident.

The plan was entirely based on a letter from d’Estaing which Jefferson enclosed to support his argument.¹⁴³ The idea of a blockade seemed to be attractive to Jefferson because it did not involve much expense. As European bombardments had not “produced the desired effect against the barbarians,” it was argued that with “cross anchoring, and with a long range, that is to say, with several cables spliced to each other, and with iron chains, one might, if necessary, always remain there [perpetual blockade?].” It was also thought that because “the Algerines have fitted out merchantmen with heavy cannon” that rendered it “necessary to blockade the place with two ships of the line, so that one of the two might remain moored near the bar, while the other might

¹⁴¹ *USDC*, 1:750-52, From Thomas Jefferson to John Jay, May 23, 1786.

¹⁴² Charles Hector Theodat (Count d’Estaing), 1729-1994, showed briefly in the 13 colonies as vice-admiral of the French fleet in 1778. After too poor performances in the North and a heavy defeat in the South in 1779, he returned to France and ended at the guillotine in 1794. His services to the Americans were amply rewarded; in 1787, Jay recommended him to Congress for an honorific copper medal, probably because of the plan he recommended for blockading Algiers. *USDC*, 3:232, Report of John Jay to Congress, July 11, 1787.

¹⁴³ *USDC*, 1:752-54, From Count d’Estaing to Thomas Jefferson, May 17, 1786. This letter appears in *WTJI*, 7:531 and *SPPD*, 10:54 under the date May 17, 1784, which is improbable since Jefferson did not reach Paris until August 6, 1784. For date of arrival at Paris see Jefferson, *Memoir*, 1:49.

prepare to support such of the frigates as should give chase.”¹⁴⁴ Regardless of the military value of this stratagem, it nonetheless remains an exhibition of American bare belligerence as well as prejudices towards Algiers. The least that could be said is that it conveys a picture in which the population of Algiers was equated to fierce animals that should remain caged behind heavy iron chains! Worse, as late as 1792, Jefferson was still contemplating the blockade of Algiers according to French naval ingenuity.¹⁴⁵

More, what is striking in Jefferson’s aggressive conduct was his extraordinary skills of distortion. Seemingly quite knowledgeable in military as well as historical matters relating to Algiers, he wrote Adams shortly after that:

About forty years ago the Algerines having broken their treaty with France, this Court sent Monsieur de Massiac with one large and two small frigates. He blockaded the harbor of Algiers three months, and they subscribed to the terms he proposed.¹⁴⁶

As depicted from French sources, the events of 1741-42 were primarily diplomatic and no naval hostilities between Algiers and France were noted. Briefly, the problem developed as follows: two Algerian chebecks were cruising near the coast of France when they were driven by a storm to Toulon. There, they were retained for two weeks before they were allowed to leave. The French cruiser which was escorting them (commanded by de Massiac) allowed an ambushed Spanish squadron to seize one of them within 30 miles distance from the French coast, a distance which was guaranteed reciprocal

¹⁴⁴ *USDC*, 1:753.

¹⁴⁵ *WTJ2*, 17:320, Considerations on the Subjects of Ransom, and Peace with the Algerines, April 1st, 1792.

¹⁴⁶ *Ibid.*, 5:366, To John Adams, July 11, 1786.

immunity by Algerian–French peace treaties. The other chebeck escaped to Algiers and reported about the French treachery. Dey Ibrahim (r. 1732-45) made France responsible for the seizure and claimed the restitution of the cruiser and compensations.¹⁴⁷ The claim was settled on May 18, 1742 when Massiac himself brought back the captured chebeck to Algiers and paid compensations for its seized freight; he was also accompanied by a new consul who brought with him presents defying in value all that was presented to the Dey so far!¹⁴⁸ But Jefferson invented a fictitious blockade and imputed the Algerian-French diplomatic broil to an infraction of the treaty by ‘Algerines.’¹⁴⁹ Obviously, the two allegations were absolutely unfounded.

c) A failed Coalition: Repelled and outplayed by French professionals in diplomatic shrewdness, the Americans moved next to consider a plan which they had already been nurturing for a while. The plan consisted of forming a league with the smaller European countries with the aim of constituting a naval force to attack Algiers. Jefferson even went so far as to draft a proposal for an American-European military alliance against Algiers and submitted it to Congress. The idea emerged late in 1785 when Jefferson thought about a

¹⁴⁷ For details see Grammont, *Histoire d’Alger*, pp. 297-300.

¹⁴⁸ For the claim and payment of compensations see the different correspondence relating to the crisis including letters: Ibrahim, Dey d’Alger à Louis XV, 31 mai 1742 and Ibrahim, Dey d’Alger au Comte de Maurepas, Secrétaire d’Etat de la Marine, 31 mai 1742 in Eugène Plantet, ed., *Correspondance des deys d’Alger avec la cour de France, 1579-1833, recueillie dans les dépôts d’archives des affaires étrangères, de la marine, des colonies et de la chambre de commerce de Marseille*, vol. 2 (Paris: 1889), pp. 193-95 and 195-94 respectively; also, Henri-D. de Grammont, *Correspondance des consuls d’Alger, 1690-1742* (Alger/Paris: Adolphe Jourdan, Ernest Leroux, 1890), pp. 222-24.

¹⁴⁹ *USDC*, 1:751, From Jefferson to John Jay, May 23, 1786. Even Adams, 20 days after Jefferson wrote him, doubted this version of the story: “I believe not, and fancy you will find that even Massac [sic] himself made the presents.” For Adams reply see *WJA*, 8:410-12, To T. Jefferson, 31 July, 1786.

“union of force” open to European nations to keep a constant cruise against “the depredations of the Algerines.”¹⁵⁰ By July 1786, Jefferson had already finalized his plan as “*Proposals for concerted operation among the powers at war with the piratical States of Barbary*” and submitted it to Congress for approval.¹⁵¹

In his autobiography, Jefferson returned back on that scheme, so dear to him, and discussed the circumstances which brought it about.¹⁵² At Paris, he related, his duties were confined to few things: “receipt of our whale-oils, salted fish, and salted meats, were the principal commercial objects which required attention.” So, while performing the role of a commercial agent, Jefferson considered that American Mediterranean commerce was threatened by the Muslim corsairs but saw that he was “very unwilling” to accept Mediterranean policies and the practice or what he called “European humiliation, of paying a tribute to those lawless pirates.” Consequently, he engaged on a war footing by the preparation of “articles of a special confederation” of eleven points comprising the following points:

- Concerted operations among the European powers against the piratical States “beginning with the Algerines” to compel them “to perpetual peace, without price;”
- The operations should consist of “constant cruizes on their coast, with a naval force ...[of] half a dozen frigates”; that force should be furnished by the parties” according to predetermined quotas;

¹⁵⁰ Jefferson, *Memoir*, 1:370, To John Adams, November 27, 1785.

¹⁵¹ The full text of the plan appears in Appendix 6.

¹⁵² Jefferson, *Memoir*, 1:52-5.

- The operations should be directed against Algiers first. When it would “be reduced to peace, the other piratical States ... shall become the objects of this convention.”¹⁵³

Jefferson then, the salted fish and meat trader, turned suddenly hawkish in the midst of his business and elaborated an ingenious aggression plan against Algiers and the other Muslim states which he intended to carry out with the help of the Christian countries. His second step consisted of submitting his proposal to targeted ambassadors at Paris but the results were not encouraging: Spain immediately declined because it had just concluded a peace treaty with Algiers and existing laws and practice compelled its respect “until the other party should fail in their observance of it” and other small powers were apparently favorable to such a league but were apprehensive that France might interfere against it, so they wanted guarantees from Vergennes.¹⁵⁴

As already discussed, the commissioners had approached Vergennes about a year before offering gracious services for joining the French in a would-be war against Algiers but were rebuffed. Now Jefferson was cautious about reviving the subject of collaboration with France because, according to him, he “did not think it proper to insinuate any doubt of the fair conduct of his government.”¹⁵⁵ He therefore adopted a circuitous way to satisfy the exigencies of his would-be petty allies and obtained an answer which he interpreted as an assent of Vergennes. In that way, the novice American minister surpassed the master of diplomacy in intrigue and treachery. Jefferson’s conduct, however,

¹⁵³ Jefferson, *Memoir*, 1:53-4.

¹⁵⁴ *Ibid.*, 1:54. Those included Portugal, three of the Italian city-states, and Malta—all centuries-old enemies of Algiers.

¹⁵⁵ *Ibid.*

becomes even more amazing when in the same context and just few lines later one reads his own self-celebrating assessment: “I had no indirect views, practised no subtleties, meddled in no intrigues, pursued no concealed object....”¹⁵⁶

To wrap it up, such a plan could not materialize if it were not given assent by Congress; Jefferson therefore referred it to Congress emphasizing a favorable prospect for protecting American commerce in the Mediterranean by “an exclusion of them [Barbary predators] from the sea.” Not only that; the non-meddling and melioristic Jefferson took also on himself the burdensome and meddling mission of civilizing the ‘Barbary barbarians’ and “chang[ing] their habits and characters, from a predatory to an agricultural people.”¹⁵⁷ All that Jefferson needed for his grandiose plan was “a frigate, and its expenses.” Debated in Congress in July 1787, that plan was “resolved in the affirmative.”¹⁵⁸ But because of inability to obtain the necessary funds from the recalcitrant Confederation states, the proposal seemed to have passed quickly into oblivion but not for long. As soon as the United States could have the necessary means for executing its plan of aggression, the prospect of attacking Algiers surfaced again. But that had to wait until the United States would grow some teeth. For the time being, and after that show of aggression, Jefferson resumed his commercial activities but that time he shifted to rice-sale.¹⁵⁹

¹⁵⁶ Jefferson, *Memoir*, 1:52.

¹⁵⁷ *Ibid.*, 1:54.

¹⁵⁸ *SJ*, 4:372, July 27, 1787.

¹⁵⁹ Jefferson, *Memoir*, 2:107, To John Jay, May 4, 1787.

Conclusion

A chaotic diplomacy, a mule trader, and an avaricious Confederation, all blinded by selfishness, combined to deal with a centuries old corsairing diplomacy that was respectful of the laws and usage of nations. Eventually, that led to the failure of the first round of negotiations between Algiers and the United States. For almost a decade, negotiations stalemated during which much damage was done: the Americans literally shattered the image of Algiers and used it to save their country from dislocation. At Algiers distrust of American negotiators and doubt about the capability of the United States to respect its own commitments dominated. Meanwhile, while engaged in peace negotiations, the Americans did not hesitate to envisage using force against Algiers either unilaterally or in concert with other European countries. In the role of aggressive commercial agents, America's leading politicians made all possible and imaginable calculations about what would cost them less: peace or war? As showed by the triangular correspondence between Adams, Jefferson and Jay two different approaches as how to make American commerce penetrate in the Mediterranean prevailed. The first one advocated negotiating for a treaty peace in accordance with existing diplomatic usage—even if they abhorred payment of tribute which they considered humiliating; the second rather favored making war and for which different alternatives were devised. Both approaches, however, shared an excessive concern about expenditure. By the end it became evident to the Americans that both courses of action needed funds; funds which Congress was either unable or unwilling to provide. But

given American predilection for aggression, and had the funds been available, they would have taken the road to war unhesitatingly. Despite positive predispositions of Algiers towards a treaty of peace, the United States put an abrupt end to negotiations and for the next ten years, a handful of American prisoners were left to languish in bagnios at Algiers. America's leading figures considered ransom beyond financial reach, a blame they imputed to the Dey but also to structural weaknesses of Confederation. Not before long, however, the United States instituted a new system of government. Under the new system, the Americans renewed contacts with Algiers and relaunched negotiations.

CHAPTER VII

The Peace Treaty of 1795 and Aftermath

Yes, you know how to gabber... Go and tell your Ambassador that I accept his terms, more to pique the British who are your inveterate enemies, and are on very bad terms with me, than in consideration of the sum which I esteem no more than a pinch of snuff.¹

Dey Hassan Pasha (1795)

Introduction

The year 1789 brought with it fundamental structural changes to the United States; the Confederation passed away and a new system of government was established under a new constitution. On April 30 of that year, George Washington was sworn into the office of president of the USA, John Adams became his Vice-President, and Thomas Jefferson was appointed Secretary of State. Accordingly, all seems to indicate that the 'old tunes' relating to Algiers were going to be played by the same old hands. Indeed, until 1795 and to some extent there would be no major breakthrough in United States policy towards Algiers. While Congress and the Presidency were establishing themselves, all foreign matters, were kept at standstill.

¹ Cathcart, *The Captives*, p. 184.

Meanwhile at Algiers, Dey Muhammed Pasha died on 12 July 1791 and Sidi Hassan ascended to the Deyship.² In many a point, the death of the Dey could have been perceived as a relief by the Americans as they kept referring to the old age of the Dey and announcing his death since 1787.³ The American representations in Europe seized the event promptly and recommended negotiations because they thought the new Dey had “more favorable dispositions” towards the United States.⁴

1. The Road to a Peace between Algiers and the United States

In 1790, a petition for the liberation of American captives at Algiers was introduced in the House of Representatives; the matter was referred to the Secretary of State for examination and report. Accordingly, Jefferson made two reports to the President, one on ‘Prisoners at Algiers’ and the other on ‘Mediterranean Trade.’⁵ That way, Jefferson was finally provided with the opportunity to put his 1780s schemes into execution. He proposed that it might be “better to repress force by force” and that American captives could be exchanged against corsairs if American raids were carried against Algerine shipping.⁶ Alleging that Algiers had rarely accepted to exchange Moors for white captives, he argued in favor of capturing Turks because they were a

² James L. Cathcart, “The Diplomatic Journal and Letter Book of James Leander Cathcart, 1788-1796,” *American Antiquarian Society*, Proceedings, n.s.: 64: 2 (1955), pp. 314-15.

³ At least three letters from Jefferson announced, doubted, or asked confirmation about the supposed death of the Dey. For one see USDC, 2:59 From Thomas Jefferson to John Jay, June 21, 1787.

⁴ *ASP/FA*, 1:130, Letter from William Short, Chargé des Affaires of the United States at Paris, Aug. 24, 1791.

⁵ *Ibid.*, 1:100-8, Message from the President of the United States to Congress, communicating a report of the Secretary of State, in relation to American prisoners at Algiers, December 30, 1790.

⁶ *Ibid.*, 1:101, Report of the Secretary of State in relation to American prisoners at Algiers, December 30, 1790.

“superior order of beings,” therefore the exchange might be feasible.⁷ Then linking prisoners to expansion of American commerce in the Mediterranean, he offered Congress two options: “war, or tribute and ransom.” If war, he argued, the United States had to consider building a navy and co-operating with other powers; if peace, it could purchase it as was the practice with the nations of Europe.⁸ He was, however, confident as to the first option.

A Senate committee discussed those reports and agreed with Jefferson that American trade in the Mediterranean “cannot be protected but by a naval force” and that it should be provided “as soon as the state of the public finances will admit.”⁹ Consequently, there was no immediate change in policy and the new government pursued a conduct somewhat similar to that of the Confederation. Except for an unsuccessful attempt initiated by Jefferson in July 1791 to secure Dutch cooperation for a “combined naval squadron” to wage war against Algiers, Congress rather engaged in a debate for the creation of a U. S. navy.¹⁰

1. 1. Peace Negotiations Reconsidered

In May 1792, the Senate answered in the affirmative three questions of the President: whether it would approve the conclusion of a convention or a treaty with the government of Algiers at an expense not exceeding \$40,000,

⁷ *ASP/FA*, 1:101, American prisoners, December 30, 1790.

⁸ *Ibid.*, 1:105, Mediterranean Trade, December 30, 1790.

⁹ *Ibid.*, 1:108, Report of a Committee on the Trade of the Mediterranean, January 6, 1791.

¹⁰ Howard P. Nash, *The Forgotten Wars: The Role of the U. S. Navy in the Quasi War with France and the Barbary Wars 1798-1805* (South Brunswick, NJ/New York, A. S. Barnes/London : Thomas Yoseloff, Ltd., 1968), pp. 32-33; Irwin, *Diplomatic Relations*, p. 44. John Paul Jones was charged with the job but did not find any support from the Dutch.

redemption of the remaining captives for the same amount, and an annual tribute not exceeding \$25,000.¹¹ The negotiations were assigned to Paul Jones, and were considered so confidential and secret that all papers were made out in Jefferson's own handwriting.¹² The commission, including a summary of events that had occurred since 1785 as well as new instructions, is too long to be detailed here but two points are worth mentioning: first, Jones was instructed not to redeem prisoners before obtaining a peace treaty and was authorized to spend a sum on the treaty less than that voted by Congress! One of the instructions of the commission specified: "we should be pleased with 10,000 dollars, contented with 15,000, think 20,000 a very hard bargain, yet go as far as 25,000, if it be impossible to get it for less; but not a copper further, this being fixed by law as the utmost limit."¹³ This is to say that Jefferson cared more about expense than about his captured countrymen, an attitude for which he was severely criticized and which he attempted to justify throughout the commission to Jones.¹⁴ Second, for annual tribute Jones was instructed to not agree to provide any maritime stores:

¹¹ *ASP/FA*, 1:136, Message from the President of the United States, Relative to Prisoners at Algiers, May 8, 1792.

¹² *SPPD*, 10:261-69, To Admiral John Paul Jones, June 1, 1792.

¹³ At this point one may just note that Jefferson had never proved to be a good constable neither with Algiers nor at his own estate Monticello. The proof is that at his death, his debts were so large that almost all his slaves (230 minus 5) were sold at auction to satisfy his creditors. For more about Jefferson and slavery see Nash, *The Forgotten Fifth*, pp. 106-117.

¹⁴ One may note here too that originally a section on slavery was intended to be included in this work but research has proved it to be useless since slavery was not at issue in relations with Algiers. Enslavement in itself was not the problem as were expenses. In their writings, the leading American politicians used the terms 'captives' and 'prisoners' to refer to Americans held at Algiers but never 'slaves' probably because as they practiced it on a much larger scale they could not use it as an argument. The term 'hostage' does not appear either. For an idea about their approach to slavery see David Barton's articles "The Founding Fathers and Slavery" and "George Washington, Thomas Jefferson, & Slavery in Virginia" (2001) at <http://www.wallbuilders.com/LIBissuesArticles.asp?id=99> (Retrieved 6 March 2008).

we will not furnish them naval stores, because we think it not right to furnish them means which we know they will employ to do wrong, and because there might be no economy in it, as to ourselves in the end, as it would increase the expense of that coercion which we may in future be obliged to practice towards them. The only question then is, what sum of money will be agreed to pay them annually for peace?¹⁵

One may understand here that a peace treaty was seen as merely a transitory phase before some naval action could be undertaken against Algiers. Jones who was then at Paris claiming prize money dating back to the piracies he committed during the war of independence, however, died before he could get his commission.¹⁶ Barclay, who succeeded him, also died shortly after he was commissioned and before he could set out for Algiers.

A Jefferson determined to finish with Algiers either by force or by a negotiated treaty issued instructions to David Humphreys, U.S. minister to Portugal, to take negotiations at hand. The instructions were essentially the same as those forwarded previously. One change relative to the payments in naval stores, however, was made. Humphreys was informed that if Algiers declined to make a treaty on any other conditions than the delivery of such material, he might agree to that and “reserve the right to make the subsequent annual payments in money.”¹⁷ Humphreys reached Alicante, Spain on his way to Algiers but he never reached it; late in 1793, he sent his letter of credence to

¹⁵ *SPPD*, 10:264. Providing Algiers with naval stores was assimilated to supplying Afghan mujahidin with ground-to-air missiles. Parker, *Uncle Sam in Barbary*, p. 70.

¹⁶ For that chapter of Jones' life and his desperate efforts to pass piracy for privateering with the French government see Reginald de Koven, *The Life and Letters of John Paul Jones*, vol. 2 (London: T. Werner Laurie, Ltd, 1913), pp. 242-69.

¹⁷ *SPPD*, 10:272, To Colonel David Humphreys, March 21, 1793.

the Swedish consul at Algiers and returned to Lisbon.¹⁸ By then, a new crisis between Algiers and the United States started unfolding. Once again, the Americans stopped a peace process they had initiated abruptly after it had been brought informally to the knowledge of the Dey by the American prisoners, particularly O'Brien who became a sort of a *de facto* consul and kept feeding the American government with intelligence after 1786—mostly general condition of the prisoners, armament and movement of corsairs, and political advise and forecast. Meanwhile, on presentation of his letter of credence to the Dey by the Swedes, the Dey probably angered by Americans' irresponsible attitudes declined to receive him.¹⁹ According to Per Erik Skjoldebrand, brother of the Swedish consul, the Dey declared that "he would not make peace with the Americans at any price whatever" and that "there had been a time when he was well disposed to support the engagements at half price, made by his predecessor."²⁰ The Dey explained that conditions were such that "his interest does not permit him to accept your offers even were you to lavish millions upon him."²¹

It is also probable that Dey Hassan Pasha on his side, although angered by the attitude of Americans, attempted to re-activate negotiations with the United States. According to a report from Humphreys to the Secretary of State

¹⁸ The Swedish consul declined representing the Americans formally least he would be in trouble with the Court of his country; but he referred the task to his brother Per Erik Skjoldebrand who was at Algiers in no official capacity. *ASP/FA*, 1:414, The Swedish Consul to D. Humphreys, Esq. Nov. 13, 1793.

¹⁹ In two reports to the Secretary of State Humphreys interpreted it a categorical "refusal of the Dey to grant a passport." *ASP/FA*, 1:413, D. Humphreys, Esq. to the Secretary of State, November 19, 1793 and from the same to the same, November 23, 1793.

²⁰ *ASP/FA*, 1:414, Brother of the Swedish Consul to D. Humphreys, Esq. Nov. 13, 1793.

²¹ *Ibid.*

a one Bassara contacted the American representation at Alicante and introduced himself as sole accredited negotiator for the Dey of Algiers. According to him, the Dey “did not believe the government of the United States had ever appointed two commissioners to treat with him, who had died after their appointment;” and therefore, he would not accept any another agent except him.²² As no other source confirms or belies the information, one may suppose that there might have been some truth in it because given the untrustworthy conduct of the American government before and then, the Dey ended by not believing the Americans. Therefore, he might have decided to take negotiations single-handedly without waiting for American emissaries.

One may not discard the possibility that Bassara might have acted without the knowledge of the Dey as a result of Jewry intrigues. Bassara (or Bouchara) was a Jew broker whose financial house Bassara & Co had been used by the American government for some time and he was at cutthroat competition with the Bacris, the accredited brokers of the Deys of Algiers.²³ As P. E. Skjoldebrand explained, Bassara was also Sweden’s broker but the Bacris “secretly indisposed” the Dey towards peace with the Swedes and caused much trouble—going up to a declaration of war; and only until they were obliged to deal with the Bacris could they restore good relations with Algiers. He therefore recommended that the Americans should switch to the Bacris.²⁴ An

²² *ASP/FA*, 1:327, Letter from D. Humphreys to the Secretary of State, December 25, 1793.

²³ Schuyler, *American Diplomacy*, P. 213; Parker, *Uncle Sam in Barbary*, p. 82.

²⁴ *Ibid.*, 1:415, Brother of the Swedish Consul to D. Humphreys, Esq. Nov. 13, 1793. O’Brien was also of the same view, *ASP/FA*, 1:419, Captain O’Brien to Colonel Humphreys, November 16, 1793. Note: O’Bryen changed the spelling of his name to O’Brien.

O'Brien letter supported the Swedish view and reported also that the Dey had declined to receive Humphreys after Bassara made an application for it. According to O'Brien, the Dey answered him "very abruptly that he would not make the peace with America" and that "when he wanted the Americans for nearly two years to make the peace they would not give him an answer, which was treating him and his people with indifference."²⁵ Therefore, one is inclined to say that the Dey could not have charged Bassara with whatsoever after he rejected his demand for receiving Humphreys.

It is not improbable that the Bacris were behind that unfriendly position of the Dey and Bassara knew it; so he might have decided to short-circuit his rivals by intervening directly with his clients the Americans, hence Skjoldebrand's above mentioned allegation. Considering how complications smoothed suddenly two years later after the Swedes transferred American business from Bassara to Bacri, one may deduce that the Dey's refusal to receive the American envoy—even if the latter had already changed his mind about the visit and departed from Alicante—was but one of those countless intrigues of the Jews. Dey Hassan Pasha had always been favorable to a peace treaty with the United States and he had waited too long for that.²⁶

1. 2. The Algiers-Portugal Truce, 1793

The Jews, however, were not the only plotters to battle for influence and privileges at Algiers; the most notorious among them remained the British.

²⁵ *ASP/FA*, 1:416, Captain O'Brien to D, Humphreys, Esq, November, 12, 1793.

²⁶ *Ibid.*, 1:418, Captain O'Brien to the President of United States, November 5, 1793.

Once more, they reactivated Logie who became involved in an incomprehensible deal that encompassed four countries: Algiers, Great Britain, Portugal, and the United States. While preparations for negotiations were in the making, there intervened a strange episode which caused further complications and antagonisms in Algerian-American relations. In September 1793, and under the aegis of the Logie, a truce was concluded between Algiers and Portugal apparently without official knowledge of Portugal.²⁷ Subsequently, Logie issued passports to the Algerian cruisers which permitted them to pass the Strait of Gibraltar westward unhindered by the Portuguese fleet which was stationed there.²⁸ Humphreys, who was at the time at Gibraltar on his way to Algiers, saw the Algerian cruisers passing by the Rock and reported to the Secretary of State that the truce was effected by Logie and added: "but I am very happy to add, there are strong circumstances to induce me to believe, it was without the authority or even knowledge of his own court."²⁹ Within two months from then, eleven more American ships, with 105 crewmen, were taken prize by the Algerian corsairs and the number of American captives at Algiers increased to become 115.³⁰

²⁷ As of this date, except for the United States and the Hanseatic towns, Algiers had entered into peace treaties with all the countries, a peace process which was started by Dey Muhammed Pasha and was in the process of finalization by Dey Hassan. Corsairing was declining and Algiers was muting to a commercial economy, see Chapter III.3.

²⁸ Parker, *Uncle Sam in Barbary*, p. 77.

²⁹ *ASP/FA*, 1:297, D. Humphreys, Esq. to the Secretary of State, Oct. 7, 1793.

³⁰ *Ibid.*, 1:418, Captain O'Brien to the President of United States, November 5, 1793. As of this date, only 10/21 of the captives of 1785 were still at Algiers; the others were either ransomed by the British government (in fact 11/21 were British nationals serving on American ships) or by friends or they died in plagues (3 of them).

1. 2. 1. Algiers Relations with Europe in 1793

The circumstances of that new eruption in corsairing at a time it was on the eve of extinction are a matter of controversy. Although interpretations of what happened exactly diverge, the historical context, although complex, remains the same. In 1793, France was at war with almost all the countries of Europe and depended heavily on Algiers for wheat supplies to feed its starving population of the Midi and invading armies in southern Europe. Britain, leading a coalition of monarchies against the Directoire,³¹ attempted through its consul Logie to persuade the Dey to suspend its wheat shipments to France but in vain. About that circumstance, the French consul at Algiers J. A. Vallière wrote his government: “with indignation I learned from the Dey that the English had dared asking him to refuse us his help so that we would perish in famine.”³² As the British consul insisted, the Dey declared steadfastly that he would not abandon his old ally and, to the displeasure of Britain, he even heeled another request of Vallière and concluded a peace treaty with Genoa, the arch enemy of Algiers, to facilitate wheat deliveries.³³ Meanwhile, American exports benefited from Europe’s political and economic turmoil. Enjoying the benefit of neutrality, the Americans expanded their share of trans-Atlantic carrying trade and consequently re-export trade in the Mediterranean also flourished.³⁴ Across the Atlantic, American ships carried wheat to the

³¹ French revolutionary government set up after the fall of monarchy which from November 1795 to November 1799.

³² As cited in Grammont, *Histoire d’Alger*, p. 348.

³³ For the unrelenting British, French, and Jew machinations over the wheat issue see *ibid.*, pp. 348-51.

³⁴ Charles A. Keene, “American Shipping and Trade, 1798-1820: The Evidence from Leghorn.” *The Journal of Economic History*, 38: 3 (Sep., 1978), pp. 681-82.

French northern ports of Bretagne where the demand for American grain was as pressing as that for Algerian grain.³⁵

So far, four major players have been identified but the picture would not be complete should one exclude a fifth player: Portugal. In 1793, the almost three hundred years-old war was still raging between Algiers and Portugal and since 1786, date of the Spanish treaty with Algiers, Portugal had been controlling the western outlet of the Gibraltar straits. In that way, Portugal limited the access of the corsairs of Algiers to the Atlantic where its riches-loaded vessels returning from Brazil were sailing. In the Atlantic too, American ships were sailing in great numbers carrying wheat to France. On another scale, the British had already failed in their attempts with the Dey to starve France but very soon a Machiavellian plan was to see the light: they asked the Portuguese to participate with their fleet in the war against France.³⁶ For the Portuguese, however, removing the fleet from the blockade meant that their ships returning from Brazil would be exposed to corsairs' attacks; so they accepted to join in the war on the condition that Britain would help them negotiate a peace treaty with Algiers.³⁷ Logie, apparently on instructions from his government, engaged in preliminary talks with the Dey that culminated in a one-year truce which opened the Atlantic for Algerian cruisers. By concluding a truce on behalf of

³⁵ Grammont, *Histoire d'Alger*, p. 351.

³⁶ This allegation is based on a report from Sir Walpole, British ambassador in Lisbon, about a meeting with Luis Pinto de Souza, Portuguese minister and secretary of state for foreign affairs (British archives, FO 63/16). Parker, *Uncle Sam in Barbary*, p. 226.

³⁷ According to the British, it was the court of Portugal which asked Britain "to procure a peace for them with the Algerines." *SPPD*, 10:305, Mr. Pinckney to the Secretary of State, November 25, 1793.

Portugal with Algiers, Britain might have hoped to see Algerian corsairs harass American trade and therefore disrupt, possibly stop, wheat deliveries to France.

1. 2. 2. Diplomatic Ramifications

What were the true reasons which motivated such a diplomatic move on the side of the British? Was it just a move to counter revolutionary France or did the British design it as a two-fold weapon? Questions over free markets, military posts, and boundaries had been pending since the 1783 treaty of peace with the United States; furthermore, the Americans were providing its enemy starving France with wheat. Did the British intend to hit two birds with the same stone by using the Algerian corsairs? The following logic may seem to be simple but one may not discard it: by the past, many elements indicated that Logie had a hand in much of the troubles that happened in 1785 and 1786. In 1793, the Dey-pawn theory was always plausible. Starting from here the sequence of events is logical: a truce with Portugal meant opening the gate of the Atlantic for Algerian corsairs; the Atlantic is the maritime route American ships used for selling their wheat in France; therefore unleashing Algerian corsairs was meant for hurting American shipping and starving France at the same time. And the trick functioned to perfection: within a month from the signature of the truce by the Dey and delivery of passports by Logie, 10 American ships were harvested within a single cruise, the last one few days later.

At all events, American correspondence of the epoch, while infuriated by news of capture, systematically accused the British, and particularly Logie, for the disaster of captures; Portuguese officials were also suspected. The American consul at Lisbon was first to pinpoint to the British:

The conduct of the British in this business leaves no room to doubt or mistake their object, which was evidently aimed at us, and proves that their envy, jealousy, and hatred will never be appeased, and that they will leave nothing unattempted to effect our ruin.³⁸

And O'Brien wrote President George Washington:

The British nation, the natural and inveterate enemies of the United States, has brought about this truce, or half peace, for Portugal, in order to alarm our commerce and prevent the United States from supplying the French in their present glorious contest for liberty.³⁹

The Portuguese government denied having any knowledge about Logie's deal and accepted an American request for conveying American ships.⁴⁰ The escort, however, was contrary to a provision in the truce which stipulated that Portugal would not extend the benefits of passports to other nations not having a treaty with Algiers and was a source of anger for the Dey who made the British responsible for that. For the role of the British government in the truce, the issue was more complex. Thomas Pinckney, American minister at London, had a conversation with Lord Grenville, British Secretary of State for Foreign

³⁸ *ASP/FA*, 1:296, Edward Church, Consul of the United States at Lisbon, to the Secretary of State, Oct. 12, 1793. In this letter, church also accused some Portuguese leading officials: "It is a matter of certainty which I have received from undoubted authority, though contradicted by the minister Luis Pinto, and at present a great secret, that one of the present Portuguese ministers is in this execrable plot."

³⁹ *Ibid.*, 1:418, O'Brien to President, November 5, 1793.

⁴⁰ *Ibid.*, 1:299, Translation of a Note from Luis Pinto de Sousa, Secretary of Foreign Affairs at Lisbon, to Edward Church, Consul for the United States, October 22, 1793.

Affairs, with respect to the truce. The latter assured him that Britain “had not the least intention or a thought of injuring” the United States and that “Mr. Logie had been instructed to use his endeavours to effect this purpose.” Grenville considered that the British “had done no more than their friendship for a good ally required of them”; but he also added:

that the measure was also particularly advantageous to themselves, as they wanted the cooperation of the Portuguese fleet to act against their common enemy, which it was at liberty to do when no longer employed in blocking up the Algerine fleet.⁴¹

For sure, Logie acted on instructions and knowledge of his government but how far had he gone beyond those instructions is not clear. Humphreys stated in the above mentioned report that Logie acted without knowledge of his own court because “he has not received any direct official communications for fourteen months past. This was owing to his having been recalled, and a successor appointed for that residence.”⁴² This statement is literally true; Logie was in fact recalled in 1792 but the instructions on which he was acting were addressed to his successor Charles Mace who had been delayed by the plague in Spain.⁴³ Was he instructed also to issue passports? Undoubtedly, he was not a stranger to that master strike. Philip Sloan, one of the American captives who was at the service of the Dey, made the most damaging charge against Logie. He claimed that he was present at some of the conversations about the truce Logie had with the Dey and that he saw him “instructing the captains by charts

⁴¹ *SPPD*, 10:305, Mr. Pinckney to the Secretary of State, November 25, 1793.

⁴² *ASP/FA*, 1:297, D. Humphreys, Esq. to the Secretary of State, Oct. 7, 1793.

⁴³ Parker, *Uncle Sam in Barbary*, p. 76. The American Captives informed about the arrival of Mace at Algiers in December 1793. *USDC*, 10:336, December 29, 1793.

where they were to cruise for the American ships,” assuring them that they would “catch a dozen of them in a month provided they would follow his directions.”⁴⁴

A correspondence from Dey Hassan Pasha to King George III dated March 27, 1794 presented the events from an Algiers’ point of view.⁴⁵ The letter looks as if it were an ultimatum to Britain. According to the Dey, Algiers accepted to make a truce with Portugal, on demand of the British, on the condition that it would be followed by a peace treaty. But a Portuguese envoy notified him that it was not accepted because it was made by the British “to please themselves.” The Dey asserted the British did respect their engagement and as reparation they had to open the port of Gibraltar for Algiers too or close it for the Portuguese. The Dey also complained about some misdeeds of the Portuguese and British cruisers that shot and damaged Algerian vessels “for pleasure” as he reported them saying and added:

but if you say that as Christians you will Absolutely Protect them Your Friendship becomes useless to us... and if we newly learn that the Portuguese ships have entered Your Port We will break the Peace and send away Your Consul.”⁴⁶

As might be expected, Britain did not take the Dey’s ultimatum seriously. Besides, the King did not reply to “several letters which Hassan Bashaw had

⁴⁴ Extract from Joel Barlow’s letter of February 23, 1796 in James Monroe, *The Writings of James Monroe, Including a Collection of his Public and Private Papers and Correspondence*, edited by Stanislaus M. Hamilton, vol. 2 (New York/London: G. P. Putnam’s Sons, 1899), p. 489.

⁴⁵ The letter was reproduced for the first time in American writings in Parker’s *Uncle Sam in Barbary*; Parker refers to the source of the letter as “PRO FO 95 1/3, items 192 and 193. Item 192 is a formal Arabic document with the Dey’s *Tughra*, his official signature; 193 is the [English] translation.” For the latter see Parker, *Uncle Sam in Barbary*, pp. 231-32; also reproduced in Appendix 8.

⁴⁶ Parker, *Uncle Sam in Barbary*, p. 232.

personally written to him.”⁴⁷ The British attitude played in favor of the United States as the Dey would later tell Cathcart:

Go and tell your Ambassador that I accept his terms, more to pique the British who are your inveterate enemies, and are on very bad terms with me, than in consideration of the sum which I esteem no more than a pinch of snuff.⁴⁸

Joel Barlow, an American emissary who was sent later to Algiers, remarked that there was some truth in the Dey’s declaration, because at Algiers it was generally believed that the British opposed a peace treaty with the United States.⁴⁹ Barnby considered that to a great extent what the Dey said was honest.⁵⁰

2. A Peace Treaty at Last!

Despite that truce, capture of additional American ships, and failure of attempts at negotiations, the prospect of a peace was not abandoned. Having all done to sabotage the Algiers-Portugal truce, which at the end was not ratified by Portugal, the American government once more prompted Humphreys to set out for Algiers. To encourage him, the new Secretary of State Edmund Randolph, who succeeded to Jefferson on his resignation in December 1793, wrote him a letter the least that could be said about it is that it was obscure and not correct—one may even say that it smelt intrigue; Randolph wrote:

⁴⁷ Barnby, *Prisoners of Algiers*, p. 192.

⁴⁸ Cathcart, *the Captives*, p. 184.

⁴⁹ Frank E. Ross, “The Mission of Joseph Donaldson, Jr., to Algiers, 1795-1797,” *The Journal of Modern History*, 7: 4 (Dec., 1935), p. 427.

⁵⁰ Barnby, *Prisoners of Algiers*, p. 191.

you will go over yourself [to Algiers]—the measure which unquestionably will enable you to seize more certainly, than when at distance, one of those moments of good humor and caprice which the letters transmitted through you from Algiers designate as the lucky seasons for impressing the Dey, and consider as having, unfortunately for our country, escaped without being caught.⁵¹

Shortly after, Humphreys received instructions for negotiations from the President. In October 1794, the Dey gave him permission to come to Algiers to treat for peace on the same terms as those of the Dutch.⁵² Instead, with complete disregard, Humphreys decided to return to the United States which he reached late in December. In an undated letter to Humphreys which appears in Cathcart's *Diplomatic Journal and Letter Book*, the latter revealed the impact of that decision on the Dey: "he concluded that the United States were trifling with him as his predecessor had been trifled with in 1786 and by John Lamb and others since."⁵³

2. 1. An Extraordinary Envoy at Negotiations

It was not until May 1795 that Humphreys returned to Europe with further instructions and a commissioned agent, Joseph Donaldson, for helping with negotiations.⁵⁴ He also engaged the services of an American expatriate and intellectual Jacobin, Joel Barlow, who would arrive at Algiers in March

⁵¹ *ASP/FA*, 1:528, Secretary of State to Colonel Humphreys on the Algerine Business, July 19, 1794.

⁵² Cathcart, "Diplomatic Journal and Letter Book," p. 330.

⁵³ *Ibid.* From the events he recounted, the letter was written after May 1796, time at which he departed from Algiers with a letter from the Dey to President Washington.

⁵⁴ *ASP/FA*, 1:529, Secretary of State to Colonel Humphreys.

1796.⁵⁵ Meanwhile, Humphreys instructed Donaldson to proceed to Algiers but this caricatured envoy preferred waiting at Alicante until the Dey sent him an invitation “under the seal of the Regency” and Skjöldebrand paid for a vessel to go to Alicante and bring him to Algiers. About the circumstance, Dey Hassan Pasha said: “that is not customary, and has never been granted by this Regency to the Ambassadors of any nation.”⁵⁶ Definitely, the Dey had to deal with capricious Americans whose conduct was unpredictable but that did not weaken his efforts for making peace. Donaldson, nevertheless, ended by reaching Algiers on September 3, 1795.⁵⁷ Like Lamb, he was wholly unqualified for the mission but one element played in his favor: he could rely on Cathcart, O’Brien, and the Swedish consul.⁵⁸ Those had already arranged everything for him, including the provisions of the treaty itself; the only thing he did was bargaining about the sum of money fixed for the treaty and value of naval stores.⁵⁹

Negotiations were short but tense; they were carried through Cathcart who acted as a liaison between the Dey and Donaldson—the latter only met the Dey briefly after his arrival for the presentation of his credentials and then

⁵⁵ Privateer, poet, businessman, and diplomat, Barlow was perhaps the ablest of all American envoys to Algiers. During the critical years of 1796 and 1797, one may credit him with saving the treaty even though his deals were deceitful. For a portrait of Barlow see Elise Marienstras, “Joel Barlow, de Redding (1754) a Zarnowiec (1812): rêves cosmopolitiques et cauchemars tyranniques d’un américain de bonne volonté,” *La Revue Française des Etudes Américaine*, 92 :2 (2002), pp. 68-85.

⁵⁶ As recorded in Cathcart, *The Captives*, p. 160.

⁵⁷ For a full portrait of Donaldson, his mission, and evaluation see Ross, “The Mission of Joseph Donaldson,” pp. 422-433.

⁵⁸ For a summary about Cathcart’s views about American envoys to Algiers, particularly Donaldson, see Rojas, *Insults Unpunished*, pp. 175-181.

⁵⁹ Donaldson also enjoyed free accommodation in the newly-built house for the wife of the Dey, including service, thus he reduced the much-feared expenses the American had dreaded since 1783; as for food, it was supplied for free by Cathcart.

retired to the comfort of the house provided by the Dey.⁶⁰ Donaldson was so arrogant, avaricious, and nasty to his interlocutors (Dey, foreign diplomats, and American captives) that at a moment negotiations reached the brink of rupture. To his threat of departing from Algiers if the price would not be lowered to his desire—that far, the Dey’s first proposal had already been cut to less than half-- the Dey who was exacerbated and exhausted, Cathcart recounted:

desired me to embark the Ambassador on board the vessel he came in the next morning at daylight, and tell him to leave the Regency without delay, as he would permit no person to remain here to trifle with him as he had done.⁶¹

But at length an agreement was reached. To Cathcart, his long experience and understanding of Algerian politics saved the day. The Dey, however, was of a different opinion; he was conscious that the Americans were deceitful or “know how to *gabber*” as he put it,⁶² but he reasoned to Cathcart “should I now reject your terms and send your Ambassador away, your enemies would rejoice and you would become the laughing stock of all the Consuls and Franks in Algiers.”⁶³ This attitude is clearly indicative of a keen inclination of Algiers for a peace with the United States that’s why, the Dey accepted to lower the global price for treaty and ransom from \$2,247,000 to \$585,000. The agreement included too the payment of “annuity in stores” and

⁶⁰ For the full account about negotiations see Cathcart, *The Captives*, pp. 157-95.

⁶¹ Cathcart, *The Captives*, p. 179. The Dey’s initial proposal amounted to \$2,247,000; Donaldson answered by the offer of \$543,000 for peace and the ransom of captives. Allegedly, the reason which incited the Dey to put the bar so high was that the Spanish consul had set him a Spanish newspaper that calculated U.S. exports to be \$28 million. For more se, Michael L. S. Kitzen, *Tripoli and the United States at War: A History of American Relations with the Barbary States, 1785-1805* (North Carolina/London: McFarland & Company, Inc., 1993), p. 19.

⁶² *Gabber*, in Lingua Franca—that mixture of a number of Mediterranean languages—is a distortion of the Italian word *gabbare*, meaning to cheat and deceive. Corré, “Glossary of Lingua Franca.”

⁶³ Cathcart, *The Captives*, p. 184.

presents on the arrival of an Ambassador.” Consular and biennial presents were to be paid on the same basis as Holland, Sweden, and Denmark.⁶⁴ The list of naval material was fixed and evaluated at \$60,000 and consular and biennial presents were evaluated at \$17,000. The treaty was signed within the incredible time of less than 48 hours of negotiations on September 5, 1795. Proud of having served his country, Cathcart noted how his fellow citizen Donaldson concluded a peace treaty with hollow words:

thus in about forty-two hours after the arrival of Mr. Donaldson, peace was established between the Regency of Algiers and the United States of America, to the astonishment of every person in Algiers, friends as well as foes, by a lame old man who understood no language but his own, without funds or credit and surrounded with enemies.⁶⁵

On the spot, the treaty cost the state’s *Khazna* or treasury 21 guns’ salute for the American flag and an “Algerine sabre, mounted with gold,” as gift from the Dey to Humphreys.⁶⁶ The Dey also sent a present to Donaldson which Cathcart said it was “of no great value” but which proved to be “a fine Barbary stallion” as a token of his friendship and esteem.⁶⁷ On the long run, however, this treaty was going to cost Algiers inestimable losses. But the most important cost for Algiers were the years it passed struggling with the United States to make it honor its treaty.

⁶⁴ Cathcart, *The Captives*, p. 184-85.

⁶⁵ *Ibid.*, p. 188.

⁶⁶ *ASP/FA*, 1:530, Mr. Skjoldebrand to Colonel Humphries, 10th September, 1795. The American government reciprocated with, as wrote Parker, “two tea sets with golden spoons. One wonders what the Dey would have done with a tea set.” Parker, *Uncle Sam in Barbary*, p. 253.

⁶⁷ Parker, *Uncle Sam in Barbary*, p. 102. Later, Joel Barlow, another American emissary to Algiers was given two of those fine horses, Milton Cantor, “A Connecticut Yankee in a Barbary Court: Joel Barlow’s Algerian Letters to his Wife,” *The William and Mary Quarterly*, 3rd Series, 19: 1 (Jan., 1962), letter to his wife, Dec. 30, 1796, p. 108.

On the whole, even though the so much dreaded and sought treaty was concluded, Donaldson made a poor impression on the Regency's officials, American captives, and foreign consuls alike. On the conclusion of the treaty, the Dey offered Donaldson to release his countrymen from work at the Marine, pending the arrival of the ransom money, on the condition that he had to guarantee their conduct— drunkenness, insults, and violence against Turks. Curious as it was, Donaldson declined taking responsibility for his countrymen specifying that “he did not wish to take them from the Marine,” and added that “he did not care if they all turned Moors.”⁶⁸ The American captives were infuriated by his conduct and besieged his residence, implored him to change his mind; when he would not, they “cursed him for a hard-hearted, hickory-faced old devil.”⁶⁹ On a second occasion, they took possession of his residence saying that it was public property and “that they had as much right to stay in it as he had, and absolutely refused to go any more to work in the Marine.”⁷⁰ Donaldson asked for the help of the Turks who succeeded in making the maddened seamen go away.

A common explanation for Donaldson's objection to release American captives immediately was that he was reluctant to pay extra money for their maintenance. So, like Jefferson, what counted more for him was expense. The ‘sufferings of enslaved captives’ were only destined for domestic consumption

⁶⁸ Cathcart, *The Captives*, p. 187.

⁶⁹ Barnby, *Prisoners of Algiers*, p. 189-190 based on the account of John Foss, one of the captives, *A Journal of the Captivity and Sufferings of John Foss several Years a Prisoner in Algiers*, (1798); Cathcart, *The Captives*, pp. 233, 241

⁷⁰ *Ibid.*

but diplomatically they were considered as a financial burden on the state.⁷¹ Perhaps also Donaldson declined the offer of the Dey because he saw that his countrymen behaved more as free men than as captives or slaves; in all cases, they were not the kind of slaves he was accustomed to see in his own country. A product of the ideology of his time, his attitude should not be considered as shocking: when the Dey sent him John Foss and two other captives to serve as his personal domestics he told them that he still considered them as *slaves* and asked them to behave as such!⁷² Skjoldebrand after suffering his terrorization and suspicions—he was accused of spying for the Dey—declared that Donaldson was “wholly unqualified for the business he was sent on; that he hardly thought such another original could be found in the United States.”⁷³

2. 2. A Treaty of Peace and Amity, 1795

The treaty by itself is a subject matter for legal studies;⁷⁴ nonetheless, few remarks should be made here: first, Turkish was the first language of the treaty but there exists an original English translation (in four original copies) which Cathcart claimed he had made:

⁷¹ On the return of captives, Congress fathered the publication of the journal of John Foss which he held at Algiers. In its second edition, Foss embellished the original narrative thus increasing the original text from 80 pages to 190 pages. Daniel Williams, “White Slaves, African Masters: An Anthology of American Barbary Captivity Narratives,” *Early American Literature*, 36: 2 (Mar. 2001), p. 317.

⁷² Barnby, *Prisoners of Algiers*, p. 190.

⁷³ *Naval Documents Related to the United States Wars with the Barbary Powers*, edited by Dudley Knox, vol. 1 (Washington, D.C.: Government Printing Office, 1939-44), 1:129, Barlow to Humphreys, Apr. 3rd, 1796; also Ross, “The Mission of Joseph Donaldson,” p. 433. (Hereafter cited as *NDBW*).

⁷⁴ For the full English version of the treaty see *The Public Statutes at Large of the United States of America, from the Organization of Government in 1789 to March 3, 1845*, edited by Richard Peters, vol. VIII (Boston, MA: Charles C. Little and James Brown, 1867), pp. 133-137. (Hereafter cited as *Sal*). It is mentioned on page 137 that the original treaty was in Arabic which is incorrect. See also Appendix 9.

I received the treaty in Turkish from the Secretary of State, and with the translation in English which was made and written by me, and collated with the original in twenty-three articles, and the four passports before mentioned, I took to Mr. Donaldson.⁷⁵

Second, an English translation of the Turkish text of the treaty was made in 1930 by the orientalist and Turkish scholars J. H. Kramers and Dr. C. Snouck Hurgronje. The 1930 translation reveals a considerable difference from the 1795 English translation of the Turkish text.⁷⁶ Third, there exists an account of the negotiations, entitled “Narrative of the proceedings of Joseph Donaldson Esq” written by O’Brien in which he talked about himself more than about the treaty.⁷⁷ Donaldson also reported about negotiations but his report dated September 7, 1795, “is somewhat confused and in certain respects obscure.”⁷⁸ He mentioned that the text was in Turkish and Cathcart “returned to me with Articles of a Treaty in Turkish & then Englished, which Proves to be that of the Sweedes.”⁷⁹ Of the three accounts so far mentioned, the most complete and perhaps the most accurate is that of Cathcart because it traces negotiations from an insider’s point of view. Fourth, there is a consensus among legal historians, and historians in general, that the treaty was a copy of the Swedish

⁷⁵ Cathcart, *The Captives*, p. 191. The full account of the negotiations can be found in pp. 158-95.

⁷⁶ One may seek to compare the two translations: original (1795) and that of 1930; for the latter see Hunter Miller, ed., *Treaties and other International Acts of the United States of America*, vol. 2: 1776-1818 (Washington, D.C.: Government Printing Office, 1931), (Accessed 8 March 2008), available at The Avalon Project at Yale Law School, <http://www.yale.edu/lawweb/avalon/diplomacy/barbary.htm#r>

⁷⁷ O’Brien met the Dey for the first time on September 11, 1795—over 10 years after his captivity—about which Cathcart said it was his “political birthday”; therefore he could not have been better placed than Cathcart for giving an account. For O’Brien’s meeting with the Dey see Allison, *The Crescent Obscured*, p. 164.

⁷⁸ Miller, ed., *Treaties of the United States*.

⁷⁹ As quoted in *ibid*.

Treaty of Peace and Commerce with Algiers.⁸⁰ The Swedish treaty in question was that of 1792 which was a renewal, with additions, of the first treaty of 1729.⁸¹ Actually, “the substance of each of the respective twenty-two articles of the Swedish and American treaties is in general similar” but not identical.⁸² Accordingly, the treaty was in conformity with the diplomatic practice so far adopted by all European powers. Article XXII, however, contains a statement which “was the only item that resulted from the negotiations.”⁸³ That statement deserves full citation because it was the pillar which supported Algerian-American diplomatic relations from the signature of the treaty until 1812, time at which the American consul Tobias Lear at Algiers was ordered to leave the country:

Joseph Donaldson ... agreed with Hassan Bashaw Dey of Algiers to keep the Articles Contained in this Treaty Sacred and inviolable which we the Dey & Divan Promise to Observe on Consideration of the United States Paying annually the Value of twelve thousand Algerine Sequins in Maritime Stores.⁸⁴

Except for those annual payments in stores, which the Americans call ‘tribute’ in a pejorative sense, no other parts of the financial agreement were written in the Treaty—including the ransom for the liberation of captives and customary presents. That did not pass unnoticed for watchful Americans at home. About the treaty, Madison wrote James Monroe, the American minister at Paris, that it “is stamped with folly, and the most culpable Irregularities;”

⁸⁰ Ross, “The Mission of Joseph Donaldson,” p. 427; Barnby, *Prisoners of Algiers*, p. 193.

⁸¹ For the treaty of 1729 with Sweden see Muller, *Consuls, Corsairs, and Commerce*, pp. 58-60, 144-146.

⁸² Miller, ed., *Treaties of the United States*; Parker, *Uncle Sam in Barbary*, p. 105.

⁸³ Ross, “The Mission of Joseph Donaldson,” p. 427.

⁸⁴ SaL, 8:137.

and to Jefferson he wrote that it “has some curious features.”⁸⁵ It is however known from a letter of Randolph to Humphreys that President Washington gave instructions for redeeming the captives at a “limit of three thousand dollars per man”—we are here far away from Jefferson’s \$100-200 *apiece* offered in 1786—but this appears nowhere in the treaty.⁸⁶ The customary presents were not included either, they were counted as regalian rights, or privileges attached to office, and were one of two points the Dey insisted on—besides naval material. Those included a presents valued at \$20,000 on the sending of a new consul and biennial presents to officers of government estimated at \$17,000.⁸⁷ For insignificant annuities in naval stores, presents on arrival of a new ambassador, and biennial presents Algiers opened its markets and guaranteed the interests of an American Mediterranean trade that, according to O’Brien, was making profits of \$1.5 million a year.⁸⁸ Overall, the document was most favorable for the United States; one may even affirm that it was a one-sided treaty. Apart from the above mentioned payments that were not even written in the treaty and which later became a matter of controversy and cheating, Algiers had all to lose by the terms of treaty.

A quick look at the provisions of the treaty shows that nineteen out of the twenty-two articles did not provide for reciprocity:⁸⁹ except from articles 3, 4 and 19 which provided for immunity from capture on presentation of a

⁸⁵ *LWJM*, 2:82, To James Monroe, Feby 26, 1796 and *ibid*, 2:85, To Thomas Jefferson, Feb. 29, 1796 respectively.

⁸⁶ *ASP/FA*, 1:529, Secretary of State to Colonel Humphreys, August 25, 1794.

⁸⁷ Bassett, *Principles of American Diplomacy*, p. 108; *ASP/FA*, 3:33.

⁸⁸ As cited in Allison, *The Crescent Obscured*, p. 160.

⁸⁹ These remarks are based on the original translation of 1795. Wherever flagrant disparities appear between the original translation and that of 1830, parentheses are used for the purpose.

passport issued by the United States for both signatories, the remaining articles secured free trade and navigation for American citizens only.⁹⁰ Among them many were restrictive for Algiers while advantageous for Americans: article 7 prohibited Algiers from *giving or selling* men-of-war to nations in war with the United States (1830: *to be equipped* from countries at war with the ruler of America); articles 8, 9, 10, and 12 permitted American citizens to sell their prizes at Algiers even if they were not in possession of a passport without paying duties and denied to other nations at war with the United States to sell American captured ships at Algiers. More privileges were provided by article 11 including “presents of Provisions & Refreshments Gratis” were to be given for visiting American warships (1830: no such provision were inscribed) and reiterated in article 20 “the Dey will Send fresh Provisions on board as is Customary, Gratis.”⁹¹

It remains to say that the treaty was more tolerant about slavery since article 11 required that escaping slaves to visiting warships “shall be immediately returned [and] no excuse shall be made.”⁹² Finally, one may certainly remember Lady Temple’s “box of tea and a piece of silk” brought

⁹⁰ As an example of disparities between the 1795 original translation and that of 1830 is this statement in article 4: 1795, Algerine cruiser must have “passport and Certificate from the Consul of the United States of North America resident in this Regency”; 1830, Algerian cruisers must be “in possession of a passport delivered by the ruler of Algiers or the American Consul residing in Algiers.”

⁹¹ Article 20 provided also for a salute “with twenty one Guns” for American warships on anchorage at Algiers. One may not understand why there was so much fuss about the naval stores since powder was used for saluting the incessant ballet of their warships.

⁹² The irony of history had made it that at about the same time the treaty was debated in Congress for appropriations and ratification and detailed in the newspapers where article 11 did not pass unnoticed, Ona—one of the best nine slaves George Washington took with him to Philadelphia when he became president—escaped from the executive mansion. Washington sent agents to seize and shackle her but the task proved difficult without raising public indignation as she was in free territory (New Hampshire). Nine months later, “another part of [his] human property declared his independence” and outwitted all attempts to capture him; he was no more than his valuable cook Hercules. For both anecdotes see Nash, *The Forgotten Fifth*, pp. 62-67.

from China for which Lord Temple received the correction of a lawyer; for the American consuls at Algiers there would be no such concern because article 20 exempted them from paying duties: “the Consul... shall not be required to Pay duty for any thing he brings from a foreign Country.” In sum, the treaty was a disaster for Algiers.

By insisting on stores and money aspects, the Dey seemed not to give importance to the provisions of the treaty; his khodjas wrote the treaty in Turkish but Cathcart and Skjoldbrand adopted the Swedish treaty of 1729; the disparities between the two translations of the treaty are enormous. Probably, the Dey considered that as long as the Americans paid him respect (through presents) and provided him with material for his corsairs, on which he could rely, he had nothing to fear from them. And that was fatal strategy. Relying on corsairs that could not even supply their captured vessels with ammunitions and cordages was certainly a bad idea.⁹³ And the Americans were conscious about that.

A report communicated to the House of Representatives on January 20, 1794 clearly indicated the bad condition of the “naval force of the Algerines” and expressed opinion that “six ships... will be sufficient to protect the Commerce of the United States against the Algerine corsairs.”⁹⁴ In March 1794, Congress had passed ‘An act to provide a naval armament,’ commonly

⁹³ As indication of Algiers’ needs in naval material see Cathcart, “Diplomatic Journal and Letter Book,” pp. 398-99; also Appendix 10B.

⁹⁴ *American State Papers, Class VI: Documents, Legislative and Executive, of the Congress of the United States: Naval Affairs. 1794-1825*, edited by Lowrie and Clarke (Washington, D.C.: Gales and Seaton, 1832-1861), 1:395, Naval Force against Algiers, Jan. 20, 1794. (Hereafter cited as *ASP/NA*). Available at <http://lcweb2.loc.gov/ammem/amlaw/lwdg.html>

known as the Naval Act of 1794, which launched a large shipbuilding program partly because of the captures of October-November 1793 and partly because of French and British threats.⁹⁵ The preamble to the act clearly stated that Algerian actions, present and future, were the motivations for the building a navy: “Whereas, the depredation committed by the Algerine corsairs on the commerce of the United States, render it necessary that a naval force should be provided for its protection....”⁹⁶ Relations with Algiers then were so decisive an issue in American foreign relations that section 9 provided for the suspension of the Act upon successful negotiations of peace with Algiers: “that if a peace shall take place between the United States and the Regency of Algiers, that no further proceedings be had under this act.”⁹⁷ The necessity for that condition could be understood especially if one knows that over the creation of a navy Congress split between two factions: navalists who favored it and anti-navalists who opposed them and the warlike debate ended in section 9 as a compromise for the passage of the act. Consequently, merely less than seven years after Algiers the scapegoat gave the United States its Constitution in a climate of calculated psychoses, it was used again as a solid argument for arming it with a navy at a time America’s real enemies were elsewhere and certainly not a friendly and ignorant Dey who unconsciously opened the gates for incalculable American privileges and subsequently gunboats.

⁹⁵ For the circumstances and provisions of the Naval act, 1794, see Marshall Smelser, “The Passage of the Naval Act of 1794,” *Military Affairs*, 22: 1 (Spring 1958), pp. 1-12.

⁹⁶ Adam Seybert, *Statistical Annals, 1789-1818* (Philadelphia: Thomas Dobson & Son, 1818), p. 635; for the use of ‘Algerine piracy’ as argument for the creation of a navy see Smelser, “Passage of the Naval Act,” pp. 8-12.

⁹⁷ *CMPP*, 1:193, George Washington: Special Messages, March 15, 1796.

3. A Fragile Peace: the Treaty of 1795 at Stake

3. 1. Insatiable Greed

Diplomatic relations between Algiers and the United States during the period 1795-1812 is a long saga of American promises, lies, cheating, and duplicity about payment and delivery of stores. In the long run, as the American did not respect the agreed-on terms, the Deys—five of them ruled during that period—lost patience, warned, threatened, at times repudiated the treaty then backed up, and even went as far as to declare war on the United States but the Americans remained unmoved. Cash payments were delayed; stores were not partly-provided until some three years later after the treaty was signed; and quarrels over quality, quantity, and delays became recurrent themes. Meanwhile, American Mediterranean trade was expanding and making more profits; American consuls and envoys at Algiers leagued with Jews in a policy of cheating on the Deys; they also leagued with other Americans representatives at European courts in the business of exporting Algerian wheat even before the ink of the treaty was dry.

Lust for Indian lands, lust for Barbary trade, lust for profits; truly, American greed is difficult to satisfy. Nothing seemed to be capable of stopping Americans, merchants and diplomats alike, from rushing to the Barbary Coast on the first rumor that a peace was concluded with Algiers. Many ships loaded with salted fish (cod) were waiting at Gibraltar and at least one, the *Elisa*, entered the Mediterranean before peace was secured. Barlow complained about American shippers who according to him “would sail into

the mouth of hell, if the Devil was to turn Catholic so as to make a good market for codfish” as he wrote James Monroe on Aug 27, 1796.⁹⁸ The diplomats were not at rest of the “madness and sinful temerity” of American shippers.⁹⁹ With the first news of a treaty being concluded, the American consul at Alicante, probably on instructions from Donaldson, freighted a ship and dispatched it to Algiers in order to load it with wheat.¹⁰⁰ Donaldson, who concluded a treaty with hollow words, wanted to make solid profits immediately. At a time the treaty was unsure, pending the arrival of payments, he asked the Dey for a permit to load a cargo of wheat which of course was refused to him: “settle the affairs of your nation first, and then it will be time enough to talk about commercial affairs” the Dey told Cathcart and added for the intention of Donaldson: “Tell him we have no wheat to spare, when we have any we will let him have it.”¹⁰¹ Repelled by the Dey, the ship nonetheless sailed to Oran where the American representatives “made a contract with the Bacries for a cargo of grain.”¹⁰²

3. 2. Perfidious Americans

Financing the treaty proved to be an even more complex and hardy task than peace itself. A Message from the President of the United States to Congress Relative to Algiers dated January 9, 1797 detailed the payment

⁹⁸ Cantor, “A Connecticut Yankee in a Barbary Court,” p. 103.

⁹⁹ *Ibid.*, p. 102.

¹⁰⁰ This activity was widely spread among consuls who also acted for their personal account as merchants. Because of their meager revenues, they engage in export activities hence the importance of obtaining the favor of the Deys through presents and intrigues.

¹⁰¹ Cathcart, *The Captives*, p. 224.

¹⁰² *Ibid.*; also see Cathcart to O’Brien, October 25, 1796 in Cathcart, “Diplomatic Journal and Letter Book,” pp. 354-55.

agreement with Algiers.¹⁰³ Initially, Donaldson “engaged to make the payments agreed on in three or four months.”¹⁰⁴ For the purpose, O’Brien was released, given a passport, the yatagan and many letters for Humphreys, and a copy of the treaty for ratification. He sailed from Algiers on September 12, 1795 for Alicante. The search for money took him to Lisbon, London, Lisbon again, Livorno, Lisbon again, Philadelphia, Lisbon again, and Tripoli before finally returning to Algiers on October 1, 1796 with \$200,000!¹⁰⁵ Meanwhile, at the term of four months, the Dey grew uneasy. He summoned Donaldson and threatened to repudiate the treaty if payments were not made. Nonetheless he granted another three months (up to April 8) for the USA to fulfill its agreement.¹⁰⁶ Another emissary, Sloan, was dispatched for Lisbon early in January 1796 for the same purpose. After long vicissitudes, the latter returned to Algiers after about three months empty-handed.¹⁰⁷

Meanwhile, Barlow reached Algiers early in March 1796 with presents which the Dey refused to accept on the basis that payments were not made yet and therefore the treaty was unsure.¹⁰⁸ He also rejected a demand for an audience which was generally imputed to the commencement of Ramadan. On

¹⁰³ *ASP/FA*, 1:553-58, Message from the President of the United States to Congress Relative to Algiers, Jan. 9, 1797.

¹⁰⁴ *Ibid.*, 1:553, Report of the Secretary of State, Jan. 6, 1797.

¹⁰⁵ The odyssey which surrounded the search of money for the treaty resulted from the general warfare which set Europe afire following the French Revolution.

¹⁰⁶ *ASP/FA*, 1:554, Report of the Secretary of State, Jan. 6, 1797.

¹⁰⁷ Sloan to Cathcart, March 1, 1795 in Cathcart, “Diplomatic Journal and Letter Book,” p. 373.

¹⁰⁸ Barlow held a hostile view towards Algiers and all that was connected to it—like all Americans indeed—and more. Describing his voyage he wrote: “after we had been cast about [for three days from heaven to hell, it drove us to a port which certainly belongs to neither, since they are not men who inhabit it. This port is called Algiers... it is doubtless, in all respects, the most detestable place one can imagine.” Cantor, “A Connecticut Yankee,” p. 95. For more of the sort see letters to his wife written from Algiers, pp. 95-109. A full account about Barlow’s mission at Algiers can be found in Milton Cantor, “Joel Barlow’s Mission to Algiers,” *Historian*, 25: 2 (1963), pp. 172-194.

April 3, the Dey announced that, as agreed on, after one week, the American emissaries had to leave the country and within one month from then, if the stipulated sums were not paid the treaty should be terminated.¹⁰⁹ But after long negotiations, via Bacri who was promised a commission of \$18,000, a compromise was reached: the USA was to provide Algiers with a 36 gun- frigate as compensation for an extra three months' delay.¹¹⁰ The day after the frigate agreement was made Donaldson sailed to Livorno where after long and complex financial deals with a branch of the Baring financial house of London and the Jew financial houses, which were not without difficulties, he could obtain the value of \$100,000 in gold.¹¹¹ Eventually, he could arrange for the shipment of the bullions which reached Algiers in January 1797.¹¹² That permitted too the payment of the \$20,000 which he borrowed from Bacri for the presents he distributed at the signature of the treaty. Meanwhile at Algiers, other developments occurred.

The agreement for the frigate was confirmed by the American president and appropriations (\$45,000) voted by the House of Representatives; yet, there was much opposition to the agreement and reluctance to build the frigate that Washington wrote the Secretary of War urging compliance:

¹⁰⁹ *ASP/FA*, 1:554, Joel Barlow and Joseph Donaldson, Jun. to David Humphreys , Esq., American Minister, Lisbon, April 5th, 1796.

¹¹⁰ *ASP/FA*, 1:554, Joel Barlow and Joseph Donaldson, Jun. to David Humphreys , Esq., American Minister, Lisbon, April 5th, 1796. The emissaries estimated the frigate at 45,000 and explained also that "this way a saving may be made of about 10,000 dollars." But barely 9 months later, the Secretary of State in his report put the price at \$99,727 (more than the double).

¹¹¹ His presence coincided with the invasion of Livorno by Napoleon and blockade of the city by the British; so he could not get out the bullions easily. For a full report about financial transactions see *ASP/FA*, 1:556-58, Statement of Messrs. Baring and Co., August 29, 1796.

¹¹² For details about the Livorno transactions see Joshua E. London, *Victory in Tripoli: How America's War with the Barbary Pirates Established the U.S. Navy and Built a Nation* (Hoboken, NJ: John Wiley & Sons, Inc., 2005), p. 44; Parker, *Uncle Sam in Barbary*, p. 117.

That no step yet should have been taken to carry this measure into vigorous execution, and that it should be asked, nearly six weeks after it had been resolved to comply with the Dey's request, and an actual stipulation of our agent or agents there, by what department it is to be carried into effect, is, on account of the delay which has been occasioned, extremely unpleasant.¹¹³

In January 1797 the Secretary of State informed Congress that "the frigate is now building in Portsmouth, New Hampshire, and is expected to be finished in the spring."¹¹⁴ It was delivered as the *Crescent* in January 1798.¹¹⁵ About the frigate's later condition O'Brien wrote in March 1800 that it was decaying: "it [dry rot] is visible to me but I am in the hopes that this year she will be taken by the Portuguese, if so it will be rendering the United States a service and saving much difficulties."¹¹⁶ Needless to say that once more the Americans had abused the Dey.

Furthermore, the liberation of the prisoners was obtained by a hideous machination between Barlow and Bacri, a machination "worthy of the best tradition of Yankee traders."¹¹⁷ The operation consisted of paying the Dey with his own money; it occurred in July 1786 after a new French consul was dispatched by the Directoire to Algiers. Against a handful of presents, the latter obtained a loan of \$200,000 from the Regency's treasury which he deposited in the banking house of Bacri. Soon after, Barlow struck a deal with Bacri to use

¹¹³ *WGW*, 13:240-42, To James McHenry, Secretary of War, 13 July, 1796. More documents showing the construction, armament, and delivery of the frigate can be found in Charles W. Upham, *The Life of Timothy Pickering*, vol. 3 (Boston: Little, Brown, and Company, 1873), pp. 270-77.

¹¹⁴ *ASP/FA*, 1:554, Report of the Secretary of State, January 6, 1797.

¹¹⁵ For more about the frigate deal see Glenn Tucker, *Dawn Like Thunder: The Barbary Wars and the Birth of the U.S. Navy* (Indianapolis/ New York: The Bobbs-Merrill Company, Inc., 1963), pp. 100-03; Parker, *Uncle Sam in Barbary*, pp. 112, 256.

¹¹⁶ *NDBW*, 1:351, O'Brien to Secretary of State, March 17, 1800.

¹¹⁷ Cantor, "Barlow's Mission," p. 181.

that money for redeeming American prisoners against a commission of \$40,000.¹¹⁸ The redemption money was paid on July 11, 1796 and the prisoners were released and sailed from Algiers the following day. At about the same time the prisoners were leaving, Barlow wrote a long letter to Timothy Pickering, the new Secretary of State, in which he described how he had arranged the release despite the fact that his government had sent him no funds.¹¹⁹ The Dey would learn about it soon after the prisoners sailed from Algiers and obviously he was not happy.¹²⁰ For President Washington, the ratification of the treaty and “the actual liberation of all our citizens, who were prisoners in Algiers, is itself an earnest of a satisfactory termination of the whole negotiation”¹²¹ but that satisfaction could not be said to extend to Algiers; its troubles with the United States had just started.

Early in May, Cathcart was given permission to leave for the United States with a letter from the Dey to Washington. Briefly, the letter said that eight months had elapsed since the treaty was signed without a single article of the agreement had been complied with and that Cathcart was dispatched “with a note of such articles as are required in this Regency.” The ‘note’ was in fact a long list of naval materials which indicates how Algiers was dependent on foreign supplies for the armament of its corsairs.¹²² Cathcart had written that the initiative came from the Dey who told him that the reason for his decision

¹¹⁸ For a detailed description of the deal see *ibid.*, pp. 180-82; Barnby, *Prisoners of Algiers*, pp. 283-85; and Parker, *Uncle Sam in Barbary*, pp. 120-21, 255.

¹¹⁹ *NDBW*, 1:164-66, Barlow to Secretary of State, July 12, 1796.

¹²⁰ Parker, *Uncle Sam in Barbary*, p. 121.

¹²¹ *WGW*, 13: 346-47, Speech to both Houses of Congress, December 7th, 1796.

¹²² For the letter of the Dey and list of demands see Cathcart, “Diplomatic Journal and Letter Book,” pp. 400 and 398-99 respectively. They are reproduced in Appendix 10.

to send him to the United States was that the Regency had so often been abused by the agents of the United States that “he had no confidence in their promises” and that “he did not believe that the United States would satisfy them [his specifications of the frigate].”¹²³ Today, it is well known from the above-mentioned letter Barlow wrote to Pickering that Cathcart’s “departure was the result of a Machiavellian plot by Barlow” who considered him as “an irritant in the peace process,” a plot which he carried with the help of Bacri.¹²⁴ The departure of Cathcart was, once more, one of those many deceitful stratagems Barlow used to cover up on the never-ending delays on the part of the United States in honoring its financial pledges:

I thought it probable that if he [the Dey] could be engaged, as from his own mere motion, to send this man [Cathcart] to America on the subject of the peace presents and annual tribute it would give him a new turn to his contemplations. He would be looking to America for answers and arrivals, instead of counting the days in which he was looking for me for money...¹²⁵

As for the plot to send Cathcart away, he wrote:

The Jew [Bacri] hated Cathcart and wished him away. This was sufficient for the Jew. And I engaged him to hint the matter to the Dey in such a manner as that he should conceive the project to be his own. ... The plan was properly managed at that time, and Cathcart was sent ... without expense to the U.S.¹²⁶

With Cathcart who so far acted as a fair broker between the Dey and the American agents out of the frame, Barlow gave full liberty to what the Dey

¹²³ Cathcart, *The Captives*, pp. 264-65.

¹²⁴ Parker, *Uncle Sam in Barbary*, p. 114-15; Barnby, *Prisoners of Algiers*, pp. 276-79. About Barlow’s deed, Parker commented: for “dispens[ing] with the services of the most knowledgeable American in Algiers,” meaning Cathcart, a modern management expert might give Barlow a D, or may be an F.”

¹²⁵ *NDBW*, 1:165, Barlow to Secretary of State, July 12, 1796.

¹²⁶ *Ibid.*

called a 'string of lies.' Many Barlow letters reflect the Dey's growing suspicions and lack of confidence in American agents and government especially if one knows that the three/four months pledge dragged on for over a year without payments honoring the treaty being made. In a letter dated October 18, 1796 he wrote to Pickering, Barlow described the 'impatience' of the Dey who, according to him stated:

I would wait no longer. I have been amused all year by a string of lies. It is possible that your money has been dancing all over Europe for a year and has happened to alight at last at Leghorn just at the moment when the English were to blockade that port? No—you either have no money in Europe or you never intend to pay it.¹²⁷

When Barlow pleaded for patience, the Dey allegedly answered:

I have more patience than God. I have resisted all your enemies who have tried to overturn your peace. My heart has struggled against my judgement. I wished to think you honest, but I begin to think you the most faithless nation among all the infidels.¹²⁸

The accounts are too long to detail here but, to make a long story short, the Americans have since claimed that they had paid close to one million dollars for the treaty (Tables 7 & 8). But by their own records, they only paid half that sum to the Dey of which \$200,000 were treacherously procured from the Regency's treasury.¹²⁹ The same may also be said of the annual payments (tribute) fixed by the treaty in the form of naval stores. When Barlow left Algiers in July 1797, not the slightest material was delivered. Obviously, the

¹²⁷ *NDBW*, 1:199, Barlow to Secretary of State, October 18, 1796.

¹²⁸ *Ibid.*; also Cantor, "Barlow's Mission," p. 187; Barnby, *Prisoners of Algiers*, p. 293.

¹²⁹ Recent research has revealed that consular correspondence does not mention "any of these amounts paid, either in cash or in kind, nor is there any indication when and how the \$200,000 was repaid to the Bakris." Parker, *Uncle Sam in Barbary*, p. 256.

Dey was irritated and grew impatient and menacing but Barlow knew it all: there was not much the Dey could do. In the spring of 1797, Barlow went to see the Dey. On the occasion, he drew up this portrait of the Dey:

He had been waiting with the impatience of a petulant child all winter; and after the beginning of April it became impossible to speak to him with safety on any subject. He had become so furious that I went to him on 20 of May to try to soften him.... I told him that the vessel [he pretended that a vessel was bound for Algiers with the stores] must either be lost at sea or stopped by some of the belligerent powers. Says he "You are a liar and your government is a liar."¹³⁰

As the Dey reiterated his threat to repudiate the treaty, Barlow wrote: "it has been too often repeated to excite alarm."¹³¹ At the end, what comes out of this chronology of financial aspects pertaining to the treaty is that the United States respected neither the periods prescribed for payment nor the amounts due for payment as fixed by the agreement of September 1795. Yet, the treaty has ever since been decried as having cost a million dollars; not a single American would deviate from the 'one million' argument.¹³² As one may probably notice from the tables below, the cost also included the ransom of captives, commissions to the Jew broker, presents, payments made to Humphreys and O'Brien, freight, and a frigate and stores that were overestimated. Moreover, the frigate was handed over with a delay of over a year. As for the stores, they were always in arrears and the first shipment did not arrive until January 1798. Finally, the agreed on payment of \$585,000 was not fully honored, let alone the \$200,000 treacherously obtained from the treasury of the regency.

¹³⁰ *NDBW*, 1:209, Barlow to U.S. Minister to Paris, Sept. 6, 1797. For more see Kitzen, *Tripoli and the United States*, p. 22.

¹³¹ *Ibid.*

¹³² See as an example London, *Victory in Tripoli*, p. 43.

Table 7: Estimated Cost of the Treaty of 1795

According to the American Department of Treasury, as of Jan. 4, 1797, the expenses of carrying the treaty into effect were estimated as follows:

Payments stipulated at the time of closing the treaty to the dey, his officers, and the treasury, for the redemption of the captives	\$525,500
To which are to be added agreeably to Mr. Donaldson's calculation: For percentage on the captives	\$27,000
Peace presents, consular presents,	\$60,000
Commissions to the Jew broker, and presents to principals, &c.	\$30,000
Amount of money to be paid in Algiers	\$642,500
Payments made to col. Humphreys,	£3,471
Payment to captain O'Brien.	£31
Total in £ and \$	£3,502 = \$15,564 44
The naval stores stipulated by Mr. Donaldson were estimated at \$57,000, but which, agreeably to his enumeration of the articles, will cost agreeably to the estimate of the purveyor (Table 8)	\$124,413
The freight of the said stores is computed at	\$50,000
The expense of the frigate lately promised, agreeably to the estimate of the Secretary at War, will be	\$99,727
The whole expense of fulfilling the treaty, according to this estimate, therefore is	\$992,463 25

Source: Adapted from *SPPD*, 10:454-55, Report of the President of the United States to Congress Relative to Algiers, Jan. 9, 1797, Report of the Secretary of the Treasury, January 4, 1797.

Table 8: Estimated Cost of the Annuities in Naval Stores

According to the American Department of Treasury, as of 29 December 1796, the estimation of the probable cost of Articles for the Algiers' treaty were:

500 barrels of powder, at 13 l.	£7.500
60 tons of lead, at 40 l.	2,640
20,000 cannon ball, at 276 l.	2,760
5,000 double headed shot	690
200 pieces of canvas	1,100
2,000 gun barrels	2,000
50 masts, at 100	5,000
100 spars, at 40 l.	4,000
10 cables and cordage, 45 tons, at 135 l.	10,575
3,000 pine and oak plank, 6 inches thick, 50 feet long	9,000
200 ps. scantlin	540
200 barrels tar	200
100 barrels pitch	150
10 cannon, &c.	500
Total in £	46,655
Equal to (in \$)	124,413

Source: Adapted from *SPPD*, 10:456, Report of the Secretary of the Treasury, January 4, 1797.

Conclusion

Establishing diplomatic relations with the United States proved to be a long and thorny issue. The difficulties arose from the United States which, while transiting to a new system of government, had to make new adjustments and from the European countries which were opposed to the conclusion of a peace treaty and attempted to prevent it. Algiers' corsairing diplomacy did not facilitate it either. Despite a major crisis in 1793 that resulted from the capture of more American ships, negotiations could be started and a peace treaty was

concluded rapidly. The treaty granted enormous privileges to the United States in terms of navigation and markets but a number of financial elements that were agreed on during negotiations, and which were of paramount importance to Algiers, were not written in it. Although the American negotiators promised payments in fixed limits of time, those were never respected, a fact which caused uneasiness and distrust of Americans at Algiers.

On his side, the Dey knew that he was dealing with untrustworthy partners but he had given his word and that was sacred. He was of the old school which his ancestors the *jihadist* Turk corsairs had founded about three hundred years before and which had not evolved since. Cathcart wrote proudly about the accomplishments his compatriot made with hollow words but the words of the Dey were as solid as bullion as Barnby wrote: “at this period in Europe a bond or promise that was considered to be certain and reliable was said to be as good as the word of a Turk.”¹³³

Dey Hassan Pasha died in 1798 and four other Deys succeeded to him and died without having the satisfaction of even sensing an honorable conduct on the side of the United States. The latter had never respected its engagements; consequently, it put Algiers in a position of repudiating the treaty and expelling the American consul in 1812. The Americans decried Algiers’ move as aggression against the United States and sent their fleet threatening at the very gates of Algiers: that was the beginning of American gunboat diplomacy.

¹³³ Barnby, *Prisoners of Algiers*, p. 193.

CHAPTER VIII

The Advent of Gunboat Diplomacy, 1798-1816

This treaty, I flatter myself will be considered honorable to the United States, particularly when we compare the small force employed on this occasion with the formidable expeditions which have often, and without success, been sent against Algiers. It has been dictated at the mouth of the cannon; and I beg you leave to express to you my opinion, that the presence of a respectable naval force in this sea will be the only certain guarantee of its observance.¹

Stephen Decatur (1815)

Introduction

Formally, differences between Algiers and the United States were settled and relations were well defined by the treaty of 1795. Actually, as the circumstances which immediately followed the signature of the treaty demonstrated, they were far from being so. While the Americans were plainly satisfied by the terms of the treaty, the Deys were to endure an almost two-decade long period during which the United States consistently failed to abide by the terms of the treaty. That line of conduct in American foreign policy was

¹ *ASP/NA*, 1:396, Naval Operation against the Barbary Powers in 1815, Stephen Decatur to Secretary of the Navy, July 5, 1815.

the source of much dissatisfaction at Algiers and resulted in a string of events which eventually culminated in the naval encounter of June 1815 in which Rais Hamidou, Admiral of the Algerian fleet and Algiers' foremost corsair, was killed. From then until December 1816, the United States, along with Great Britain and the Netherlands, would take turns sending fleets to Algiers either in a mere show of naval might for the sake of enhancing already-obtained privileges at Algiers or imposing new treaties on the basis of more favorable terms—as was the case of the USA—or else, alleging recommendations of the Congress of Vienna, 1815, for pouring a torrent of cannon-balls and incendiary boats on the city of Algiers in the name of slave trade.

For the United States, those events, known also as the Second Barbary War, 1815-1816, were one of the turning-points in its foreign policy in particular and its history in general. A look at American foreign policy in connection with developments in relations with Algiers during the period 1798-1816 would probably help understand how Algiers was manipulated, once more, towards the fulfillment of well-defined objectives. If the crisis of 1785-86 was used to give the United States a constitution and that of 1793 was exploited to arm it with a navy, the diplomatic and naval tensions that characterized relations at the opening decades of the 19th century served primarily to cloak its overseas expansionism, namely economic expansionism and naval presence in the Mediterranean Sea. That was the beginning of 'gunboat diplomacy', the forerunner of Rooseveltian 'big stick diplomacy', which opened an era of American imperialism.

1. American Divergent Views: ‘Money Bags’ Versus ‘Cannon Balls’

Between 1798 and 1812, a number of serious situations developed between Algiers and the United States most of them were related to the delivery of naval materials stipulated by the treaty of 1795. While Algiers contested delays in payments and sometimes showed dissatisfaction about the quantity and quality of the delivered materials, the Americans rather approached the subject differently. Pejoratively calling those annual payments ‘tribute’,² the Americans were of two opinions: from 1795 to 1801, i.e.: during the administrations of George Washington and John Adams, the Americans favored compliance with the terms of the treaty of 1795 with Algiers although many problems relating to payments arose then. But starting from 1801 upwards, i.e.: during the administrations of Thomas Jefferson and James Madison, the Americans became dramatically critical about ‘tribute’ and favored payments in ‘cannon balls’—meaning the use of force against Algiers to stop payments. Those views led to increasing tensions with Algiers which culminated in the naval show of 1815-1816.

1. 1. The Beginning of Tensions

The financial complications that arose from the 1795 treaty had already rendered diplomatic relations tense. When John Adams became president in 1797, he sought to avoid further frictions or “occasions of discontent” with Algiers which, according to him, might arise from “proceedings from the

² For Americans, tribute was understood in the sense of Christians’ submission to the Muslim will.

regency, or from the misconduct of our commercial vessels navigating in the Mediterranean sea.”³ Therefore, he recommended ‘compliance’ with the terms of the treaty and sought to minimize future problems by having a permanent consul at Algiers.⁴ Richard O’Brien was the first American Consul-General appointed to the Barbary States; he also acted as consul to Algiers.

In fact, the uneasiness which characterized diplomatic relations between Algiers and the United States started four months after the conclusion of the treaty of 1795. As already seen, the problems over payments were a source of many troubles for both Algiers and the United States. Soon, other problems became a threat to peaceful relations between the two countries. When O’Brien arrived at Algiers in January 1798, he found that the reputation of the United States was very low. That situation resulted primarily from United States failure to deliver the naval stores stipulated by the treaty of 1795. The conduct of fraudulent trade in the Mediterranean by American shippers in which the American envoys to Algiers Joseph Donaldson and Joel Barlow were involved did not ease matters and caused much indignation at Algiers.⁵

O’Brien who was well-knowledgeable about Mediterranean realities—he he passed over 10-years prisoner at Algiers—recommended that the United States honor its treaty.⁶ But at the United States, other concerns were at hand; cabinet upheavals and move of the capital to Washington caused sufficient

³ *ASP/FA*, 2:65, Message to Senate and House of Representatives, June 23, 1797.

⁴ *Ibid.*

⁵ *NDBW*, 1:240, O’Brien to David Humphreys, March 1, 1798. The incidents involving the *Eliza*, an American vessel which engaged in dishonest trade, and the *Fortune*, an Algerian vessel which carried the freed prisoners to Marseille, were the source of many tensions. For details see Allison, *The Crescent Obscured*, pp. 157-60.

⁶ *NDBW*, 1:243, O’Brien to David Humphreys, March 6, 1798.

neglect of North African affairs and excuses were ready at hand. One of the excuses used to justify arrearages was that the *Hero*, a ship bound for Algiers with masts and timber, was lost at sea because of bad weather.⁷ On another occasion, the Americans pretended that dues were caused by “a pestilence [yellow fever] raging in some of our cities, by causing the inhabitants to flee into the country and suspending business, rendered delays unavoidable.”⁸ O’Brien, while acting as a commercial agent and waiting for the agreed on stores, could tell the Dey—on information he received from the USA—that stores did not arrive because of hard winters and yellow fever. But probably he could not explain why bad weather and yellow fever did not prevent American merchant ships from coming to the Mediterranean.⁹ Perhaps O’Brien realized that intelligence services he rendered the United States while a prisoner won him an appointment; nonetheless, he was probably convinced that after appointment his government ignored him and by the same token ignored relations with Algiers. Emphatically, he wrote Secretary of State Pickering noting that the United States “should be more punctual” in payments of annuities.¹⁰ In his letters, O’Brien outlined two alternatives: “if it [USA] chose not to honor its treaty, its only choices were war or withdrawal from the Mediterranean; and on another occasion he warned explicitly: “depend Sir, we shall have war.”¹¹ To Humphreys, U.S. minister to Portugal, O’Brien wrote

⁷ *WJA*, 8:652, fn 2, To T. Pickering, Secretary of State, 25 May, 1799.

⁸ *NDBW*, 1:351, Letter to Secretary of State, Mar. 17, 1800.

⁹ Allison, *The Crescent Obscured*, p. 160.

¹⁰ *NDBW*, 1:243, O’Brien to Secretary of State, March 6, 1798.

¹¹ *Ibid.*, 1:262, O’Brien to Secretary of State, October 14, 1798; also *NDBW*, 1:371, O’Brien to Secretary of State Jan. 17, 1800.

specifying that the United States had to “act with punctuality or energie” to secure the huge profits of American Mediterranean trade, avoiding “the Shoals that is under the Lee of the good ship the CONGRESS.”¹²

O’Brien’s opinion was neither heeled by his government nor shared by other consuls in the region, particularly William Eaton who was appointed consul to Tunis. Eaton was a colonel in the U.S. Army who had neither experience nor knowledge about the North African regencies but his ‘forceful pacification’ of the “exceedingly troublesome” Creeks and Cherokees on the frontiers of Georgia were considered by his government ample qualifications for sending him to the ‘Coast of Barbary.’¹³ Before he sailed from America, a government official told him that the Barbary consuls were a “set of d-d savage agents—Indian agents—yes, a set of d-d Indian agents you Barbary consuls!” Eaton acquiesced probably because that was the way he perceived himself.¹⁴ With that background, Eaton interpreted his mission to ‘Barbary’ as an opportunity to “pave the way for a great expansion of American trade on the coasts of Barbary”¹⁵ in much the same way as he contributed paving the way for American westward expansionism on native Americans’ lands. As a matter of fact, once on the ‘Coast of Barbary’, he interpreted his new role to perfection: when an Algerian official, who was the consul of Algiers to Tunis,

¹² *NDBW*, 1:288-9, O’Brien to David Humphreys, December 27-30, 1798. O’Brien specified that the peace treaties with Algiers and the other regencies, Tunis and Tripoli, brought \$1.5 million in annual profits to American merchants.

¹³ Charles Prentiss, *The Life of the Late Gen. William Eaton; Several Years an Officer in the United States’ Army, Consul at the Regency of Tunis on the Coast of Barbary... Principally Collected from his Correspondence and other Manuscripts* (Brookfield, Mass: E. Merriam & Co., 1813), pp. 20-2; Wright and Macleod, *First Americans*, pp. 17-8; also London, *Victory in Tripoli*, pp. 61-66.

¹⁴ As cited in Allison, *The Crescent Obscured*, p. 163.

¹⁵ Kitzen, *Tripoli and the United States*, p. 26.

expressed his friendship for Americans, Eaton sarcastically interjected that a Cherokee chief would do the same “for a bottle of rum and a rifle.”¹⁶

When Eaton stopped-over at Algiers in February 1799, the new Dey Mustafa Pasha (r. 1798-1805) had been ruling for nearly one year then and American state papers do not even refer to him at that early period. Yet, Eaton, armed with his frontier experience and prejudice, made “a very uncomplimentary description” of the Dey that has since been repeated in all American specialized writings.¹⁷ The description in fact was a stereotyped approach to North African culture which inspired much of the policies that were undertaken by the American government afterwards. In his report to the Secretary of State, Eaton literally described El-Djenina, the Dey’s palace, as a ‘cave’ or ‘den’ of a ‘beast’ and portrayed the Dey as “a huge, shaggy beast, sitting on his rump” who, at the sight of American consuls, “reached out his fore paw as if to receive something to eat.” Eaton proceeded to say that after a while, “the animal seemed ... to be in a harmless mode; he grinned several times, but made very little noise.” For Eaton, his meeting with the Dey was a violation of “the second command of God” and an offence to “common decency.”¹⁸

¹⁶ Sedgwick, “William Eaton, a Sanguine Man,” p. 109; Allison, *The Crescent Obscured*, p. 163.

¹⁷ Parker, *Uncle Sam in Barbary*, p. 126.

¹⁸ Eaton wrote describing his presentation to Dey Mustafa Pasha: “... we took off our shoes, and entering the cave (for so it seemed), we were shown to a huge, shaggy beast, sitting on his rump upon a low bench, covered with a cushion of embroidered velvet, with his hind legs gathered up like a tailor or a bear. On our approach to him he reached out his fore paw as if to receive something to eat. Our guide exclaimed, “Kiss the Dey’s hand!” The consul-general bowed *very elegantly* and kissed it, and we followed his example in succession. The animal seemed at that moment to be in a harmless mode; he grinned several times, but made very little noise. Having performed this ceremony, and standing a few moments in silent agony, we had leave to take our shoes and other property, and leave the den, without any other injury than the humility of being obliged, in this involuntary manner, to violate the second

Eaton's vehemence rose even more when he considered that "this elevated brute has seven kings of Europe, two republics, and a continent [meaning the United States] tributary to him, when his whole naval force is not equal to two line-of-battle ships."¹⁹ For him, that was inconceivable at a time the United States had the capacity to pay tribute in the form of 'cannon balls' instead of 'money bags'.²⁰ After a reconnaissance tour during which he contemptuously noted details of fortifications and soldiery at Algiers, he reported to the Secretary of State advocating speedy military action against Algiers and even detailed an offensive plan:

All the batteries of Algiers are in a ruined condition, garrisoned by undisciplined, half starved Turks [who] could be forced on board our vessels before the least succor could be given.... Yet to the shame of humanity they dictate terms to powerful nations!!!²¹

To the new secretary of state John Marshall (1800-1801) he wrote again protesting the payment of tribute to the 'Barbary States':

Genius of My Country! How art thou prostrate! Hast thou not yet one son whose soul revolts, whose nerves convulse, blood vessels burst, and heart indignant swells at thoughts of such debasement.²²

Eaton's indignation and distaste reflected the views of many of his contemporaries regarding payment of tribute to Algiers.²³ Considering that the

command of God and offend common decency." *NDBW*, 1:301, Letter to the Secretary of State, February 15, 1799.

¹⁹ *NDBW*, 1:301, Letter to the Secretary of State, February 15, 1799.

²⁰ Michael Kitzen, "Money Bags or Cannon Balls: The Origins of the Tripolitan War, 1795-1801," *Journal of the Early Republic*, 16: 4 (Winter 1996), pp. 614, 620; Prentiss, *Life of William Eaton*, pp. 85, 106.

²¹ *NDBW*, 1:317, Letter to the Secretary of State, Mar. 30, 1799.

²² *Ibid.*, I: 397-98, Eaton to Marshall, Nov. 11, 1800.

²³ Cathcart and O'Brien expressed similar views in their letters and dispatches. Kitzen, "Money Bags or Cannon Balls," pp. 601, 620, fn 44.

United States could not pretend to financial problems—as was indeed the case during the Confederation era, those views could possibly explain the delays in delivery of stores to Algiers. A second possible explanation was advanced by the American historian Glenn Tucker. According to Tucker, the United States learned from other countries that it was better to be in arrears than deliver stores to Algiers because the more the sum owed became bigger, the more the Dey could not risk losing it by seizing ships or declaring war.²⁴ Probably also, this could be re-read as an early form of realpolitik which the Americans adopted in total disrespect of the terms of the 1795 treaty and agreements concluded.

1. 2. Further Friction: an ‘Algerine Flag’ atop an American Battleship

More than just Americans’ indignation and prejudices which debased Muslims to the rank of animals, tensions exceeded to interpretation of the treaty of 1795. In 1800, and instead of a common merchantman as it was usual, the United States decided to send the frigate *George Washington*, an old privateer and “burthensome vessel” that was armed for the emerging U.S. navy, to bring the long overdue naval stores to the Dey.²⁵ As the frigate was the first American government’s naval vessel ever to enter the Mediterranean, one may imagine that the purpose was probably to make an impression on the Dey.

²⁴ Tucker, *Dawn Like Thunder*, p. 430.

²⁵ *NDBW*, 1:355, Pickering to Humphreys, Jan., 17, 1800.

But the events that unfolded at its arrival at Algiers proved to be contrary to American expectations.²⁶

The Dey then was in need of a ship to carry the usual presents to the Sultan at Constantinople and the American battleship happened to be there.²⁷ So, he summoned O'Brien and informed him that "he would want this ship as a favor from the United States" and explained that "other nations had rendered Algiers the like favors."²⁸ O'Brien and William Bainbridge, captain of the ship, objected to the Deys' demand on the ground that they had no orders on the subject, had no diplomatic relations with the Ottoman Empire, and that they could not protect the cargo against Algiers' enemies and French attacks—the USA was at war with France. The Dey, in the presence of the British consul John Falcon, made them understand that the practice was customary;²⁹ that they "had no alternative but to do him this favor" which the two Americans interpreted as a "*go per force*."³⁰ A tedious argument followed about which flag to be hoisted—American or Algerine? why? and where?—at the main mast or at the fore?—which shows two utterly different approaches to the significance of 'flag' in national cultures.³¹ Ultimately, the *George Washington*

²⁶ Wright and Macleod, *First Americans*, p. 71.

²⁷ For an idea about how Americans by a few twists to the historical truth turn a small incident into an odyssey see Tucker, *Dawn Like Thunder*, pp. 11-41.

²⁸ A detailed description about the proceedings appears in a long letter O'Brien wrote to William Bainbridge, captain of the frigate. *ASP/FA*, 2:353-4, Copy of a letter from Mr. O'Brien to Captain Bainbridge, October 9, 1800.

²⁹ *ASP/FA*, 2:353-4, Copy of a letter from Mr. O'Brien to Captain Bainbridge, October 9, 1800. Indeed the British consul suggested to the Dey to wait for the battleship of His Majesty which was on its way to carry the Algerine ambassador with presents to Constantinople.

³⁰ *Ibid.*

³¹ *Ibid.*

sailed under the flag of Algiers because, according to O'Brien and Bainbridge, acting differently would have meant war.³²

Obviously, Bainbridge was not happy with the new mission the Dey 'forced' on him and for good reasons. According to the ship's log at departure from Algiers on 9 October 1800, his cargo included: the Algerine ambassador and his suite of 99, 100 black men; women and children; 4 horses, 150 sheep, 25 corned cattle, 4 lions, 4 tigers, 4 antelopes, 12 parrots, ostriches and many other commodities in addition to \$800,000 and jewelry.³³ On the way, he had to manage five times a-day prayers facing the east on a deck stuck with 131 American sailors and an ambassador's officer stationed at the binnacle to watch the compass during prayer-time;³⁴ all that was blended with American sailors' curiosity at first, then contempt and mockery which "threatened often to lead to a bloody renewal of time-honored clashes between the Crescent and the Cross."³⁵ Bainbridge's report shocked. For American historians, Algiers had "spat on the country's honor and dignity."³⁶ For Bainbridge, more humiliating could not exist, especially the moment when

The pendent of the United States was struck and the Algerine flag hoisted at the main top gallant mast head. 7 guns were fired in compliment. Some tears fell at this instance of national humility.³⁷

³² *ASP/FA*, 2:353-4, Copy of a letter from Mr. O'Brien to Captain Bainbridge, October 9, 1800.

³³ *NDBW*, 1:378, Letter to the Secretary of the Navy, Oct. 10, 1800. From a different cultural and historical perspective, one may explain what has since been termed as 'Bainbridge's floating zoo' as custom and political necessity. Tribute was one of two bounds still linking Algiers to Constantinople—in addition to contributions with the fleet when needed—and it had to be ostentatious! More by concluding a peace treaty with France at a time Napoleon was occupying Egypt—one of the Sultan's satrapies—Algiers brought on itself the wrath of the Sultan and it had to apologize for that, hence that impressive and fantastic cargo.

³⁴ *NDBW*, 1:378, Letter to the Secretary of the Navy, Oct. 10, 1800.

³⁵ Tucker, *Dawn Like Thunder*, p. 23.

³⁶ Kitzen, *Tripoli and the United States*, p. 44.

³⁷ *NDBW*, 1:378, Letter to the Secretary of the Navy, Oct. 10, 1800.

As annual payments in naval materials which were badly viewed in the United States, the sail of a battleship of the nascent U.S. navy under the flag of the regency of Algiers was also inconceivable for Americans. The consequences of that were waves of fulminations and indignation in the United States which have since continued unabated in American writings.³⁸ As a matter of fact, the Americans did not only consider the hoisting of the ‘Algerine flag’ as a national humiliation but they also considered the salute of “seven guns, as customary” given by the *George Washington*, as an expensive compliment which cost the United States \$40,000.³⁹ Considering that the Algerines did not only return the salute with ‘eight guns’ as customary but had always saluted the American flag with twenty one guns every time American men-of-war appeared at Algiers and provided them with “fresh Provisions on board as is Customary, Gratis”—according to article 20 of the 1795 treaty, the cost was probably far enormous for Algiers than the ‘seven guns’ in question.

In 1800, however, what was viewed as shocking and humiliating in the United States was probably not considered as such in Algiers. The circumstances, custom, and laws of nations were such that, until then, freight of foreign ships—even men-of-war—by Algiers was common practice and it was even written in the treaties of Algiers with the western powers including the one with the United States. Article XIV of the treaty indeed stipulated:

³⁸ See as examples Tucker, *Dawn Like Thunder*, pp. 23-5; Kitzen, *Tripoli and the United States*, pp. 40-2; Wright and Macleod, *First Americans*, p. 71; London, *Victory in Tripoli*, pp. 84-90. Irwin qualified the voyage as extraordinary; Parker, however, considered that the story was ‘long’ and ‘painful’ and preferred to skip it.

³⁹ *ASP/FA*, 2:353-4, Copy of a letter from Mr. O’Brien to Captain Bainbridge, October 9, 1800; Schuyler, *American Diplomacy*, p. 221.

Should the Dey want to freight any American Vessel that may be in the Regency or Turkey said Vessel not being engaged, in consequence of the friendship subsisting between the two Nations he expects to have the preference given him on his paying the Same freight offered by any other Nation.⁴⁰

This article has since been subjected to all kinds of interpretations. Samuel Flagg Bemis (1891-1973), who is no more than the father of American diplomatic history, considered that the Dey acted principally “under a gratuitous interpretation of the English translation of *his* treaty (of 1795)... and forced Bainbridge to carry tribute to the Sultan of Turkey, shadowy sovereign of the Barbary states.”⁴¹ Bemis probably wanted to suggest that the Dey based his decision on the Turkish original copy of the treaty. But, as discussed earlier, the Turkish original was not respected by Cathcart and the Swedish consul Skjoldebrand. More, even the authentic Hunter Miller translation of the original Turkish copy of the treaty made in 1930 did not reveal the existence of any counterpart of Article XIV of the original English translation in it.⁴² Whatever the allusion of Bemis, the Dey certainly did not refer to *his* copy of the treaty. As O’Brien stated, the Dey asked for a favor on the basis of the custom of all nations; and O’Brien confirmed that in the letter to Bainbridge. The latter, even though he had another alternative, decided to hoist the Algerine flag:

⁴⁰ *SaL*, 8:133-34, Treaty of Peace and Amity between the Dey and the United States of America (1795).

⁴¹ Samuel Flagg Bemis, *A Diplomatic History of the United States*, 5th edition (New York/Chicago/San Francisco: Holt, Rinehart and Winston, Inc., 1965), p. 340. Emphasis is added by this researcher.

⁴² Hunter Miller, ed., *Treaties and other International Acts of the United States of America*, vol. 2: 1776-1818 (Washington, D.C.: Government Printing Office, 1931), (Accessed 8 March 2008), available at The Avalon Project at Yale Law School, <http://www.yale.edu/lawweb/avalon/diplomacy/barbary.htm#r>

I explained to you, sir, that it was the custom, as I have seen and known that the French and Spanish ships of war going on the like mission, hoisted at Algiers and Constantinople the Algerine flag on the main; that at sea he wore his pennant, and was more his own master. On this, you observed, it being a forced business, that, if there was a right to acquiesce to one point, there was no alternative but by the same rule acquiesce to the other relative to the flag.⁴³

What in fact O'Brien suggested to Bainbridge was to hoist the 'Algerine flag at departure from Algiers and arrival at Constantinople only as it was customary; for the rest of the voyage, he might hoist the American flag; but Bainbridge preferred to keep it all the way to Constantinople! In other terms, after 'much ado about nothing', Bainbridge thought it safer for his ship to keep the 'Algerine flag' for fear that he might meet other corsairs on the high seas, particularly the French with whom the Americans were at war.⁴⁴ Thus, what seems to have been a less honorable historical truth was converted to heroism and later served as excuse for attacking Algiers. In all cases, when Bainbridge reported to the Secretary of the Navy, like Eaton before him, he recommended war:

Did the United States know the easy access of this barbarous coast called Barbary, the weakness of their garrisons, and the effeminacy of their people, I am sure they would not be long tributary to so pitiful a race of infidels.⁴⁵

But despite fulminations from all quarters in the United States, it seems that custom continued to prevail at Algiers. In 1809, when the new Dey sought the use of an American vessel to send the Algerine ambassador to

⁴³ *ASP/FA*, 2:353-4, Copy of a letter from Mr. O'Brien to Captain Bainbridge, October 9, 1800.

⁴⁴ The Quasi-War between the United States and France lasted from 1798 to 1801.

⁴⁵ *NDBW*, 1:378, Letter to the Secretary of the Navy, Oct. 10, 1800.

Constantinople, the new American consul and the captain of the ship in question “immediately complied with the request.”⁴⁶ But one man seemed not to be ready to forget what he considered as national humiliation; he was James Madison. Seven months later after the incident, and shortly after becoming Secretary of State, Madison wrote O’Brien:

The sending to Constantinople the national ship of war, the *George Washington*, by force, under the Algerine flag, and for such a purpose, has deeply affected the sensibility, not only of the President, but of the people of the United States. Whatever temporary effects it may have had favorable to our interests, the indignity is of so serious a nature that it is not impossible that it may be seemed necessary, on a fit occasion, to revive the subject.⁴⁷

More, Madison, on behalf of Jefferson, ordered O’Brien not to take any action that might jeopardize future reprisal of the American government, which in fact explains why the Americans acquiesced to the Dey’s demand on a similar occasion in 1809. Madison had already settled to the idea of avenging American national honor:

Viewing in this light, the President Wishes that nothing may be said or done by you that unnecessarily preclude the competent authority from Animadverting on that transaction in any way that a vindication of the national honor may be thought to prescribe.

The Secretary of State, who later became the president of the United States, would meet a ‘fit occasion’ for ‘punishing’ Algiers in what seemed to be a ‘forced’ departure of the American consul from Algiers in 1812. By then, he would transform the already existing tensions to gunboat diplomacy.

⁴⁶ Irwin, *Diplomatic Relations*, p. 171.

⁴⁷ *ASP/FA*, 2:348, Secretary of State to O’Brien, May 20, 1801.

2. Algiers-United States Diplomatic Relations: From Crises to Gunboats

The *George Washington* episode may be considered as a minor incident in relations between Algiers and the United States. Tribute, however, remained the thorniest issue which complicated those relations and precipitated the two countries into conflict. As of early 1801, the United States was indebted to Algiers with two and a half years in arrearages.⁴⁸ It was not until March 1802 that president Thomas Jefferson could communicate to Congress that the sums owed to the “government of Algiers are now fully paid up”—or almost.⁴⁹ O’Brien could write with relief to the American consul at Gibraltar: “we have finally paid all our debt to the regency on the annuities. We are square for six years, from the 5th September, 1795, to the 5th September, 1801.”⁵⁰ So, it took the United States that long time, despite requirements of the treaty of 1795, to deliver stores. Then again, despite those same requirements which specified payment of annual tribute in maritime stores, the United States opted for different forms of payment. In 1799, for example, O’Brien not only converted the value of the two frigates late Hassan Pasha had requested to tribute payments but also inflated their value.⁵¹ Realizing that the new Dey Mustafa and other Algerine officials were ignorant about the terms of the treaty, he decided to ‘play on them’ or as he reported proudly to the Secretary of States:

⁴⁸ *ASP/FA*, 2:354, Extract of a letter from Richard O’Brien to the Secretary of State, January 27, 1801.

⁴⁹ *Ibid.*, 2:381, From the President of the United States to Congress Relative to Transactions with the Barbary Powers, March 1, 1802. The full accounts for the period 1795-1801 appear in *ASP/FA*, 2:368-81, The Barbary States, February 16, 1802.

⁵⁰ *Ibid.*, 2:382, Captain O’Brien to Consul Gavino, at Gibraltar, November 28, 1801.

⁵¹ Parker, *Uncle Sam in Barbary*, p. 125. O’Brien put the price at \$98,000 (the Dey and Cathcart evaluated the two ships at \$78,000). Cathcart, *The Captives*, p. 277.

“then I was determined to see how far I could work on him [Dey].”⁵² On its side, the American government also decided to deliver a small ship (a schooner) instead of stores.⁵³ In 1805, Tobias Lear, United States new consul to Algiers (1803-12) innovated; he decided to pay annuities with a cargo of 12,000 bushels of wheat purchased in Malta which permitted to settle “accounts for one year at least” and make “great saving to the United States.”⁵⁴ Definitely, all seems to indicate that the American government decided not to honor its treaty. Needless to say that such conduct caused much annoyance at Algiers.

2. 1. The Crisis of 1807

The first serious problem in relations between Algiers and the United States came in 1807. In 1807, and as far as Algiers was concerned, the United States was again behind its schedule of payments;⁵⁵ the last dating back to Lear’s wheat payments of July 1805. In Europe, Great Britain and France were drifting towards war and Thomas Jefferson, then United States president since 1801, was expecting an American involvement into hostilities—as it had indeed been the case since 1794. In consequence of that, he thought that American dues to Algiers might complicate the task for him—perhaps feared he British-instigated hostilities on the side of Algiers again? So he wrote

⁵² As cited in London, *Victory in Tripoli*, p. 60.

⁵³ Upham, *Timothy Pickering*, pp. 270-72. The schooner *Hamdullah* was constructed for the purpose; it cost \$18,000.

⁵⁴ *SPPD*, 5: 441, Tobias Lear to James Madison, July 5, 1805.

⁵⁵ *ASP/FA*, 3:33, Circular From Tobias Lear to William Kirkpatrick, December 16, 1807.

Madison, his Secretary of State, agreeing to send some of the stores to Algiers: “I think with you we had better send to Algiers *some* of the losing articles in order to secure peace there while it is uncertain elsewhere” and explained that since war with England was probable “everything leading to it with every other nation should be avoided.”⁵⁶ This piece of writing is indicative of a deliberate policy of non-compliance with the treaty of 1795, which Algiers’ new Dey Ahmad Khodja (1805-1808) had probably understood since long.

At Algiers, Dey Ahmad Khodja could no more stand American bad faith.⁵⁷ Angered at American government’s delays in sending maritime stores, he resorted to a method that was generally used in corsairing diplomacy to pressurize the United States for respect of the treaty.⁵⁸ In October 1807, the Dey requested from Lear delivery of the naval materials in compliance with the treaty of 1795 which were then two years overdue.⁵⁹ When Lear failed to act in accordance with the Dey’s demand, the latter sent out corsairs which captured two American merchantmen, with a third one escaping.⁶⁰ In his circular to the American consul at Malaga, Spain, Lear informed about the captures and explained that they were operated “in consequence of the annuities for two years past not having been paid from the United States in naval and military

⁵⁶ WTJ1, 5:181, To the Secretary of State, September 1, 1807. Emphasis added by this researcher.

⁵⁷ *SPPD*, 7:74, Colonel Lear to the Secretary of State, Mar. 28, 1808.

⁵⁸ It should be specified here that in corsairing diplomacy, when the signatories estimated that the treaty was not respected or they simply wanted to alter it, they recur to the use of the usual methods: gunboat expeditions for the Christian countries and repudiation of the treaty in question and seizure of vessels for Algiers. In this particular case, seizure was prompted by American non-respect of the treaty.

⁵⁹ Parker, *Uncle Sam in Barbary*, p. 127; Irwin, *Diplomatic Relations*, p. 168.

⁶⁰ *ASP/FA*, 3:32, Message from the President of the United States to Congress, Feb. 9, 1808, Enclosure 1, G. B. Ducoster, American Consul at Naples to Stephen Cathalan, American Consul at Marseilles, November 9, 1807 and Enclosure: Stephen Cathalan to secretary of State, November 21, 1807.

stores, as stipulated by treaty.”⁶¹ Besides, the Dey was apparently dissatisfied because the agreed on amount “has been repeatedly offered in cash instead of naval stores.”⁶² The problem of captures, however, was short-lived.⁶³ In the same letter Lear explained that he had arranged for payments and that the American prisoners were released after forty days and that they had been treated “very well.”

In the United States, the House of Representatives set a committee to examine papers “relative to the rupture and amicable settlement with the Dey of Algiers” which the executive referred to it in February 1808. After consideration, the committee asked the executive for further information about the nature of payments to Algiers and causes of delays.⁶⁴ A report from Secretary of State Madison to that congressional committee admitted that various causes had “occasionally delayed the payment of the annuity in naval stores” and that some of those causes “readily suggest themselves to the committee.”⁶⁵ He explained that the loss on payments made in the form of stores amounted from 50 to 100% because “the estimate of the stores is made by officers of the Algerine government, without any reference to their cost.”⁶⁶ Madison justified delays in delivery of naval stores on the ground of “the precarious state of our foreign relations” in general and “a hope that Colonel

⁶¹ *ASP/FA*, 3:33, From Tobias Lear to William Kirkpatrick, Consul of the United States of America, Malaga, December 16, 1807.

⁶² *Ibid.*

⁶³ *SPPD*, 6:70, Message from the President of the United States to Congress, Feb. 5, 1808.

⁶⁴ *ASP/FA*, 3:33, Report on the Message of the President of the United States Relative to the Rupture and Amicable Settlement with the Dey of Algiers, April 25, 1808.

⁶⁵ *Ibid.*, Report of the Secretary of State, April 12, 1808.

⁶⁶ *Ibid.*

Lear would be able to prevail on the Dey to receive money in lieu of naval stores.”⁶⁷ Madison’s justifications, particularly the loss on payments, sound not to be convincing arguments for explaining dues.

Based on Madison’s argument, it appears that the United States had already taken a move towards a revision of the treaty of 1795. Was it necessary? One may concede that, after a decade or so since the treaty had been concluded, prices had forcibly changed. But the treaty, anticipating that possibility, included a clause which fixed the value of stores to twelve thousand Algerine Sequins (\$21,600) and stipulated that “Should the United States forward a Larger Quantity [of maritime stores] the Over-Plus Shall be Paid for in Money by the Dey & Regency.”⁶⁸ As Madison’s report did not allude to any Algerine violation of the treaty on this side, i.e.: non-payment for the surplus, one may need go back to the circumstances which surrounded the signature of the treaty, precisely the position of Jefferson on the question, to try to find an explanation for United States ‘occasional’ failures to honor a treaty which it had made according to its own terms—or rather copied on other treaties without taking into consideration the original treaty written in Turkish.

In 1792, in his instructions to the commissioners Jefferson wrote: “we will not furnish them naval stores, because we think it not right to furnish them means which we know they will employ to do wrong.”⁶⁹ Later, he anticipated difficulties with Algiers and modified his instructions: “reserve the right to

⁶⁷ *ASP/FA*, 3:33, Report of the Secretary of State, April 12, 1808.

⁶⁸ *SaL*, 8:137, Treaty of Peace and Amity (1795).

⁶⁹ *SPPD*, 10:264, To Admiral John Paul Jones, June 1, 1792.

make the subsequent annual payments in money.”⁷⁰ The treaty, however, was concluded while Jefferson was no more part of the administration of George Washington. In 1807, once back to office, Jefferson still saw wrong in delivering maritime stores to Algiers. He did only concede to send “*some of the losing articles*” to Algiers when the situation became critical with Great Britain.⁷¹ In fact, all the way from 1785 to 1807, Jefferson had been consistent in his position about tribute; and assuredly he shared that consistency with Madison (I think with you). Madison on his side did not only agree with Jefferson but he also replaced him at the head of the American government in 1809. Hence, the American approach to tribute found continuation in the forthcoming administration of Madison (1809-1817) during which another crisis relating to naval materials developed.

2. 2. The Crisis of 1812

The crisis of 1807 was only averted by Lear’s agreement to pay for arrears, but a second crisis occurring in 1812 led to a greater conflict. In 1812, disagreement arose again over deliveries of naval materials.⁷² Previously, the new Dey Hadj Ali Khodja (1809-1815) had expressed dissatisfaction about stores not arriving on time as well as the quantities of delivered materials. Lear had already communicated that complaint to the Secretary of State in a letter

⁷⁰ *SPPD*, 10:272, To Colonel David Humphreys, March 21, 1793.

⁷¹ *WTJI*, 5:181, To the Secretary of State, September 1, 1807. Emphasis added by this researcher.

⁷² Lear wrote to long letter to the Secretary of States in July 1812 in which he described the circumstances preceding his departure from Algiers. Lear’s account is the only document the American government presented as argument for declaring war on Algiers and also the only published document available for researchers today. Therefore, this part of the thesis relies on it for all ‘facts’ relating to that episode.

dated August 1810.⁷³ Despite that, the United States did not send stores until July 1812. When the *Alleghany*, the ship that carried stores, arrived at Algiers, the Dey sent for the bill of the load which Lear provided but “without affixing the prices.”⁷⁴ Did he seek to conceal the exact amount of the cargo? Was he obeying instructions from Washington? One should always keep in mind the letter of Madison to O’Brien of 1801 which reserved the right for the United States to retaliate in a ‘fit occasion.’ In all cases, the marine officials at Algiers, while unloading, discovered that many stores from the order of 1810 were missing.⁷⁵ According to Lear, in 1810 the marine of Algiers commanded “five hundred quintals of gunpowder, and twenty-seven large cables, besides a very large quantity of cordage and other articles” of which “only fifty small barrels of gunpowder and four cables” were delivered in 1812. Lear justified the insufficiency in those articles saying: “we did not make enough for our own use in the United States.”⁷⁶ Matters could have stopped here had Lear did not abuse the Dey again—like his predecessors.

The officials of the marine, to the disappointment of Lear, accidentally came to know about the existence of other stores, including “gun barrels,” which Lear said were meant for sale in Morocco and that at a time the American consul was claiming that they were not making enough of them at home. About that circumstance, Lear reported:

⁷³ *SPPD*, 9:128, Extract of a Letter from Mr. Lear, Consul General at Algiers, to the Secretary of State, July 29, 1812.

⁷⁴ *Ibid.*, 9:127.

⁷⁵ *Ibid.*, 9:126-27.

⁷⁶ *Ibid.*, 9:127.

but whence he [Dey] could have got the information, I know not, for I had never mentioned a syllable of it to any one in Algiers. I have since learned that it was discovered by some means or other, when the planks and spars were taken out of the vessel.⁷⁷

Obviously, the Dey was more angered by Lear's deception than by the missing stores and considered it an insult on the part of the United States as Lear himself reported. Lear alluded to "many other expressions of anger and disgust of the dey"⁷⁸ and added:

he [Dey] was more highly incensed at this, than on any other account; saying that he considered it an insult offered, by having merchandise embarked on board a vessel which was said to have been sent for the sole purpose of bringing the annuity.⁷⁹

According to Lear, the Dey refused to unload the ship and asked for 'immediate' payment for the losing stores—the USA was again two years behind the schedule of delivery. From that point onwards, disagreements between the Dey and Lear over a multitude of details heightened to the point of diplomatic breach.⁸⁰

The essence of the *Alleghany* episode is not in detail but is in principle. These short samples from Lear's report to the new Secretary of State James Monroe (1811-1817) illustrate a consistency in American foreign policy towards Algiers. Delivery of stores was badly viewed by Americans and all excuses were good for not complying with the treaty. For Algiers, however, the

⁷⁷ *SPPD*, 9:127, Lear to Secretary of State, July 29, 1812; also Shaler, *Sketches of Algiers*, pp. 120-121.

⁷⁸ *Ibid.*, 9:128.

⁷⁹ *Ibid.*, 9:131.

⁸⁰ What neither the Dey nor Lear knew at that time was the declaration of war by the United States on Britain. The war lasted from June 18, 1812 to Dec. 24, 1814. For the duration of the war, the *Alleghany* incident did not evolve.

treaty was sacred and that was agreed on in 1795: “Joseph Donaldson on the Part of the United States of North America agreed with Hassan Bashaw Dey of Algiers to keep the Articles Contained in this Treaty Sacred and inviolable.”⁸¹ For Dey Hadj Ali Khodja, the United States violated the treaty; consequently he sent for the copy of the treaty that was in the possession of Lear and asked him to leave Algiers with all other Americans present there—he even threatened to ‘put them in chains’ if the arrears were not paid for.⁸² For him, the treaty was not respected; therefore, he resorted to the often used method in corsairing diplomacy to force respect of treaties: seizure of vessels. Late in August 1812, Algerian corsairs seized an American vessel and its crew was imprisoned.⁸³ When Madison addressed Congress on November 4, 1812, relations with Algiers were a tiny point in his message. For Madison then it was not clear whether the ‘forced’ departure of Lear was a declaration of war on the United States by Algiers or not: “Whether this was the transitory effect of capricious despotism, or the first act of predetermined hostility, is not ascertained.”⁸⁴

Shortly before the *Alleghany* incident, however, Lear had already gathered enough intelligence susceptible to help his government declare war on

⁸¹ *SaL*, 8:137.

⁸² *SPPD*, 9:126-26, Lear, July 29, 1812. Lear reported that when he asked for his copy, the Dey said “that when a consul was sent away, he [the Dey] should always keep his treaty, and that such had ever been the custom at Algiers.” Today, this copy is always considered lost. Of the 4 originals in English, only the copy now at the Department of State survived. Miller, *Treaties of the United States*, The Avalon Project at Yale Law School.

⁸³ *SPPD*, 9:435, Report of the Secretary of State Relative to the Barbary Powers, Feb. 20, 1815; *ibid.*, 9:437-8, Report Relative to Protection of American Commerce against Algerine Cruisers, March 3, 1815. The report provided ample information about the seizure of the *Edwin*, the ship in question.

⁸⁴ *Ibid.*, Message from the President of the United States to both Houses of Congress, Nov. 4, 1812; *WJM*, 8:227, Fourth Annual Message, Nov. 4, 1812.

Algiers as it was implicitly understood from the Madison letter about the *George Washington*. In the same report, Lear included a detailed analysis about Algiers military weaknesses and the prospect of a swift American victory. He considered the *Alleghany* event as “a happy and fortunate event for the United States” and that “Should our differences with Great Britain be so accommodated as to admit of sending a naval force into this sea, *Algiers will be humbled to the dust.*”⁸⁵ His description of the naval force of Algiers was an inviting element for an American naval strike. According to him, the few frigates were “very old ships, hardly seaworthy,” the gun boats used for the defense of the bay were “either broken up or entirely unfit for service,” the command—precisely Rais Hamidou, referred to as Rais Hammida—was “a bold, active, enterprising commander, but entirely unacquainted with any regular mode of fighting,” the sailors, “if such they may be called who go out in their cruisers, know nothing of regular combat at sea.”⁸⁶ For the rest, Lear was sure “that our brave officers and seamen would rejoice to meet them with only half their force.”⁸⁷

Those military weaknesses were sufficient reasons for the United States for undertaking a naval action against Algiers. Indeed many writers today consider that the United States had attacked Algiers not because of its strength which supposedly threatened American interests, as the American Consul-General at Algiers William Shaler (1816-1828) pretended later, but because of

⁸⁵ *SPPD*, 9:140, Lear to Secretary of State, July 29, 1812. Emphasis is in original text.

⁸⁶ *Ibid.*, 9:142-43.

⁸⁷ *Ibid.*, 9:143.

those very weaknesses.⁸⁸ Consequently, not willing to keep a peace which they had concluded according to their own terms and written in their own words, the Americans decided to go on war with Algiers.

2. 3. American Gunboats in Action, 1815-1816

Of the many recurrent arguments that were frequently used by westerners in general, and Americans particularly, to justify hostilities committed against Algiers one is worth consideration here. Analyzing the situation as it was in July 1812, Lear claimed that the Dey acted “without any reasonable or justifiable causes” because Algiers was at peace with all nations and the Dey “must make war upon some other nation, with or without a cause, in order to employ his cruisers.”⁸⁹ Strange as it may seem, Lear’s assertion was in fact part of an 1801 well known letter from Madison, then Secretary of State, to William Eaton, American consul at Tunis, asking him to trigger hostilities with any of the ‘Barbary States.’⁹⁰ Madison explained that the United States was then at peace with all nations and keeping a naval force unemployed at home would cost nearly the same expense as when “exhibiting [it] on the coast of Barbary.” He explained that an exhibition of naval force would be more advantageous to the U.S. navy. Madison went on recommending to Eaton, on behalf of President Jefferson, “the utmost exertions of your prudence and address, in giving the measure an impression most advantageous to the

⁸⁸ Shaler, *Sketches of Algiers*, p. 119 and Naylor, “Ghosts of Terror Wars Past?” pp. 101-102 respectively.

⁸⁹ *SPPD*, 9:132, Lear to Secretary of State, July 29, 1812.

⁹⁰ *ASP/FA*, 2:347-48, Extract of a Letter from the Secretary of State to William Eaton, May 20, 1801.

character and interests of the United States.”⁹¹ Finally Madison provided the cover up: “if the flag of the United States should be engaged in a war with either of them [Barbary States], it will be a war of defence and necessity, not of choice or provocation.”⁹² Hardly such disguised aggression could probably have existed then!

Today it is well known that the United States provoked the war of 1801-1805 against Tripoli—also called the First Barbary War—and that the Jefferson-Madison policy, aided by Eaton’s machinations, were at the origin of the war.⁹³ The United States then had just ended the Quasi-War of 1798-1801 with France and the emerging U.S. navy and privateers had caused havoc among French shipping which gave the Americans further confidence in their navy.⁹⁴ Jefferson then had the naval strength and political power that had eluded him in the 1780s and he was determined to assert American commercial interests in the Mediterranean.⁹⁵ He was also determined to secure a naval presence for the United States among the European naval powers in the area.⁹⁶ So, he decided to dispatch a naval force, or what he called ‘a squadron of observation’ to the Mediterranean. Circumstances could not serve him better:

⁹¹This extract from the letter is worth quoting in full: “The policy of exhibiting a naval force on the coast of Barbary, has long been urged by yourself and the other consuls. The present moment is peculiarly favourable for the experiment, not only as it is a provision against an immediate danger, but as we are now at peace and amity with all the rest of the world, and as the force employed would, if at home, be at nearly the same expense, with less advantage to our mariners. The President has, therefore, every reason to expect the utmost exertions of your prudence and address, in giving the measure an impression most advantageous to the character and interests of the United States.

⁹² *ASP/FA*, 2:348, Extract of a Letter from the Secretary of State to William Eaton, May 20, 1801.

⁹³ Sofka, “Jeffersonian Idea of National Security,” pp. 536-37.

⁹⁴ Howard P. Nash, *The Forgotten Wars: The Role of the U. S. Navy in the Quasi War with France and the Barbary Wars 1798-1805* (New York/London: Thomas Yoseloff, Ltd., 1968), pp. 137-147.

⁹⁵ James R. Sofka, “American Neutral Rights Reappraised: Identity or Interest in the Foreign Policy of the early Republic?” *Review of International Studies*, 26: 4 (Oct. 2000), pp. 609-15.

⁹⁶ Craig L. Symonds, “‘A Squadron of Observation’: Thomas Jefferson and America’s First War against Terrorism,” *White House Studies*, 4: 2 (2004), pp. 132-35.

the war with France had just ended, the cost—as in the old days—for maintaining an idle navy haunted him, and the “Barbary pyrates” were “contemptibly weak.”⁹⁷ So could he “begin [a navy] on a more honorable occasion, or with a weaker foe?”⁹⁸ All seemed to indicate that the moment was favorable for “exhibiting a naval force on the coast of Barbary.”⁹⁹

It is amply clear here that what the Dey was accused of in 1812 was already a line of conduct in American foreign policy in 1801. Strange though, the same circumstances presented themselves in 1815: the war with Britain had just ended, the navy was idle, Algiers was weak, and above all Madison got the ‘fit occasion’ for ‘punishing’ Algiers and avenging the *George Washington*. Barely six days after the Senate ratified the Treaty of Ghent in 1815¹⁰⁰ did Madison go to Congress claiming “hostile proceedings of the dey” against Lear that were “followed by acts of more overt and direct warfare against our citizens” who according to him were still detained in captivity and “treated with the rigour usual on the coast of Barbary.”¹⁰¹ Madison recommended to Congress a declaration of war against Algiers:

I recommend to Congress the expediency of an act declaring the existence of a state of war between the United States and the dey of Algiers; and of such provisions as may be requisite for a vigorous prosecution of it to a successful issue.”¹⁰²

⁹⁷ *PTJ*, 7:639, To James Monroe, 6 Feb. 1785. As quoted in Kitzen, *Tripoli and the United States*, p. 11; Naylor, “Ghosts of Terror Wars Past?” p. 101.

⁹⁸ As cited in Kitzen, *Tripoli and the United States*, p. 11; Naylor, “Ghosts of Terror Wars Past?” p. 101.

⁹⁹ *ASP/FA*, 2:347, Extract of a Letter from the Secretary of State to William Eaton, May 20, 1801.

¹⁰⁰ Tucker, *Dawn Like Thunder*, p. 452.

¹⁰¹ *ASP/FA*, 3:748, Message from the President of the United States to Congress, Feb. 23, 1815. See also Appendix 12A.

¹⁰² *ASP/FA*, 3:748, Message from the President of the United States to Congress, Feb. 23, 1815.

The recommendation of Madison was in fact a request for a formal declaration of war by Congress on Algiers. He justified his request by the termination of hostilities with Great Britain which opened the “prospect of an active and valuable trade of their [sic] citizens within the range of the Algerine cruisers.”¹⁰³ Congress, however, did not declare war on Algiers. The report entitled ‘Report relative to Protection of American Commerce against Algerine Cruisers’ merely stated that, upon the evidence provided by the executive, it considered “that the dey of Algiers considers his treaty with the United States as at an end, and is waging war against them.”¹⁰⁴ Legal arguments today are of opinion that Madison carried an unjustified war against Algiers without authorization from Congress, as it was the case in 1801 when Jefferson carried an unjustified war and without authorization from Congress against Tripoli.¹⁰⁵ In fact, the report of Congress recognized the existence of a state of war but did not declare one.¹⁰⁶

While the Dey acted legally in accordance with the laws and usage of nations, Madison embarked on an illegal war even by the laws of the United States. But the action of Madison was predictable. In essence, America’s New Diplomacy was a combination of *national interest* and *meliorism* which was

¹⁰³ [sic]: ‘their’ could refer to Americans, in this sense, the sentence is logical; if so, there is a print error—it should be ‘our’—but this is improbable; or it could refer to ‘British’, if so, one may conclude that Madison’ decision was more motivated by trade competition with Great Britain than the “hostiles proceedings of the dey” against Lear.

¹⁰⁴ *SPPD*, 9:438, Report Relative to Protection of American Commerce against Algerine Cruisers, March 3, 1815. See also Appendix 12B.

¹⁰⁵ In the Supreme Court of the United States. “Salim Ahmed Hamdan, Petitioner, v. Donald H. Rumsfeld, et al., Respondents.” On Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit. Brief of Lawrence M. Friedman, Jonathan Lurie, and Alfred P. Rubin, as Amici Curiae in Support of Petitioner [Barbary Wars Precedent], January 2006, n° 05-184, pp. 5-6.

¹⁰⁶ *Ibid.*, p. 5.

justified by a belief in the *moral superiority* of American foreign policy. When these three elements are mixed together, they produce *belligerent nationalism*, a type of aggression justified in the name of American national interest.

To make a long story short, Madison carried his war in two phases. The first phase lasted from June 17 to July 4, 1815. During that phase, two squadrons from the U.S. navy, commanded by Stephen Decatur and William Bainbridge, were ordered to the Mediterranean.¹⁰⁷ Decatur's squadron sailed first with William Shaler as new consul for Algiers. On June 17, the squadron reached Cape de Gatta, Spain where it accidentally encountered, or to use Decatur's words 'fell in with', the frigate *Mashouda* (44 guns), flagship of Admiral Rais Hamidou.¹⁰⁸ A fight ensued. Despite inequality in arms, *Mashouda* resisted for four hours; Rais Hamidou was killed in action.¹⁰⁹ On June 19, the squadron met with the Algerian brigantine *Estedio* (22 guns); a sharp engagement followed and the brigantine was captured after it run into shoal water.¹¹⁰ Both Algerian ships were conveyed to Cartagena, Spain as war prizes. Those two encounters constitute what the Americans call the 'Second Barbary War.'

¹⁰⁷ Decatur's squadron consisted of 10 vessels: 3 frigates (44, 38, 36 guns), 2 sloops-of-war (18, 16 guns), 3 brigantines (14 guns each), and 2 schooners (12 guns each); the squadron had a combined fire capacity of 178 guns. It sailed on May 20.

¹⁰⁸ *ASP/NA*, 1:396, Naval Operation against the Barbary Powers in 1815, Stephen Decatur to Secretary of the Navy, June 19, 1815.

¹⁰⁹ A portrait of Rais Hamidou may be found in Albert Devoulx, *Le Raïs Hamidou: Notice biographique sur le plus célèbre corsaire Algérien du XIIIe siècle de l'hégire d'après des documents authentiques et pour la plupart inédits* (Alger: Typographie Adolphe Jourdan, 1859).

¹¹⁰ *ASP/NA*, 1:396, Stephen Decatur to Secretary of the Navy, June 20, 1815.

Table 9: Encounter at Cape de Gatta, June 17, 1815

Commanders	
Rais Hamidou	Stephen Decatur
Strength	
1 Frigate (44 guns)	3 frigates (44, 38, 36 guns) 2 sloops-of-war (18, 16 guns) 3 brigantines (14 guns each) 2 schooners (12 guns each) Combined fire capacity: 178 guns
Casualties and losses	
1 Frigate captured 406 POW 30 KIA Many wounded	4 KIA 10 WIA



Rais Hamidou (1770-1815)

The Americans could get his flag and exhibit it as a trophy but they could not get his body. See Appendix 18.

Note: Since 1913, the flag of Rais Hamidou—along with that of the *Estedio*—is exhibited among 172 other trophy flags at the ceiling of the auditorium of the U.S. Naval Academy, Annapolis, MD. For more about the two Algerian trophy flags see H. C. Washburn, *Illustrated Case Inscriptions from the Official Catalogue of the Trophy Flags of the United States Navy* (Baltimore, MD: U.S. Naval Academy, 1913), pp. 41, 45.

On June 28, the squadron arrived at Algiers unhindered; the city was defenseless as all Algerian corsairs were out at sea. At Algiers, the new Dey Omar Agha had just ascended to Deyship after two of his predecessors were murdered within the space of less than one month by revolted janissaries.¹¹¹ Chaos was still reigning when the American force showed up at the Bay of Algiers and Shaler and Decatur found no difficulty forcing a treaty on the Dey. Negotiations started on June 29 and were carried aboard the American flagship by the Algerian Minister of the Marine and the Swedish Consul. The Algerian minister requested a truce to permit deliberation with the Dey but the Americans rejected it. According to the report made to the Secretary of the Navy, Decatur hastened for the signature of the treaty threatening: “not a minute, if your squadron appears in sight before the treaty is actually signed by the Dey, and the prisoners sent off, ours will capture it.”¹¹² Within the span of three hours, the Algerian minister and Swedish consul left and returned to the flagship with the treaty signed; that was at about the same time an Algerian corsair was returning to port.¹¹³ Dey Omar Agha signed the treaty to spare the corsairs. A copy of the treaty was sent to the United States for ratification. The vessel which carried it passed Gibraltar but never reached the United States.¹¹⁴ Another copy was not ratified until December 21, 1815; five days later the treaty was proclaimed by the President.¹¹⁵

¹¹¹ Grammont, *Histoire d'Alger*, pp. 373-75.

¹¹² *ASP/NA*, 1:396, Stephen Decatur to Secretary of the Navy, June 20, 1815; Shaler, *Sketches of Algiers*, pp. 274-75.

¹¹³ *Ibid.*

¹¹⁴ Irwin, *Diplomatic Relations*, p. 180. On board the vessel were also the 9 released prisoners.

¹¹⁵ *SaL*, 3:315.

The terms of the treaty of 1815 provided for the abolition of tribute and biennial presents (art. 1), release of the prisoners in the possession of the two parties without payment of ransom (art. 2), and indemnifications for losses—of the *Edwin* ((art. 3). The treaty also provided for passports but high seas control was to be effected by two persons only ((art. 7). The treaty also specified that in the event of future hostilities between the two countries, the captives were not to be enslaved, but were to be treated as prisoners of war and had to be exchanged within twelve months after their capture (art. 17). Furthermore, the treaty contained a most-favored nation clause: during war between the United States and another power, Algiers was to permit the United States to sell prize vessels in its ports, but was to deny a similar privilege to the other power (art. 18). It also empowered American consuls to give assistance to citizens of the United States charged with killing, wounding, or striking a subject of Algiers—a recognition of the principle of extraterritoriality (art. 19). A sentence against an American citizen was not to be greater than that against a Turk under the same conditions (art. 20).¹¹⁶ As part of the agreement, the Americans promised to return the *Mashouda* and *Estedio*.¹¹⁷

The second phase started in March 1816 when another squadron brought the ratified treaty to Algiers for exchange of ratification. The Dey declared it void as the Americans did not respect the engagement of 1815 about returning

¹¹⁶ For the treaty of 1815 see *Sal*, 8:224-27, Treaty of Peace and Amity Concluded between the United States of America and his Highness Omar Bashaw, Dey of Algiers; also Appendix 14. The treaty of 1815 was originally written in English and it is believed that the Dey did not have a Turkish translation. In the Department of State archives there is no such translation. Miller, *Treaties of the United States*, The Avalon Project at Yale Law School.

¹¹⁷ *ASP/FA*, 4:6, Stephen Decatur and William Shaler to James Monroe, July 4, 1815.

the *Estedio*.¹¹⁸ In early April 1816, Shaler left his residence at Algiers to the flagship and preparations were made for attacking Algiers, then the project was abandoned.¹¹⁹ On April 11, the Dey received the new commissioner Oliver H. Perry and explained that the bad faith of the United States in failing to restore the brig rendered his agreement with Decatur void.¹²⁰ The Dey defended his position on the basis of the treaty itself. Indeed, a clause in Article 16 stipulated that in case the resident consul could not settle an arising dispute:

the Government of that country shall state their grievance in writing, and transmit the same to the government of the other, and the period of three months shall be allowed for answers to be returned, during which time no act of hostility shall be permitted by either party.¹²¹

The Americans decided to cease hostilities pending an answer from the American government. Meanwhile, Dey Omar wrote a letter to Madison explaining why he considered the treaty of 1815 not binding for Algiers.¹²² The answer of Madison refuted the argument of Dey Omar; Madison stated: “It is a principle incorporated into the settled policy of America, that as peace is better than war, war is better than tribute.”¹²³ Madison’s letter was dated August, 1816 but a letter from him to Monroe dated June 25, 1816 shows that Madison

¹¹⁸ The Spanish delivered *Mashouda* but retained *Estedio* arguing that it was captured in Spanish waters. The difference between Algiers and the United States on the one hand, and between the United States and Spain on the other persisted until the *Estedio* was delivered late in 1816. See for example Monroe’s report to Madison about negotiations with the Spanish, *WJMPPP*, 5:336-37, To the President, June 7, 1816.

¹¹⁹ Shaler, *Sketches of Algiers*, p. 131; also Irwin, *Diplomatic Relations*, p. 183.

¹²⁰ *Ibid.*

¹²¹ *SaL*, 8:226.

¹²² The letter of the Dey of Algiers the president of the United States appears in Shaler, *Sketches of Algiers*, pp. 276-78. The letter was probably dated April 15, 1816 as the chronology of events shows. Today, it is considered as a mere curiosity in diplomatic writings, see for example, Ralph W. Page, *Dramatic Moments in American Diplomacy* (Garden City, New York: Doubleday, Page & Company, 1918p, pp. 96-104. See also Appendix 15.

¹²³ *LWJM*, 3:15-17, To the Dey of Algiers, August, 1816. See Appendix 16.

had already decided to impose the treaty no matter the position of Algiers: “the Dey must distinctly understand that we will make no change in the late treaty, no concessions of any sort to avoid it.”¹²⁴

In August 1816, a terrible bombardment of Algiers by the British and Dutch warships which virtually annihilated the fleet of Algiers proved to be a decisive Christian blow to the resistance of Algiers. It also proved to be advantageous to the United States. In December 1816, the American squadron returned with the answer of Madison but also an ultimatum to the Dey denying him the right to reject the treaty of 1815.¹²⁵ The Americans offered to modify article 18 of the treaty which gave them advantage over the most favored nations regarding the sale of war prizes at Algiers, a cause of the British bombardment of Algiers in August 1816.¹²⁶ Totally deprived of a navy, the Dey could not avoid signing the treaty on December 23, 1816.

The treaty of 1816, however, was not ratified by Congress until February 1822.¹²⁷ As the treaty was not signed by the Dey until December 1816, by the time it reached the United States, a new administration was installed—that of James Monroe (1817-1825). It seems that the Department of State had ‘forgotten’ to transmit it to the Senate for ratification. In the introductory message for ratification, which was indeed a justification for the delay, Monroe simply specified that “it was not recollected.”¹²⁸ Knowing that

¹²⁴ As cited in Irwin, *Diplomatic Relations*, p. 184.

¹²⁵ Shaler, *Sketches of Algiers*, pp. 297-300. See Appendix 17.

¹²⁶ *Ibid.*, p. 298. It does not seem that the Americans modified the article in question. See *SaL*, 8:246-47.

¹²⁷ *SaL*, 8:244.

¹²⁸ *CMPP*, 2:679-80, Special Messages, December 30, 1821.

Monroe had played a prominent role in the events of 1815-1816 with Algiers, it is not probable that he could not 'recollect' a treaty which took him two years to achieve. Perhaps, peace treaties with Algiers had no more any importance as long as the Americans could enforce them at the 'mouth of cannons.' Gunboat diplomacy was by then an established feature of America foreign policy and Algiers was but a piece in the American global puzzle of expansionism.

3. Algiers in American Gunboat Diplomacy

A dissection of American foreign policy at the turn of the 19th century in relation with Algiers shows that the events of 1815-1816 had all the characteristics of gunboat diplomacy and that American imperialism did not wait for Theodore Roosevelt's credo of the 'big stick' to assert itself. American imperialism has its origins in the 'Barbary Wars' and the aggression against Algiers offered the United States its first permanent naval presence in the Mediterranean in 1815.

3. 1. Background and Definition of 'Gunboat Diplomacy'

Historically, navies have played an important role in the history of imperial powers. The powerful maritime nations used their fleets either as an effective means of coercion against weaker nations to further their national interests or to express explicit or implicit threats to resort to the use of force should they not obtain satisfactory terms during negotiations. This second use of maritime power had traditionally been termed 'Gunboat Diplomacy.'

Gunboat Diplomacy, therefore, may be considered as a form of diplomacy supported by a show of naval force and threat to use that force by one strong country in order to impose its will on a weaker one.¹²⁹

Although this form of diplomacy had existed since earlier times, the term did not come into use until the mid-19th century.¹³⁰ As it appears from the diplomatic history of Algiers with the European powers, already discussed in chapter three, treaties with Algiers were most often concluded by European navy admirals during naval missions organized for the purpose. The Dutch, in fact, were the initiators of this form of negotiations that were accompanied by threats to use force as testified by admiral Lambert's capture and hanging of Algerian corsairs in 1624 as a leverage to obtain the liberation of Dutch prisoners and a more favorable treaty.¹³¹ The English were not at rest; it was during the Cromwellian and the Restoration periods that their gunboat diplomacy found its way to Algiers.¹³² France engaged in the same policy starting from the 1680s¹³³ and even Denmark, a lesser power, tried it in the 1770s.¹³⁴ Spain, after it disappeared from the shores of Algiers after 1541, returned with force starting from 1730s. Although Spain was successful in retaking Oran in 1732, the naval expedition of 1775 was a total disaster for its

¹²⁹ "Gunboat diplomacy," *A Dictionary of World History*, 2000. (Accessed 4 September 2008).
<http://www.encyclopedia.com/doc/1O48-gunboatdiplomacy.html>

¹³⁰ The notable Don Pacifico incident gave the concept its name. In 1850, Lord Palmerston, Great Britain's foreign secretary, dispatched a squadron of gunboats to blockade Greece to obtain compensation for a British subject whose house in Athens was looted and burned. Boyd, Newell D., "Lord Palmerston." *Microsoft Encarta 2009 Premium*. (Accessed 4 September 2008).

¹³¹ Krieken, *Corsaires et marchands*, p. 11 ; Panzac, *Corsaires barbaresques*, p. 26.

¹³² Matar, "Britain and Barbary," p. 9-10; Parker, "Reading Barbary," p. 102-4; Tucker, *Dawn Like Thunder*, pp. 55-6.

¹³³ Panzac, *Corsaires barbaresques*, p. 27.

¹³⁴ Muller, *Consuls, Corsairs, and Commerce*, p. 127.

armada and that of 1784 met the same fate.¹³⁵ Steadfastness of Algiers then permitted the conclusion of a 100 years truce which many observers at the time considered humiliating for Spain.¹³⁶ So, all through its long diplomatic history with western countries, Algiers had been a theatre for ‘visits’ of threatening squadrons. The United States, although a late comer, engaged in a policy of gunboat diplomacy as soon as it could afford the means for that, i.e.: a navy. By embarking on it, the United States in fact permitted the perpetuation of a method of aggression against Algiers that was already characteristic of European coercive diplomacy.

Gunboat Diplomacy has been successfully used by the great maritime powers which, through conspicuous displays of their naval might, forced the rulers of smaller or weaker countries into accepting terms favorable to themselves. Most often, it served clear-cut foreign policy objectives that consisted of obtaining advantageous commercial treaties, like markets and trading posts, establishing military bases, or simply furthering an imperial expansionism short of military conquest. During the 19th century, this form of coercive action was left to the naval officers who carried their field operations with great measures of latitude but always with the same objective: furthering national interests be they strategic, political, or economic.

The use of naval power in the sense described above matches the definition of ‘Gunboat Diplomacy’ as provided by the British diplomatist and naval strategist James Cable (1920-2001). In a series of works published

¹³⁵ Plantet, *Correspondance des deys d’Alger*, pp. LXVIII-IX.

¹³⁶ *USDC*, 6:310, From William Carmichael to John Jay, July 15, 1786.

between 1971 and 2000, Cable identified the nature of gunboat diplomacy and provided the following definition:

Gunboat Diplomacy is the use or threat of limited naval force, otherwise than as an act of war, in order to secure advantage or to avert loss, either in the furtherance of an international dispute or against foreign nationals within the territory or the jurisdiction of their own state.¹³⁷

For the purpose of analysis, Cable also subdivided Gunboat Diplomacy into four distinct types: “definitive,” “purposeful,” “catalytic,” and “expressive.” A close look at Cable’s typification indicates that American foreign policy at the turn of the 19th century had all the characteristics of gunboat diplomacy; therefore, one may say that American aggressiveness in conducting foreign policy as expressed in early American political thought found an early application in the Barbary Wars of that period.

3. 2. The Second ‘Barbary War’, 1815-1816: An early Case of Gunboat Diplomacy in American Foreign Policy

By applying Cable’s classification to the American naval expeditions of 1815-1816 against Algiers one finds that American foreign policy towards Algiers included all the ingredients of Gunboat Diplomacy. Although such ingredients are scattered throughout all American documents relating to the period, very few indeed suffice for this analysis, particularly the instructions of James Monroe, the Secretary of State, to the ‘peace commissioners to Algiers’

¹³⁷ James Cable, *Gunboat Diplomacy: Political Applications of Limited Naval Forces, 1919–1991*, 3rd ed. (London: International Institute for Strategic Studies, 1994), p. 14.

dated April 10, 1815.¹³⁸ The commissioners were William Shaler, a new consul to Algiers, and William Bainbridge and Stephen Decatur, naval officers who were commissioned to command the two squadrons of battleships which the United States dispatched to Algiers. Right at the start, the very composition of the actors is indicative of the nature of that mission.

United States foreign policy and naval actions against Algiers at the turn of the 19th century fit perfectly within Cable's four subdivisions of Gunboat Diplomacy:

a) Definitive Force: according to Cable, "definitive force is the threat or use of limited naval force to create or remove a *fait accompli*."¹³⁹ When the American president James Madison recommended to Congress an act declaring war against Algiers and "such provisions as may be requisite for a vigorous prosecution of it to a successful issue," he was in fact projecting to use force towards 'negotiating,' or rather imposing, a new treaty that would put an end to tribute.¹⁴⁰ Monroe was more explicit in his instructions to the commissioners; for him obtaining "an honorable and lasting peace is the great object of this expedition" and that could not be effected "by other means than the dread or success of our arms."¹⁴¹ The conditions of peace, ultimate objective, as defined by Monroe were: "No tribute will be paid; no biennial presents made; the

¹³⁸ James Monroe, *The Writings of James Monroe, Including a Collection of his Public and Private Papers and Correspondence*, edited by Stanislaus Murray Hamilton, 7 vol. (New York/London: G. P. Putnam's Sons, 1899), 5:377-80, To the Peace Commissioners to Algiers, April 10, 1815. (Hereafter cited as *WJMPPP*). See also Appendix 13.

¹³⁹ Cable, *Gunboat Diplomacy*, p. 22.

¹⁴⁰ *ASP/FA*, 3:748, Message from the President of the United States to Congress, Feb. 23, 1815. The message appears in Appendix 13A.

¹⁴¹ *WJMPPP*, 5:377.

United States must hold the high ground with that power which they ought to hold.”¹⁴²

Monroe’s stated objective denotes a shift in American approach to tribute. By plainly indicating that the targeted objective was to terminate “those odious practices” (tribute and presents) and that it was not “the mere question of the sum demanded that prevents a provision for it in the Treaty but the recognition of the principle,”¹⁴³ the United States was in fact moving from the *realpolitics* of the 1790s to a new approach based on principle.¹⁴⁴ While the first favored negotiation of a treaty based on tribute as a transitory phase pending the building of a navy, the second considered tribute incompatible with American ideals of freedom once that naval power was acquired; hence, the move to alter the prevailing corsairing practices by threats to use naval power, and if necessary, limited use of that power.

The American objective was clearly set and it was two-fold: first, the objective aimed at removing an already existing condition which was the conclusion of a new treaty not including tribute and biennial presents; in its second part, it aimed at creating a new condition which consisted of establishing supremacy of American interests at Algiers at the detriment of other powerful countries already having treaties with Algiers. In that view, Monroe instructed the commissioners to obtain favorable treaty terms so that

¹⁴² *WJMPPP*, 5:379.

¹⁴³ *Ibid.*

¹⁴⁴ The term ‘realpolitics’ has its origin in the German word *realpolitik*; it describes politics that are based on “pragmatism or practicality rather than on ethical or theoretical considerations.” “Realpolitik,” *Microsoft Encarta Premium Suite 2005*. (Accessed 15 Nov. 2008).

the United States “must hold the high ground with that power which they ought to hold.”¹⁴⁵ While the first element of the objective could be obtained easily, Algiers being a weaker country, the second, however, proved to be difficult because it affected the interests of a greater power, in this case Great Britain.

Great Britain precisely considered that the 18th article of the 1815 treaty of the United States with Algiers relating to the sale of prizes in the port of Algiers was incompatible with the 9th and 10th articles of the treaties of 1682 and 1686 of Britain with Algiers.¹⁴⁶ That was sufficient reason for Britain to send its gunboats to Algiers in 1816 not only as a reminder to the Dey but also as a gunboat diplomacy signal intended for the United States.¹⁴⁷ The United States, well knowledgeable about the implications of that method, understood the signal and backed up.¹⁴⁸ This brings into discussion a second definition of gunboat diplomacy. According to the American historian Kenneth J. Hagan, gunboat diplomacy is “the finite application of force to effect discrete political ends in distant places.”¹⁴⁹ In fact, in addition to the declared objectives, the Americans had a concealed objective: that of raising the United States to an equal footing with the powerful nations as indicated here in a private letter of Monroe:

¹⁴⁵ *WJMPPP*, 5:379

¹⁴⁶ John Quincy Adams, *Writings of John Quincy Adams*, edited by Worthington C. Ford, 7 vol. (New York: The Macmillan Company, 1813-1917), 3: 356, (Hereafter cited as *WJQA*); Shaler, *Sketches of Algiers*, p. 298. For articles of the British treaties see Hertslet, *Collection of Treaties and Conventions*, pp. 60-1, 68-9; for article 18 of the American treaty see *SaL*, 8:226-27. See also Appendix 2A and Appendix 14 respectively.

¹⁴⁷ For a full account of the expeditions of 1816 see Roger Perkins and K. J. Douglas-Morris, *Gunfire in Barbary: Admiral Lord Exmouth's Battle with the Corsairs of Algiers in 1816: The Story of the Suppression of White Christian Slavery* (Homewell, Great Britain: Kenneth Mason, 1982), pp. 107-33.

¹⁴⁸ Shaler, *Sketches of Algiers*, p. 298; Schuyler, *American Diplomacy*, p. 225.

¹⁴⁹ As cited in Mark A. Gunzinger, “Power Projection: Making the Tough Choices,” Paper, United States Air Force, Alabama, (undated), p. 3.

It is an object important, to see what effect the expedition against Algiers will have on the powers of Europe, particularly England. I rather think that the object is too inconsiderable compared with the consequences for her [Great Britain] to attempt the seizure of our squadron. If it makes a successful enterprise the measure will raise us in the estimation of the powers of the Continent. It will also raise us in the estimation of England.¹⁵⁰

The commissioners faithfully fulfilled that objective and communicated to Monroe: [T]his treaty appears to secure every interest within the contemplation of the government, ... it really places the United States on higher grounds than any other nation.”¹⁵¹

b) Catalytic Force: Cable defines Catalytic force as a mechanism designed to buy a breathing space or give policy-makers a range of options the purpose of which is to realize advantages through the limited use of naval forces.¹⁵² While the American objective was clearly defined, the method, although implying the use of force, was not sufficiently outlined. In what ways and to what extent that force should be used was left to the judgment of the commanders of the squadrons:

Whether it will be better to proceed directly with the squadron in front of the town, before an attempt is made to negotiate, or to remain at some distance, your own judgments aided by the intelligence you may obtain of the enemy's force, the state of the city, and other circumstances will be your best guides.¹⁵³

¹⁵⁰ *WJMPPP*, 5:331, To Alexander J. Dallas, May 28, 1815.

¹⁵¹ *ASP/FA*, 4:6, Stephen Decatur and William Shaler to James Monroe, July 4, 1815.

¹⁵² Cable, *Gunboat Diplomacy*, p. 46.

¹⁵³ *WJMPPP*, 5:378, To the Peace Commissioners to Algiers, April 10, 1815.

For sure, there were a number of alternatives which provided politicians with enough room to decide about the next move should a limited use of force fails to attain the objectives in view. The Americans were confident as to the “faithful execution of the treaty” and its future respect by Algiers because they could “rely on the credit already acquired by [American] arms;”¹⁵⁴ but should they not meet the objective immediately, other alternatives were already visible. According to Monroe, the United States was rapidly rising in population and so was its importance as a commercial and maritime nation; therefore, it will have “more power to inflict the punishment on them [Algerines] which for the present may be spared.”¹⁵⁵ In like manner, Madison suggested deployment of a force enough to protect Mediterranean commerce. Should that not meet the desired objectives, squadrons would be reinforced:

It merits consideration whether the squadron might not proceed in such force only as would overmatch that of Algiers and suffice for a blockade; diminishing thus the stake exposed, without an entire disappointment as to the original objects. The reinforcing squadron or squadrons might follow as soon as better estimates of the prospect should justify it.¹⁵⁶

It was evident that the Americans projected a limited use of force and over a short period of time only; the objective was the conclusion of a new treaty according to terms they had fixed. Should that treaty could be obtained by a mere show of force, like a blockade or show of the flag for example, further undertakings would be unnecessary: “it is the duty of the government to

¹⁵⁴ *WJMPPP*, 5:378, To the Peace Commissioners to Algiers, April 10, 1815.

¹⁵⁵ *Ibid.*

¹⁵⁶ *LWJM* 2:611, to Monroe, July 14, 1815.

terminate the war as soon as it may be done on just and honorable conditions,” noted Monroe.¹⁵⁷ And as the Americans were confident in the force of their arms and their growing power, they believed that there would be ample room in the future for “punishment” should Algiers not respect American terms.

c) Expressive Force: Expressive force implies the use of navies to send a political message, provide support to unconvincing statements, or act as an outlet for emotion.¹⁵⁸ In this case, the use of limited force implied, in addition to the political message intended for Algiers which was apparent, much bombastic nationalism that was characteristic of the formative years of the early Republic.¹⁵⁹ After three wars, two of which were fought against greater powers, the Americans gained more confidence in their system of government and naval strength to the point that they judged an extensive use of force against Algiers unnecessary and that a mere show of force was sufficient.¹⁶⁰ Madison’s message to Congress at the termination of that show is an ample example of the ‘expressive force’ component of gunboat diplomacy:

The high character of the American commander was brilliantly sustained on the occasion which brought his own ship into close action with that of his adversary, as was the accustomed gallantry of all the officers and men actually engaged. Having prepared the way by this

¹⁵⁷ *WJMPPP*, 5:378, To the Peace Commissioners to Algiers, April 10, 1815.

¹⁵⁸ Cable, *Gunboat Diplomacy*, p. 62.

¹⁵⁹ Stephen John Hartnett, and Jennifer Rose Mercieca, “‘Has Your Courage Rusted?: National Security and the Contested Rhetorical Norms of Republicanism in Post-Revolutionary America, 1798–1801,” *Rhetoric & Public Affairs*, 9: 1 (2006), pp. 79-112; Engell, “Narrative Irony and National Character,” p. 19; see also an opinion from that period in Filippo Pananti, *Narrative of a Residence in Algiers; Comprising a Geographical and Historical Account of the Regency; Biographical Sketches of the Dey and His Ministers; Anecdotes on the late War; Observations on the Relations of the Barbary States with the Christian Powers; and the Necessity and Importance of their Complete Subjugation* (London: Henry Colburn, 1818), p. 400.

¹⁶⁰ *LWJM* 2:611, to Monroe, July 14, 1815.

demonstration of American skill and prowess, he hastened to the port of Algiers, where peace was promptly yielded to his victorious force.¹⁶¹

d) Purposeful Force: According to Cable, purposeful force acts as a catalyst to induce a government to “take a decision that would not otherwise have been taken – to do something or to stop doing it, or to refrain from a contemplated course of action.”¹⁶² This last component of gunboat diplomacy makes use of limited naval force for the purpose of changing the policy or character of a targeted government or group; in other terms, purposeful force is used to coerce the victim government into altering its policy.¹⁶³ Contrary to ‘definitive force,’ which defines clearly the objectives to be attained, the purposeful employment of limited naval force aims to change a policy but its success requires that the victim government would voluntarily consent to change its policy. In the case of Algiers, the goal of the United States was to put an end to the practice of corsairing in general, or as the American minister to Great Britain John Quincy Adams (1815-1817) put it “I hope they [commissioners] have secured to our country the honor of breaking up the whole of that nest of pirates on the shores of Africa,” but the success of that American objective depended on the Dey’s voluntarily acquiescence to terminate the practice of corsairing—with all ingredients attached to it.¹⁶⁴ Force then served only to signify to the Dey that the United States was in possession of a terrible force

¹⁶¹ *CMPP*, 1:563, Madison: Seventh Annual Message, December 5th, 1815. Monroe’s instructions are loaded with such rhetoric.

¹⁶² Cable, *Gunboat Diplomacy*, pp. 33-5.

¹⁶³ Stephen Andrew Kelley, “Better Lucky than Good: Operation Earnest Will as Gunboat Diplomacy,” Master’s Thesis, Naval Postgraduate School, California, 2007, p. 48.

¹⁶⁴ *WJQA*, 5:328, To Christopher Hughes, 18 July, 1815.

that was waiting to attack him should he did not comply. The message was also penned in Monroe's instructions:

The honorable termination of the war with England, with which the Government of Algiers is doubtless well informed and the complete liberation of our forces for this service, must satisfy the Dey that he has much to dread from the continued hostility of the United States. From the formidable force ready to assail him, he must anticipate the most serious disasters, and when he recollects how rapidly we have grown to the present height, a sure presage of the high destiny which awaits us, he will find no cause to hope for any change in his favor.¹⁶⁵

Accordingly, the achievement of this complex set of objectives which implied strategic, political, economic, as well as nationalistic and jingoistic ingredients required that the Americans embark on a policy of gunboat diplomacy towards Algiers. The series of developments in relations between Algiers and the United States that occurred between 1798 and 1812, did only give the Americans, particularly the administration of James Madison (1809-1817), the necessary arguments for sending squadrons to Algiers in 1815. But the diplomacy of aggression was already a characteristic inherent in American foreign policy.

¹⁶⁵ *WJMPPP*, 5:379.

Conclusion

Although Algiers and the United States concluded a peace treaty in 1795, differences were not settled. Whereas Algiers considered that the United States had to honor the treaty in matters of naval stores' deliveries, the United States was reluctant to do so. Part of the reason was that the Americans viewed badly tribute and interpreted it as submission to the will of a Muslim power. During the administrations of George Washington and John Adams, the Americans more or less respected the treaty albeit with delays in delivery of stores. However, starting from 1801, the advent of the administrations of Thomas Jefferson and James Madison, which were radically opposed to tribute, complicated relations between Algiers and the United States. During the period 1800-1812, a number of events developed which heightened distrust of Americans at Algiers and led to further problems. The *George Washington* incident of 1800 was decried by Americans as national humiliation and Madison reserved to the United States the right for 'retaliation' and 'punishment' of Algiers. The crisis of 1807 which culminated in the capture of two American vessels was quickly contained; but the departure of Lear from Algiers in 1812 on a background of tensions and the capture of another ship shortly afterwards provided the Americans with the ideal opportunity for asserting United States presence among the rank of the major maritime powers.

Meanwhile, the United States was working towards other objectives, particularly assertion of American commercial and naval presence in the Mediterranean. For that, the Americans engaged in wars not only with the

European powers but also with the 'Coast of Barbary' states. In 1801, Jefferson initiated a policy which consisted of keeping the U.S. navy squadrons in constant cruises near the coast of North Africa alleging protection of American traders against pirates' attacks. In fact, the Americans were intent upon terminating tribute and acquiring the status of a major naval power on the same basis as the great European powers. After two wars fought successfully against France and Great Britain, the American devised plans for attacking Algiers. The crisis which developed in 1812 over the delivery of stores was exploited almost three years later and served as a justification for sending squadrons to Algiers.

With American squadrons patrolling in the Mediterranean and threatening Muslim states, the United States entered an era of gunboat diplomacy. With Algiers, the Americans declared war in 1815 and forced two treaties on the Dey of Algiers at the mouth of cannons thus shattering supremacy of Algiers' corsairing diplomacy. A dissection of the so-called Second Barbary War, 1815-1816 shows in fact that American late 19th century imperialism was given expression earlier in the exhibitions of naval force at the shores of Algiers and repeated threats to use that force in case Algiers did not abide by America's terms. By the end, corsairing diplomacy crumbled; a fact which gave way to American gunboat diplomacy and subsequently European colonialism in the area.

Table 10: The United States and Algiers: a Timeline, 1776-1816

UNITED STATES		ALGIERS/ RULERS	MAJOR EVENTS
The Executive	Department & Secretary		
1774-1781 Continental Congress	Committee of Secret Correspondence (1775-77)	Muhammed Ben Uthman, 1766-1791	1776: Sept., Plan of treaty which seeks to obtain ‘protection’ against Algiers under treaties with Christian powers
	Committee for Foreign Affairs (1777-80)		1778: Feb., Treaty with France guarantees no more than ‘good offices’ of the King
1781-1789 Confederation Congress	Department of Foreign Affairs:		1785: May, British Consul Charles Logie arrives at Algiers
	Robert Livingstone (1781-83) John Jay (1784-90)		Jul.-Aug., Algerian corsairs captures two American ships; 21 prisoners 1786: Mar., 25-Apr. 20, John Lamb at Algiers; he negotiates for ransom of prisoners 1787: <i>The Algerine Spy in Pennsylvania</i> was published anonymously, later it was attributed to the American playwright Peter Markoe USA adopts a new constitution
1789-1797 George Washington	Department of State:	Hassan, 1791-1798	1792: Mar., James L. Cathcart becomes Chief-Christian Secretary for Dey Hassan Pasha
	Thomas Jefferson 1790-93 Edmund Randolph 1794 Timothy Pickering 1795-97		1793: Sep., truce between Algiers and Portugal Oct.-Nov., Algerian corsairs capture American ships (11); 115 prisoners 1795: Sep., Joseph Donaldson, Jr. arrives at Algiers and concludes a peace treaty with the Dey at a record time of 42 hours 1796: Mar., Joel Barlow arrives at Algiers Apr., Donaldson leaves for Livorno to seek funds 1796: July, American prisoners released; reach Philadelphia Feb. 1797 1796: Nov., Americans negotiate peace treaty with Tripoli under the auspices of the Dey who advances money and guarantees the treaty

Timeline, 1776-1816 (continued)

1797-1801 Timothy Pickering,
John Adams 1797-1800
John Marshall,
1800-1801

Mustafa Ben
Brahim,
1798-1805

1801-1809 James Madison,
Thomas 1801-1809
Jefferson

Ahmed,
1805-1808

Ali Khodja,
1808-1809

1797:

Jul., Barlow leaves Algiers
Aug., USA concludes a peace treaty with Tunis with the help of the Dey who advances money and guarantees the treaty

1798:

Jan., Richard O'Brien arrives at Algiers as American Consul General;
Feb., In the United States, Congress fathers the publication of the journal of John Foss, a former American captive at Algiers, which appeared under the title: *A Journal of the Captivity and Sufferings of John Foss*

1799:

Feb., William Eaton arrives at Algiers and meets Dey Mustafa

1800:

Oct., Dey 'freights' the *George Washington* to take tribute to the Sultan in Constantinople; Algerine flag hoisted on the main mast of the American battleship; wide fulminations in the United States considering it national humiliation

1801:

Soon after inauguration, Jefferson orders 'squadron of observation' into the Mediterranean

1801-1805:

First Barbary War, effective naval warfare with Tripoli and Muscova show at Tangier, Morocco and Tunis

1803:

Nov., Tobias Lear succeeds to O'Brien as Consul General at Algiers

1807:

Oct., treaty repudiated; Algiers' corsairs capture 2 American vessel—the crews (9 Americans) were kept prisoners at Algiers for 40 days
Dec., Peace reestablished after Americans paid for arrearages

1808:

Mar., New crisis developed but was contained speedily

Timeline, 1776-1816 (continued)

<p>1809-1817 James Madison</p>	<p>Robert Smith, 1809-1811 James Monroe, 1811-1817</p>	<p>Hadj Ali Khodja, 1809-1815</p>	<p>1812: Jul., Disagreement about payments in stores; Lear ordered to leave Algiers. He left with 16 others Americans who were present at Algiers Aug., Seizure of an American vessel; 10 prisoners 1815-1816: Second Barbary War; American squadrons threaten Algiers Apr. U. S. sends two squadrons to the Mediterranean Jun. 15, Decatur's Squadron encounters <i>Meshuda</i>, the flagship of the Algerian fleet; Rais Hamidou killed in a four-hour battle Jun. 28, Squadron appears at the bay of Algiers and threatens to capture Algerian squadron, then out at sea, if the treaty was not signed Jun. 29, Dey signs treaty at the mouth of canons; Algiers releases American captives and renounces tribute payments and enslavement of captives in the event of future hostilities; squadron leaves July 8. 1816: Mar.-Apr. Squadron anchored at Algiers Aug., a joint British-Dutch bombardment ravages the port and the city Aug., American squadron returns to Algiers Dec. 8, American squadron returns to Algiers; second treaty signed; confirms precedent treaty with slight modification altering Article 18.</p>
<p>1817-1825 James Monroe</p>	<p>John Quincy Adams 1817-1825</p>	<p>Hadj Muhammed, 1815 Omar Agha, 1815-1817</p>	<p>1822: The Department of State ignored the treaty of 1816 and it was not ratified until February 1822.</p>

Source: Data is collected from the different sources used for part II of this work.

CONCLUSIONS

In his renowned *Pirates and Emperors* (1986), the American left-wing intellectual Noam Chomsky (1928-), an internationally acclaimed linguist and foremost critic of American imperialism, imported ancient piracy into the twentieth century and used it as a basis for analyzing contemporary western perversions of terrorism. In the preface to the first edition of his book, Chomsky began the text with the anecdote of a pirate captured by Alexander the Great as told by St. Augustine, the Algerian theologian of the 5th century, in *The City of God*.¹ When Alexander asked the pirate, “How dare you molest the sea,” the pirate replied, “How dare you molest the whole world? Because I do it with a little ship only, I am called a thief; you, doing it with a great navy, are called an emperor.”² Chomsky’s point of view is clear: in contemporary western usage, ‘retail terrorism’ of individuals and groups serves as an ideological cover for true terrorism, namely violence and wholesale terrorism perpetrated by the mighty western states, particularly the United States, against weaker countries.³

¹ Silverstein, Paul A. “The New Barbarians,” p. 182.

² Noam Chomsky, *Pirates and Emperors, Old and New: International Terrorism in the Real World*, 2nd edition (Cambridge, MA: South End Press, 2002), p. vii.

³ Ibid.

The conservative observers, however, exported terrorism to the eighteenth century and interpreted United States first naval campaigns abroad against the ‘Barbary States’ as a complete success against terrorism. In his article “Terrorism in Early America,” Richard Jewett concluded that:

The United States chose to fight the pirates of Barbary, rather than pay tribute, as did all the other nations who traded in the Mediterranean Sea. The decision was bold, but the eventual victory by the tiny United States Navy broke a pattern of international blackmail and terrorism dating back more than one hundred and fifty years.⁴

The deployment of the analogy between piracy and terrorism led to two different assessments. While the first analogy dated back to the bipolar world of the Cold War and found wide echoes among the critics of American imperialism, the second was prompted by the 9/11 events and found support among the neoconservative intellectuals who preached a so-called ‘Bush doctrine’ of unilateral intervention.⁵ When subjected to two alternate interpretations, the analogy between piracy and terrorism led forcibly to alternate conclusions.

Contrary to left-wing and neoconservative approaches, this research work has extracted debate over ‘piracy’ from contemporary interpretations and placed it in its true historical context. When the so-called ‘Barbary piracy’ scrutinized for the period 1519-1830, lifetime of the regency of Algiers, this research identified two sorts of plunder on the high seas: lawful and unlawful

⁴ Thomas Jewett, “Terrorism in Early America: The U.S. Wages War against the Barbary States to End International Blackmail and Terrorism.” *Early America Review* 4, no. 1, (Winter-Spring 2002), p. 1. (Accessed 18 May 2007). http://www.earlyamerica.com/review/2002_winter_spring/terrorism.htm

⁵ Paul Lyons, “George W. Bush’s City on a Hill,” *The Journal of the Historical Society*, 6:1 (March 2006), 119.

plunder. The first type, called corsairing or privateering, was legally recognized by the prevailing laws of nations; the second, much older called piracy, was condemned under the same laws and those who practiced it were declared '*hostis humani generis*,' or 'enemies of humanity,' a legal argument permitting execution of pirates. By analysis, this thesis came to the conclusion that plunder as it was practiced by Algiers fell in the first category. In other terms, unlike contemporary studies, this work has found that what has been perpetuated as 'Algerine piracy' was in fact corsairing—the two practices bearing two utterly different legal meanings—and concludes that tagging Algiers as a 'pirate state' was sufficient argument for westerners to terminate its existence as a polity.

Like contemporary studies, however, this work maintains that there is indeed an analogy between the amalgam of piracy and terrorism, on the one hand, and piracy and corsairing, on the other; but the argument of this research work is contrary to what most westerners affirm. As contemporary western analogies are meant to cover less idealistic goals, including maintaining global hegemony, access to and control of critical resources such as oil, and maximization of multinational corporations' interests, the amalgam between corsairing and piracy also served as a cover to legitimate western policies of expansion be they religious, political, economic, or territorial which ultimately led to the conquest of Algiers. Research has shown that it was precisely those policies which gave birth to the myth of the 'Algerine pirate'.

Appraisal of the long history of Algiers has revealed that westerners built numerous misrepresentations of the region and its population, fortified them, and ended by exploiting their ingenious propaganda towards the fulfillment of ideological purposes. In sum, according to western views, the inhabitants of Algiers were barbarians, their homeland was a nest of thieves and banditti, and their state was a piratical entity which lived parasitically on plunder and ransom of Christian slaves. These images were perpetuated for over three hundred years and many of them found a way into the twenty first century. The terminology may have changed today but the essence and the purpose remain the same. The Muslim, past and present, is regarded as pirate/terrorist, slaveholder and despotic/undemocratic, and barbarian/underdeveloped.

As a matter of fact, Algiers as it stood in the western mind was a creation that was fabricated at a time when animosity between Islam and Christianity reached a zenith. Out of enmity to Islam and ignorance about it, Christian redemptionists spread the scare of the cruel 'Barbary pirate' and multiplied one-sided travel accounts to discourage Christians from converting to Islam—the loss in 'renegades' was considerable—and by the same way increase their funding. The move was soon picked up by politicians who encouraged captivity narratives. Dehumanized and debased to the rank of animals, the Muslim populations were then considered ripe for colonization.

After investigation, this study has identified five major distortions to historical truth and attempted to straighten them. The conclusions are as

follows: First, the Muslim who was portrayed in the image of a pirate was in fact a corsair legitimated in his actions against his Christian enemies by the very principles and statutes of westerners. Corsairing, as its Anglo-Saxon equivalent privateering, was a Mediterranean practice which was accepted by all belligerents as a form of warfare; its equivalent the French term *guerre de course* denotes clearly its true meaning. The Algerian corsair fought to preserve his religion, avert western conquest and infiltration attempts, and resist their political influence and increasing bullying for commercial privileges. The Algerian corsair did not steal from 'honest' Christian merchants but captured property belonging to the enemy at times of war and his seizures, by the laws of nations, were legal prize. He did not either make slaves of 'innocent' Christians but he imprisoned his Christian enemies and enslaved them according to Mediterranean practice. So piracy was a myth which was nurtured in the western mind and propaganda only.

Second, corsairing was not Algiers' sole source of revenue as it has always been pretended. Revisionist studies estimate that prizes and ransoms in seventeenth century Algiers when corsairing was at its height, for example, constituted between 10-15% of the revenues and absorbed about the same percentage of the active population. When Algiers's revenues providing from corsairing are compared to those of Malta, also a corsairing state more or less equal in strength to Algiers, they proved to be much inferior (against 25-30% for Malta); but when compared to major powers' proceeds from corsairing/privateering, they proved to be insignificant. And then again

corsairing and its related activities concerned only a small portion of the population of the regency of Algiers. That portion included Turks and renegades mainly who actually derived revenue from corsairing whereas the majority of the population (Arabs, Moors, and Berbers) derived revenues from agricultural activities. So, Algiers did not live parasitically on booty and looting.

Third, payments in naval stores and consular presents were not blackmail or extortion money as westerners often argue; rather they were charges attached to privileges that served to guarantee Algiers reciprocity in profit-making. In matters of trade, the principle of reciprocity was rarely incorporated in treaties; generally, treaties opened Algerian ports, markets, and riches to western privateers and traders at a time Algiers had no merchant navy and its external trade and finances were totally monopolized by Christian merchants and Jew brokers. In the very rare cases when Algerian merchants ventured in the export or carrying businesses, they encountered discriminatory policies which ejected them from European markets. Reciprocity covered cruisers and corsairs exclusively but then only on the high seas; very rare were the ports which welcomed Algerian merchantmen—when they existed—and corsairs were denied access to European ports—except in cases of distress. So, to compensate the large privileges Christians obtained at Algiers, treaties provided for annual payments usually in the form of naval materials—pejoratively called ‘tribute’ in western writing—and biennial consular presents which were considered as regalian rights. So long as Algiers could enforce its

treaties with the western powers, payments in naval stores preserved their original meaning.

This research work has also detected a mutation in the meaning of tribute and presents. By the end of the 18th century, time at which Algiers came into contact with the Americans, westerners corrupted the original meaning of tribute which then became synonymous of extortion or protection money. Moreover, European consuls transformed consular presents into a form of corruption to obtain more favors and privileges but also to exclude their competitors. In the race for political influence and trading advantages at Algiers, western consuls and all sorts of adventurers intrigued, corrupted, and bribed state official. The more expensive were consular presents, the less the weakest and lesser-moneyed countries could compete. Therefore, presents lost their original meaning as symbols of office and were transformed into a diplomatic arm by means of which European powers sought to exclude new competitors—like the United States—from Mediterranean profits.

Fourth, contrary to western allegations, this work concludes that captivity at Algiers was not slavery and that it was not an exclusive Algerian deed. Christian captives were not slaves but enslaved prisoners of war, an ancient tradition of war sanctioned by the law of nations and practiced on both shores of the Mediterranean basin. As such, their enslavement was neither perpetual nor hereditary nor sanctioned by theories of biological inferiority as was the case in western societies. By their status of war prisoners, they could be liberated upon payment of ransom or exchange, also defined by legal

statutes and treaties. In this capacity, they were also an economic asset; so humane treatment was imperative if their captors wished to ransom or exchange them one day. The much decried ‘cruelty of the Algerian pirate’ was unfounded—at least as far as Christian captives were concerned.

Research has also revealed that Christian captives at Algiers, contrary to Muslim captives at Christian hands, were better-treated. Whereas the first were submitted to the hardships of labor and the most extreme body punishments, the latter, while also enduring hard works, the most they could get as punishment were bastinadoes. Moreover, shackling and whipping employed routinely against slaves in Europe and the United States was rare and never used against females; branding was unknown; and slavery was neither perpetual nor hereditary. Christian captives at Algiers, could change status simply by converting to Islam which thousands did as testified by the massive presence of ‘renegades’ at leading positions of the Algerian state. About captives, this work concludes that the much decried indignation and anti-Algerian propaganda in Europe and the United States probably reflected more a fear of losing skilled craftsmen and Christians to Islam than any real concern about their living conditions at Algiers.

Finally, the fifth conclusion relating to the so-called ‘formidable’ naval power of Algiers considers that far from being a real threat that jeopardized western interests, Algiers was at best a nuisance. At the end of the 18th century, corsairing was already on the decline and Algiers’ much inflated naval power belonged to a bygone age. Its fleet was reduced to a handful of obsolete vessels

that were miserably armed, its commerce was at the hands of Jews and Christians, and its littoral transformed to European concessions. Yet, European powers continued to nourish the myth of an alarming naval power first to justify repeated attacks against Algiers and second to scare their competitors, American chiefly, out of Mediterranean trade. Paradoxically, the Americans depicted irreversible weaknesses in Algiers' fortifications and fleet, a reason which caused them to attack it.

In fact, all these elements were ingredients of corsairing but the practice in itself when put into its true historical, legal, and diplomatic contexts is more complex and subject to alternate assessments and accordingly conclusions. This research work has re-examined relations between Algiers and the western countries from what one may perhaps call a trans-Mediterranean-Atlantic approach and has come out with a number of conclusions which are presented here in a chronological order. Initially, between Algiers and Christian countries corsairing was adopted as a mode of warfare in a centuries-long Muslim-Christian conflict which origins go back to the crusades of the medieval ages. The conflict was revived at the completion of Spanish Reconquista in 1492 and was brought to the shores of Algiers in the form of conquest starting from 1505. At that time, on both sides of the Mediterranean corsairing was perceived as a holy war against infidel enemies and the prevailing conflict was characterized by reciprocal animosity. Therefore, according to western legal thought, a 'lawful enemy' and a 'state of war' existed between Algiers and the Christian countries. This, in fact, is one of two conditions which permitted

distinction between corsairing and piracy in this work. Based on this argument, this thesis concludes that Muslim corsairing, just like Christian corsairing, had historical and religious legitimacy.

Algiers precisely used corsairing both as a defensive and retaliatory weapon. Originally, Algerian corsairs fought against Spanish conquest but starting from the early 17th century, they had to deal with repeated attacks from other European countries. Excepting none, all major western powers, and lesser powers, at one time or another during the three centuries-lifespan of Algiers sent squadrons of battleships that poured wrath and devastation on Algerian port-cities. Faced with such conditions, the Algerian corsairs adapted themselves to the prevailing circumstances. Taking into consideration their relatively weaker capacities—in comparison with a combined striking force of Europeans—the corsairs adopted limited warfare tactics whereby they pursued enemies' merchantmen often as armed as themselves on the high seas.

Research has also shown that Spanish attacks had placed Algiers in a position that made it suspicious of all Christian powers and for good reasons: just the number of naval expeditions launched against Algiers gives an indication about the extent of terror Christian powers had inflicted on the Muslim population of Algiers. Such generalization of suspicion about Christians on the part of Algiers did not take into consideration the difference between Catholics and Protestants and caused extension of Algerian corsairing to countries that traditionally were arch enemies of Spain, like Britain and the Netherlands, a fact which increased the extent of hostilities. By the time the

United States entered into Mediterranean trade it was also perceived as a Christian enemy and corsairing practices affected its merchant shipping even though other factors were at play then.

Meanwhile, with the extension of Ottoman rule to Algiers in 1519, the latter obtained military assistance which permitted it to set the foundations of a navy. During the 16th century, Algiers gained experience and skill in the crucible of squadron warfare and crusading attacks. Its budding navy gained in strength and daring men with strong faith, discipline, and courage made it a match for European fleets. Maritime supremacy permitted Algiers to contain Christian attacks and regain control of ports previously lost to Spain. So long as Algiers maintained maritime control over its shores, Christian attacks were thwarted. After the resounding defeat of its armada in 1541, Spanish attacks vanished and Algiers could enjoy the sobriquet of the 'invincible city' but not for long. The battle of Lepanto (1571) and political upheavals at Algiers ended Ottoman naval presence in the western Mediterranean and Algiers had to face alone other rising maritime powers but that had to wait for a while.

Researched material has permitted this study to state with some certainty that Algerian corsairing took its true meaning, that is to say chasing enemy merchant vessels on the high seas, at the close of squadron warfare. From late 16th century up to the mid-17th century or so, Algiers was unbeatable in that form of warfare. Not only did Algerian corsairs gain supremacy on the high seas but the renegades who joined the Algerian fleet during that period, mainly Dutch and English, took corsairing to their homelands and even further which

altered the geopolitical concerns of Algerian corsairing. It was precisely that spectacular spread of corsairing practices that gave birth to the western myth of the ‘terrible Barbary pirate’. Unable to beat corsairs on the high seas or not having navies yet, other European countries, particularly the Netherlands, Great Britain, and France sought a diplomatic solution. The shift to negotiated understandings brought about what this research work calls ‘corsairing diplomacy’.

While investigating early Algerian diplomatic contacts with European countries, research has revealed that a sort of diplomacy involving corsairing activities started to take shape. By tracking down diverse elements pertaining to corsairing in the early treaties between Algiers and major European countries and comparing them, it became evident to the researcher that those treaties had a common trait which distinguished them from other treaties—like those between European countries for example. One may state here that one of the conclusions—perhaps the most important one—this research work has achieved is the identification of a distinct type of diplomacy, termed here ‘corsairing diplomacy’ which gave Algerian corsairing legitimacy. Corsairing diplomacy may be defined as a form of diplomatic intercourse between Algiers and the Christian countries which regulated bilateral relations and corsairing activities on the basis of three major principles which included: tributes to compensate economic privilege, high seas control based on passports, and ransom or exchange of enslaved captives. Those principles were in fact the pillars of corsairing diplomacy which, in addition to western laws and

Mediterranean practice, served in this work as an argument to complement legitimization of Algerian corsairing and refutation of western allegations of piracy against Algiers.

Research has also revealed that Algerian corsairing diplomacy had origins in the early Ottoman capitulations with the European countries. Those capitulations conceded European powers too many privileges, including the establishment of trading posts and coral fisheries on Algiers' littoral. Because of that, Algiers challenged the authority of the Sultan and attacked those concessions. Unable to force respect of capitulations on Algiers, the Sultan authorized the Europeans to negotiate directly with Algiers. That move brought about direct diplomatic contacts between Algiers and the European powers, a fact which implied diplomatic recognition of Algiers. That way, Algiers acquired political legitimacy as a *de facto* independent polity. Legally then, Algiers fulfilled the second conditions permitting distinction between corsairing and piracy which is sovereignty. This in itself is one of the conclusions of this study.

Diplomatic recognition permitted Algiers to deal as equal to equal with Christian powers which led to the conclusion of numerous bilateral treaties and establishment of diplomatic missions in the major European capitals. With the major powers, Algiers concluded its first peace treaties early in the 17th century: France (1619), England (1622), and the Netherlands (1622); the lesser powers followed suite during the 18th century. Undergoing constant ups and downs, diplomatic relations were intensive, conflicting, but counterbalanced

and for over than two hundred years they remained more or less correct. Repeatedly, treaties between Algiers and the Europeans countries were either re-conducted or from time to time revised, which provided the basis for lasting diplomatic principles. Those treaties regulated captures, enslaved prisoners, as well as annual payments in naval stores and consular presents. Passports were introduced and were guaranteed by treaties; their bearers, Muslims and Christians alike, protected from attacks and seizures. Whenever those passports were not produced or did not conform to provisions of treaties hostilities ensued.

Based on that complex context in which relations between Algiers and the European powers were set, this research work has come to the global conclusion that Algerian corsairing definitely was not piracy; therefore Algiers could not be tagged as a 'pirate state.' From this point onwards, research has confirmed that the arguments of piracy and enslavement of Christian captives served for westerners as an excuse for justifying aggression against Algiers. Research also has revealed other elements which strengthened the argument of this thesis which are mainly payments in the form of naval stores, consular presents, enslavement of captives and ransom, and maritime control (in the form of passports) which allowed seizure of ships and cargoes not having passports. All these elements were incorporated in treaties between Algiers and the European countries as shown above.

With clearly-set historical, legal, and diplomatic guiding lines in sight, this research work proceeded to investigate the advent of the United States of

America into the Mediterranean and assessed its impact on corsairing diplomacy. It analyzed the principles of American foreign policy, particularly the founding principle of 'new diplomacy', and applied it to American relations with Algiers during the period 1776-1816. While scrutinizing diplomatic relations between Algiers and the United States, starting with the captures of 1785 to the gunboat show of 1815-16, this research work tried to understand how a new-born diplomacy defended by a single country could challenge corsairing diplomacy principles that were almost two-hundred years old and which so far functioned rather properly and guaranteed peace for all antagonists in the Mediterranean. By doing so, this work attained a number of conclusions. Most prominent among them was the impact of aggressiveness as a principle inherent in American New Diplomacy on corsairing diplomacy. Merely forty years after the independence of the United States, American aggressiveness found expression in gunboat diplomacy and led to the termination of annual payments in naval stores—or tribute; it also ended enslavement of American prisoners at Algiers.

Study of the evolution of the American approach to relations with Algiers, and particularly to 'tribute' as understood by Americans, has shown that there exists an evolution in aggressiveness, characteristic of American foreign policy, proportional to the growth of American naval power. This research has subdivided that evolution into three major phases: the first phase, extending from 1783 to 1789, was characterized by an American inability, and to some extent unwillingness, to conclude a treaty with Algiers on account of

the weak finances of the Confederation. It was also a phase which corresponded with a total absence of a United States navy. Leading policy makers like John Jay, John Adams, and Thomas Jefferson were divided over the prospect of having a peace treaty with Algiers based on corsairing diplomacy principles; throughout that phase, debate centered round financial aspects of the treaty rather than principle. What was in debate was not the conclusion of a peace treaty based on the above mentioned principles as it was customary at that time but the amount of expenses needed towards the conclusion of that treaty.

This research work has also identified a second phase which started with the establishment of the federal system of government in 1790 and extended up to 1812. It was a transitory period during which a treaty of peace stipulating annual payment of naval materials was concluded with Algiers in 1795. Meanwhile, the United States started building a navy which grew stronger and more experienced after three wars fought against France, Tripoli, and Great Britain. By 1815, America's naval might was established and American trade encompassed large markets in the Mediterranean. Characteristic of that phase were the repeated failures of the United States to honor its engagements under the treaty of 1795 with Algiers. Due payments accumulated for years and naval stores were rarely delivered at due time. Obviously the Deys, true to their principles of corsairing diplomacy, resorted to the practice of repudiation of the treaty and seizure of American ships to force compliance with the treaty. Two incidents occurred in this sense. In 1807, two American vessels were seized

and relations could only be renewed after the American consul paid in cash for arrearages. In 1812, following embroils over a shipment from which many of the stipulated articles were missing, the Dey ordered the American Consul to leave Algiers and followed it by capture of another ship. The American interpreted that act as a declaration of war.

The third phase was short-lived but decisive; it reached a culmination point in 1815-1816. Between 1812 and 1815, relations with Algiers were at a standstill and the United States government gave priority to the war with Great Britain. Victorious at the end of the war and commanding a strong navy, the Americans developed a new approach to 'tribute' which evolved from *realpolitik* to become a principle in American foreign policy. Towards its attainment, the Americans embarked on a policy of gunboat diplomacy. Gunboat diplomacy in itself was not something new in the history of Algiers; it was even an ingredient of corsairing diplomacy. Treaties were often concluded while squadrons were at the bay of Algiers exhibiting force. The Dutch initiated gunboat diplomacy in 1624, the English fostered theirs during the 1650s, and France introduced its own in the 1680s; even Denmark, a lesser power, was not at rest (1770s); let alone Spain which returned back to the shores of Algiers threatening after it had disappeared for almost 200 years. By sending their squadrons to Algiers, the Americans were but assuring continuity for a centuries-old European practice of squadron naval attacks against Algiers.

Two conclusions that are closely interrelated have emerged from the study of this third phase in Algiers-United States diplomatic relations: first, the

use of gunboat diplomacy resulted in the conclusion of a new treaty with the Dey of Algiers in 1815. Dictated at the mouth of cannons, that treaty ended payments in naval stores as well as enslavement of American prisoners; the two were cornerstones in Algiers' corsairing diplomacy. Consequently, corsairing diplomacy lost its vigor and ultimately crumbled under the effects of gunboat diplomacy. Second, by declaring war on Algiers in 1815, American foreign policy objectives were two-fold: by defeating a small country, the United States projected to secure for itself the most favorable place at Algiers. While the first objective was reached easily, the second met partial failure as Great Britain dispatched squadrons to Algiers to contest it. Nonetheless, the United States could place its economic interests on an equal footing with those of the major powers at Algiers. In the long run, however, the gunboats show of 1815-1816 and deployment of the U.S. navy in the area assured the United States permanent naval presence in the Mediterranean.

That was an age of corsairing and gunboat diplomacies where the collapse of the former gave momentum to the latter. Algiers found itself squeezed between major maritime powers at a time naval supremacy, which originally guaranteed and supported its corsairing diplomacy, had deserted Algiers' shores since long. With an obsolete fleet which still counted one row-galley and six pierriers in 1815, it was obvious that Algiers could no more defend itself against Christian attacks at a time new technologies assured naval superiority for Europe and the United States. Moreover, Algiers' handful Turkish rulers clung to corsairing principles that were frozen in a remote past

and which did not evolve with the quickly changing ideas that were sweeping the world around them. Needless to say that, by the end, corsairing diplomacy crumbled under gunboat diplomacy, the latter opening the door wide for European colonialism and subsequently American imperialism.

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APPENDICES

Appendix 1

A. Queen Elizabeth's Letter to the Grand Signor (1584)

Elizabeth, by the Grace of the most high God, onely Maker of Heaven and Earth, of England, France and Ireland Queene, and of the Christian Faith, against all the Idolaters and false Professors of the Name of Christ dwelling among the Christians, most invincible and puissant Defender; to the most valiant and invincible Prince Sultan Murad Can, the most mightie Ruler of the Kingdome of Musulman, and of the East Empire, the onely and highest Monarch above all, Health and many happie and fortunate Yeeres, and great Aboundance of the best Things.

Most noble and puissant Emperor: About two Yeeres now passed, We wrote unto your Imperial Majestie, that our well-beloved Servant, William Hareborne, a Man of great Reputation and Honour, might be received under your high Authoritie, for Our Ambassadour in Constantinople, and other Places under the Obedience of your Empire of Musulman: And also, that the Englishmen, being Our Subjects, might exercise Entercourse and Merchandize in all those Provinces, no less freely then the French, Polonium, Venetians, Germanes, and other your Confederates, which travel through diverse of the East Parts; endeavouring that, by mutual Traffike, the East may be joined and knit to the West.

Which Priviledges, when as your most puissant Majestie, by your Letters and under your Dispensation, most liberally and favourably granted to our Subjects of England, we could no lesse doe, but in that respect give You as great Thankes as our Heart could conceave; trusting that it will come to passe, that this Order of Traffike, so well ordained, will bring with it selfe most great Profits and Commodities to both Sides as well to the Parties subject to your Empire, as to the Provinces of our Kingdome.

Which thing, that it may be done in plaine and effectuall manner, whereas some of our Subjects of late, at Tripolis in Barbarie, and at Argier, were by the Inhabitants of those Places (being perhaps ignorant of your Pleasure) evill

intreated and grievously vexed, We doe friendly and lovingly desire your Imperiall Majestie, that You will understand their Causes by Our Ambassadour, and afterwards give Commandement to the Lieutenants and Presidents of those Provinces, that our People may henceforth freely, without any Violence or Injurie travell and doe their Busines in those Places.

And We again, with all Endeavour, shall studie to performe all those things that We (hall in any wise understand to be acceptable to your Imperial Majestie; whom God, the onely Maker of the World, most best and most great, long keepe in Health and Flourishing. Given in our Pallace at London, the fift Day of the Moneth September; in the Yeere of Jesus Christ) our Saviour, 1584. And of our Raigne the 26.

Source: Morgan, *Complete History of Algiers*, vol. 2, pp. 582-3.

Appendix 1

B. The Commandement obtained of the Grand Signior, by her Majestics Ambassadors, for the quiet passing of her Subjects to and from his Dominions, sent to the Viceroy of Argier (1584)

To our Beg-ler-Beg of Argier. We certifie thee, by this our Commandement, that the Right Honourable William Hareborne, Ambassadors to the Queenes Majestie of England, hath signified unto Us, that the Shippes of that Country, at their coming and returning to and from our Empire, on the one Part of the Seas have the Spaniards, Florentines, Sicilians and Malteses, on the other Part our Countries committed to your Charge; which abovesayd Christians will not suffer their Egresse and Regresse into and out of our Dominions, but doe take and make the Men Captives, and forfeit the Ships and Goods, as the last Yeere the Malteses did one, which they tooke at Gerbi and to that Ende, doe continually lie in waight for them, to their Destruction; whereupon they are constrained to (stand to their Defense, at any such Times as they might meete with them. Wherefore considering by this Meanes they must (stand upon their Gard, when they shall see any Galley a farre off, whereby if meeting with any of your Gallies, and not knowing them, in their Defense they doe shoote at them, and yet after, when they doe certainly knowe them, doe not shoote any more, but require to passe peaceably on their Voyage, which you would denie, saying, “The Peace is broken, for that you have shotte at us” and so doe make Prise of them, contrarye to our Priviledges, and agaynst Reason: For the preventing of which Inconvenience, the sayd Ambassador hath required this our Commandement.

We therefore command thee, that upon Sight hereof, thou doe not permit any such Matter, in no Sort whatsoever but suffer the said Englishmen to passe in Peace, according to the Tenor of our Commandement given, without any Disturbance, or Lett, by any Meanes, upon the Way, although that, meeting with thy Gallies, and not knowing them a farre off, they, taking them for Enemies, should shoote at them, yet shall you not suffer them to hurt them therefore, but quietly to passe. Wherefore looke thou, that they may have Right, according to our Priviledge given them; and finding any that absenteth himselfe, and will not obey this our Commandement, presently certifie Us to our Porch, that We may give Order for his Punishment: And with Reverence give faithful Credite to this our Commandement, which having read, thou shalt againe returne to them that present it. From our Pallace in Constantinople, the Prime of June 1584.

Source: Morgan, *Complete History of Algiers*, vol. 2, pp. 584-5.

Appendix 2

A. Treaty between Great Britain and Algiers (1682)

Articles of Peace and Commerce between the Most Serene and Mighty Prince Charles the Second, and the Most Illustrious Lords, the Bashaw, Dey, Aga, and Governors of the famous City and Kingdom of Algiers, in Barbary

I. In the first place it is agreed and concluded, that from this day, and for ever forwards, there be a true, firm and inviolable peace between the most Serene King of Great Britain, France and Ireland, Defender of the Christian Faith, &c. and the most illustrious Lords, the Bashaw, Dey, Aga, and Governors of the City and Kingdom of Algiers and between all the Dominions and subjects of either side, and that the ships or other vessels, and the subjects and people of both sides, shall not henceforth do to each other any harm offence or injury, either in word or deed, but shall treat orke another with all possible respect and friendship.

II. That any of the ships, or other vessels, belonging to the said King of Great Britain, or to any of His Majesty's subjects, may safely come to the port of Algiers, or to any other port or place of that kingdom, there freely to buy and sell, paying the usual customs of ten per cent, as in the former times, for such goods as they sell ; and the goods they sell not, they shall freely carry on board without paying any duties for the same ; and that they shall freely depart from thence whensoever they please, without any stop or hindrance whatsoever. As to contraband merchandises, as powder, brimstone, iron, planks, and all sorts of timber fit for building of ships, ropes, pitch, tar, fusils, and other habiliments of war, His said Majesty's subjects shall pay no duty for the same to those of Algiers.

III. That all ships, and other vessels, as well those belonging to the said King of Great Britain, or to any of His Majesty's subjects, as those belonging to the Kingdom or people of Algiers, shall freely pass the seas, and traffic without any search, hindrance or molestation from each other ; and that all persons or passengers, of what country soever, and all monies, goods, merchandises and moveables, to whatsoever people or nation belonging, being on board of any of the said ships or vessels, shall be wholly free, and shall not be stopped, taken or plundered, nor receive any harm or damage whatsoever from either party.

IV. That the Alger ships of war, or other vessels, meeting with any merchants' ships, or other vessels, of His said Majesty's subjects, not being in any of the seas appertaining to His Majesty's dominions, may send on board one single boat, with two sitters only, besides the ordinary crew of rowers, and

that no more shall enter any such merchant ship or vessel, without express leave from the commander thereof, but the two sitters alone ; and that upon producing a pass under the hand and seal of the Lord High Admiralty? England and Ireland, or of the Lord High Admiral of Scotland, for the said kingdoms respectively, or under the hands and seals of the commissioners for executing the office of Lord High Admiral of any of the said kingdoms, that the said boat shall presently depart, and the merchant ship or vessel shall proceed freely on her voyage, and that although, for the space of fifteen months next ensuing after the conclusion of this peace, the said commander of the merchant ship or vessel produce no such pass, yet if the major part of the seamen of the said ship or vessel be subjects of the said King of Great Britain, the said boat shall immediately depart, and the said merchant ship, or vessel, shall freely proceed on her voyage; but that after the said fifteen months, all merchants' ships, or vessels, of His said Majesty's subjects shall be obliged to produce such a pass as aforesaid. And any of the ships of war, or other vessels, of His said Majesty, meeting with any ships, or other vessels, of Algiers, if the commander of any such Alger ship, or vessel, shall produce a pass firmed by the chief governors of Algiers, and a certificate from the English Consul living there, or if they have no such pass, or certificate, yet if, for the space of fifteen months next ensuing the conclusion of this peace, the major part of the ship's company be Turks, Moors, or slaves belonging to Algiers, then the said Alger ship, or vessel, shall proceed freely; but that, after the said fifteen months, all Algiers ships, or vessels, shall be obliged to produce such a pass and certificate as aforesaid.

V. That no commander, or other person, of any ship, or vessel, of Algiers, shall take out of any ship, or vessel, of His said Majesty's subjects, any person or persons whatsoever, to carry them any where to be examined, or upon any other pretence; nor shall they use any torture, or violence, to any person of what nation or quality soever, being on board any ship, or vessel of His Majesty's subjects, upon any pretence whatsoever.

VI. That no shipwreck belonging to the said King of Great Britain, or to any of His Majesty's subjects, upon any part of the coast belonging to Algiers, shall be made or become prize, and that neither the goods thereof shall be seized, nor the men made slaves; but that all the subjects of Algiers shall do their best endeavours to save the said men and their goods.

VII. That no ship, nor any other vessel of Algiers, shall have permission to be delivered up, or go to Sally, or any place in enmity with the said King of Great Britain, to be made use of as corsairs, or sea-rovers, against His said Majesty's subjects.

VIII. That none of the ships, or other smaller vessels of Algiers, shall remain cruising near or in sight of His Majesty's city and garrison of Tangier, or of any

other of His Majesty's roads, havens or ports, towns and places, nor any ways disturb the peace and commerce of the same.

IX. That if any ship, or vessel, of Tunis, Tripoli, or Sally, or of any other place, bring any ships, vessels, men or goods belonging- to any of His said Majesty's subjects, to Algiers, or to any port or place in that kingdom, the governors there shall not permit them to be sold within the territories of Algiers.

X. That if any of the ships of war of the said King of Great Britain do come to Algiers, or to any other port or place of that kingdom, with any prize, they may freely sell it, or otherwise dispose of it at their own pleasure, without being molested by any: and that His Majesty's said ships of war shall not be obliged to pay customs in any sort; and that if they shall want provisions, victuals, or any other things, they may freely buy them at the rates in the market.

XI. That when any of His said Majesty's ships of war shall appear before Algiers, upon notice thereof given by the English Consul, or by the commander of the said ships, to the chief governors of Algiers, public proclamation shall be immediately made to secure the Christian captives ; and if, after that, any Christians whatsoever make their escape on board any of the said ships of war, they shall not be required back again, nor shall the said consul or commander, or any other His Majesty's subjects, be obliged to pay any thing for the said Christians....

Source: Hertslet, *Complete Collection of the Treaties and Conventions*, 1:58-65.

Appendix 2

B. Article Concerning Passes

Whereas on the 10th day of April, 1682, there was a Treaty of Peace concluded between the Most Serene King of Great Britain, France and Ireland, Defender of the Christian Faith, &c. and the Most Illustrious Lords the Bashaw, Dey, Aga, and Governors of the City and Kingdom of Algiers, to which Treaty there was annexed a form of Passes for the ships belonging to the subjects of the said King of Great Britain; it is hereby agreed and expressly declared, that the said form annexed to the said Treaty being no part thereof, the Lords High Admirals or Commissioners of the Admiralty of His said Majesty's Dominions, are at full liberty, in giving the said Passes, to use the form of words hereunto annexed, which shall be good and sufficient to all intents and purposes.

Confirmed and sealed, in the presence of Almighty God, the 5th day of March, in the year of our Lord Jesus Christ, 1683, being in the year of the Hegira, 1094, and the 17th day of the Moon, Moolout.

Form of the Pass.

James the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To all persons whom these may concern, greeting.

Suffer the Ship _____

to pass with her company, passengers, goods and merchandizes, without any let, hindrance, seizure or molestation; the said ship appearing unto us by good testimony to belong to our subjects, and to no foreigner. Given under our Sign Manual, and the Seal of our Admiralty, at our Court at

this _____ day of _____ in the year of our Lord

By His Majesty's command,

Signed _____

Source: Hertslet, *Complete Collection of the Treaties and Conventions*, 1:65-6.

Appendix 3

Plan of a Treaty with France, called also Plan of 1776 (1776)

There shall be a firm, inviolable, and universal peace, and a true and sincere friendship, between the most serene and mighty prince, Lewis the sixteenth, the most christian king, his heirs and successors, and the United States of America; and the subjects of the most christian king, and of the said slates; and between the countries, islands, cities and towns, situate under the jurisdiction of the most christian king, and of the said United States, and the people and inhabitants thereof of every degree; without exception of persons or places. And the terms herein mentioned, shall be perpetual between the most christian king, his heirs and successors, and the said United States.

ARTICLE I The subjects of the most christian king shall pay no other duties or imposts, in the ports, havens, roads, countries, islands, cities or towns of the said United States, or any of them, than the natives thereof, or any commercial companies established by them, or any of them shall pay, but shall enjoy all other the rights, liberties, privileges, immunities and exemptions in trade, navigation, and commerce, in passing from one part thereof to another, and in going to and from the same, from and to any part of the world, which the said natives or companies enjoy.

ARTICLE II The subjects, people and inhabitants of the said United States, and every of them, shall pay no other duties, or imposts, in the ports, havens, roads, countries, islands, cities or towns of the most Christian king, than the natives of such countries, islands, cities or towns of France, or any commercial companies established by the most christian king, shall pay, but shall enjoy all other the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, in passing from one port thereof to another, and ingoing to and from the same, from and to any part of the world, which the said natives or companies enjoy.

ARTICLE III His most christian majesty shall retain the same rights of fishery on the banks of Newfoundland, and all other rights relating to any of the said islands, which he is entitled to by virtue of the treaty of Paris.

ARTICLE IV The most christian king shall endeavour, by all the means in his power, to protect and defend all vessels, and the effects belonging to the subjects, people, or inhabitants of the said United States, or any of them, being in his ports, havens, or roads, or on the seas near to his countries, lands, cities or towns; and to recover and to restore to the right owners, their agents, or attorneys, all such vessels and effects, which shall be taken within his

jurisdiction; and his ships of war, or any convoys sailing under his authority, shall upon all occasions take under their protection all vessels belonging to the subjects, people, or inhabitants of the said United States, or any of them, and holding the same course or going the same way; and shall defend such vessels as long as they hold the same course, or go the same way, against all attacks, force, and violence, in the same manner as they ought to protect and defend vessels belonging to the subjects of the most christian king.

ARTICLE V In like manner the said United States, and their ships of war, and convoys sailing under their authority, shall protect and defend all vessels and effects belonging to the subjects of the most christian king ; and endeavour to recover and restore them, if taken within the jurisdiction of the said United States, or any of them.

ARTICLE VI The most christian king and the said United States, shall not receive nor suffer to be received, into any of their ports, havens, roads, countries, islands, cities or towns, any pirates or sea robbers, or afford or suffer any entertainment, assistance or provision to be afforded to them; but shall endeavour by all means, that all pirates and sea robbers, and their partners, sharers, and abettors, be found out, apprehended, and suffer condign punishment ; and all the vessels and effects piratically taken, and brought into the ports and havens of the most christian king, or the said United States, which can be found, although they be sold, shall be restored, or satisfaction given therefore; the right owners, their agents or attorneys demanding the same, and making the right of property to appear by due proof.

ARTICLE VII The most christian king shall protect, defend and secure, as far as in his power, the subjects, people and inhabitants of the said United States, and every of them, and their vessels and effects of every kind, against all attacks, assaults, violences, injuries, depredations or plunderings, by or from the king or emperor of Morocco, or Fez, and the states of Algiers, Tunis and Tripoli, and any of them, and every other prince, state and power on the coast of Barbary in Africa, and the subjects of the said king, emperor, states and powers, and of every of them, in the same manner, and as effectually and fully, and as much to the benefit, advantage, ease and safety of the said United States, and every of them, and of the subjects, people and inhabitants thereof, to all intents and purposes, as the king and kingdom of Great Britain, before the commencement of the present war, protected, defended and secured the people and inhabitants of the said United States, then called British colonies in America, their vessels and effects, against all such attacks, assaults, violences, injuries, depredations and plunderings.

ARTICLE VIII If, in consequence of this treaty, the king of Great Britain should declare war against the most christian king, the said United States shall

not assist Great Britain in such war, with men, money, ships, or any of the articles in this treaty denominated contraband goods.

ARTICLE IX The most christian king shall never invade, nor, under any pretence, attempt to possess himself of Labrador, New Britain, Nova Scotia, Acadia, Canada, Florida, nor any of the countries, cities or towns on the continent of North America, nor of the islands of Newfoundland, Cape Breton, St. Johns, Anticosti, nor of any other island lying near to the said continent in the seas, or in any gulph, bay or river ;it being the true intent and meaning of this treaty, that the said United States-shall have the sole, exclusive, undivided and perpetual possession of the countries, cities and towns on the said continent, and of all islands near to it, which now are, or lately were under the jurisdiction of or subject to the king or crown of Great Britain, whenever they shall be united or confederated with the said United States.

ARTICLE X The subjects, inhabitants, merchants, commanders of ships, masters and mariners, of the states, provinces and dominions of each party, respectively, shall abstain and forbear to fish in all places, possessed, or which shall be possessed by the other party. The most christian king's subjects shall not fish in the havens, bays, creeks, roads, coasts or places which the said United States hold, or shall hereafter hold; and in like manner, the subjects, people and inhabitants of the said United States shall not fish in the havens, bays, creeks, roads, coasts or places which the most Christian king possesses, or shall hereafter possess. And if any ship or vessel shall be found fishing, contrary to the tenor of this treaty, the said ship or vessel, with its lading, proof being made thereof, shall be confiscated.

ARTICLE XI If in any war the most christian king shall conquer, or get possession of, the islands in the West Indies, now under the jurisdiction of the king or crown of Great Britain, or any of them, or any dominions of the said king or crown, in any other parts of the world, the subjects, people and inhabitants of the said United States, and every of them, shall enjoy the same rights, liberties, privileges, immunities and exemptions, in trade, commerce and navigation, to and from the said islands and dominions, that are mentioned in the second article of this treaty.

ARTICLE XII It is the true intent and meaning of this treaty, that no higher or other duties shall be imposed on the exportation of any thing of the growth, production or manufacture of the islands in the West Indies, now belonging, or which may hereafter belong to the most christian king, to the said United States, or any of them, than the lowest that are or shall be imposed on the exportation thereof to France, or to any other part of the world....

Source: *SJ*, 2:7-30, Plan of a Treaty with France, 17 September 1776.

Appendix 4

Heads of Inquiry (1785)

Letter From Thomas Jefferson to John Jay, October 11, 1785.

1st, Commerce.—What are the articles of their export and import? What articles of American produce might find a market in Morocco, Algiers, Tunis, Tripoli, he, and at what prices? Whether rice, flour, tobacco, furs, ready-built ships, fish, oil, tar, turpentine, ship timbers, &c, and whether any of these articles would hereafter be acceptable as presents? What duties are levied by them on exports and imports—do all nations pay the same, or what nations are favored, and how far? Are they their own carriers, or who carries for them? Do they trade themselves to other countries, or are they merely passive? What manufactures or productions of these countries would be convenient in America, and at what prices?

2d, Ports.—What are the principal ports? What depth of water into them? What works of defence protect these ports?

3d, Naval Force.—How many armed vessels have they? Of what kind and force? What is the constitution of their naval force? What resources for increasing their navy? What number of seamen, their cruising grounds, and season of cruising?

4th, Prisoners.—What is their condition and treatment? At what price are they ordinarily redeemed, and how? Do they pay respect to the treaties they make? Land Forces.—Their number, constitution, respectability, revenues—their amount.

5th, Language.—What language is spoken, and what European language is most understood?

6th, Government.—What is their connexion with the Ottoman Porte? Is there any dependence or subordination to it acknowledged, and what degree of power or influence has it?

7th, Religion.—By what principle of their religion is it that they consider all Christian Powers as their enemies, until they become friends by treaties? 8th, Captures.—What captures have they made of ships or citizens of the United States, and any other nation? What nations are they now at war with?

Source: *USDC*, 1:660, From Thomas Jefferson to John Jay, October 11, 1785, Enclosure: Heads of Inquiry.

Appendix 5

Adams-Jefferson Exchange (1786)

A. John Adams to Thomas Jefferson, London, 3 July, 1786.

Dear Sir, — Although the posts are important, the war with the Turks is more so. I lay down a few simple propositions.

1. We may at this time have peace with them, in spite of all the intrigues of the English or others to prevent it, for a sum of money.
2. We never shall have peace, though France, Spain, England, and Holland should use all their influence in our favor, without a sum of money.
3. That neither the benevolence of France, or the malevolence of England, will be ever able materially to diminish or increase the sum.
4. The longer the negotiation is delayed, the larger will be the demand. From these premises, I conclude it to be wisest for us to negotiate and pay the necessary sum without loss of time.

Now, I desire you, and our noble friend the Marquis [de la Fayette], to give me your opinion of these four propositions. Which of them do you deny or doubt? If you admit them all, do you admit the conclusion? Perhaps you will say, fight them, though it should cost us a great sum to carry on the war, and although, at the end of it, we should have more money to pay as presents. If this is your sentiment, and you can persuade the southern States into it, I dare answer for it that all from Pennsylvania, inclusively northward, would not object. It would be a good occasion to begin a navy.

At present we are sacrificing a million annually, to save one gift of £200,000. This is not good economy. We might, at this hour, have two hundred ships in the Mediterranean, whose freights alone would be worth £200,000, besides the influence upon the price of our produce. Our farmers and planters will find the price of their articles sink very low indeed, if this peace is not made.

The policy of Christendom has made cowards of all their sailors before the standard of Mahomet. It would be heroical and glorious in us to restore courage to ours. I doubt not we could accomplish it; but the difficulty of bringing our people to agree upon it, has ever discouraged me....

Source: *WJA*, 8:406-7, John Adams to Thomas Jefferson, London, 3 July, 1786.

Appendix 5

B. Thomas Jefferson to John Adams, Paris, July 11, 1786.

Dear Sir, Our instructions relative to the Barbary States having required us to proceed byway of negotiation to obtain their peace, it became our duty to do this to the best of our power. Whatever might be our private opinions, they were to be suppressed, and the line, marked out to us, was to be followed. It has been so, honestly and zealously. It was, therefore, never material for us to consult together, on the best plan of conduct towards these States. I acknowledge, I very early thought it would be best to effect a peace through the medium of war. Though it is a question with which we have nothing to do, yet as you propose some discussion of it, I shall trouble you with my reasons. Of the four positions laid down in your letter of the 3d instant, I agree to the three first, which are, in substance, that the good offices of our friends cannot procure us a peace, without paying its price; that they cannot materially lessen that price; and that paying it, we can have the peace in spite of the intrigues of our enemies. As to the fourth, that the longer the negotiation is delayed the larger will be the demand; this will depend on the intermediate captures: if they are many and rich, the price may be raised; if few and poor, it will be lessened. However, if it is decided that we shall buy a peace, I know no reason for delaying the operation, but should rather think it ought to be hastened; but I should prefer the obtaining it by war.

1. Justice is in favor of this opinion. 2. Honor favors it. 3. It will procure us respect in Europe; and respect is a safeguard to interest. 4. It will arm the federal head with the safest of all the instruments of coercion over its delinquent members, and prevent it from using what would be less safe. I think that so far, you go with me. But in the next steps, we shall differ. 5. I think it least expensive. 6. Equally effectual.? I ask a fleet of one hundred and fifty guns, the one-half of which shall be inconstant cruise. This fleet, built, manned and victualled for six months will cost four hundred and fifty thousand pounds sterling. Its annual expense will be three hundred pounds sterling a gun, including everything; this will be forty-five thousand pounds sterling a year. I take British experience for the basis for my calculation: though we know, from our own experience, that we can do in this way, for pounds lawful, what costs them pounds sterling. Were we to charge all this to the Algerine war, it would amount to little more than we must pay, if we buy peace. But as it is proper and necessary that we should establish a small marine force, (even were we to buy a peace from the Algerines,) and as that force, laid up in our dock-yards, would cost us half as much annually, as if kept in order for service, we have a right to say that only twenty-two thousand and five hundred pounds sterling, per annum, should be charged to the Algerine war. 6. It will be as effectual. To all the mismanagements of Spain and Portugal, urged to show that war against

those people is ineffectual, I urge a single fact to prove the contrary, where there is any management. About forty years ago, the Algerines having broke their treaty with France, this court sent Monsieur de Massiac, with one large, and two small frigates; he blockaded the harbor of Algiers three months, and they subscribed to the terms he proposed. I fit be admitted, however, that war, on the fairest prospects, is still exposed to uncertainties, I weigh against this, the greater uncertainty of the duration of a peace bought with money, from such a people, from a Dey eighty years old, and by a nation who, on the hypothesis of buying peace, is to have no power on the sea, to enforce an observance of it.

So far, I have gone on the supposition that the whole weight of this war would rest on us. But, 1. Naples will join us. The character of their naval minister (Acton), his known sentiments with respect to the peace Spain is officiously trying to make for them, and his dispositions against the Algerines, give the best grounds to believe it. 2. Every principle of reason assures us that Portugal will join us. I state this as taking for granted, what all seem to believe, that they will not be at peace with Algiers. I suppose, then, that a convention might be formed between Portugal, Naples and the United States, by which the burthen of the war might be quota-ed on them, according to their respective wealth; and the term of it should be, when Algiers should subscribe to a peace with all three, on equal terms. This might be left open for other nations to accede to, and many, if not most of the powers of Europe, (except France, England, Holland, and Spain, if her peace be made) would sooner or later enter into the confederacy, for the sake of having their peace with the piratical States guaranteed by the whole. I suppose, that, in this case, our proportion of force would not be the half of what I first calculated on.

These are the reasons which have influenced my judgment on this question. I give them to you, to show you that I am imposed on by a semblance of reason, at least; and not with an expectation of their changing your opinion. You have viewed the subject, I am sure, in all its bearings. You have weighed both questions, with all their circumstances. You make the result different from what I do. The same facts impress us differently. This is enough to make me suspect an error in my process of reasoning, though I am not able to detect it. It is of no consequence; as I have nothing to say in the decision, and am ready to proceed heartily on any other plan which may be adopted, if my agency should be thought useful. With respect to the dispositions of the State, I am utterly uninformed. I cannot help thinking, however, that on a view of all the circumstances, they might be united in either of the plans....

Source: Jefferson, *Memoir*, 2:36-38.

Appendix 5

C. John Adams to Thomas Jefferson, London, 31 July, 1786.

Dear Sir, —Your favor of the 11th instant I have received. There are great and weighty considerations urged in it in favor of arming against the Algerines, and, I confess, if our States could be brought to agree in the measure, I should be very willing to resolve upon external war with vigor, and protect our trade and people. The resolution to fight them would raise the spirits and courage of our countrymen immediately, and we might obtain the glory of finally breaking up these nests of banditti. But congress will never, or at least not for years, take any such resolution, and in the mean time our trade and honor suffers beyond calculation. We ought not to fight them at all, unless we determine to tigh them forever.

This thought, I fear, is too rugged for our people to bear. To tigh them at the expense of millions, and make peace, after all, by giving more money and larger presents than would now procure perpetual peace, seems not to be economical. Did Monsieur de Massac carry his point without making the presents? Has not France made presents ever since? Did any nation ever make peace with any one Barbary state without making the presents? Is there an example of it? I believe not, and fancy you will find that even Massac himself made the presents.

I agree in opinion of the wisdom and necessity of a navy for other uses, but am apprehensive it will make bad worse with the Algerines. I will go all lengths with you in promoting a navy, whether to be applied to the Algerines or not. But I think, at the same time, we should treat. Your letter, however, has made me easier upon this point. Nevertheless, to humble the Algerines, I think you have undercalculated the force necessary. They have now fifty gun-boats, which, being small objects against great ships, are very formidable. None of these existed in the time of Monsieur Massac. The harbour of Algiers, too, is fortified all round, which it was not in M. Massac's time, which renders it more difficult and dangerous to attempt a blockade. I know not what dependence is to be put upon Portugal and Naples, in case of a war with the barbarians; perhaps they might assist us in some degree. Blocking Algiers would not obtain peace with Morocco; so that our commerce would still be exposed.

After all, though I am glad we have exchanged a letter on the subject, I perceive that neither force nor money will be applied. Our States are so backward, that they will do nothing for some years. If they get money enough to discharge the demands upon them in Europe already incurred, I shall be agreeably disappointed. A disposition seems rather to prevail among our citizens to give up all ideas of navigation and naval power, and lay themselves

consequently at the mercy of foreigners, even for the prices of their produce. It is their concern, and we must submit; for your plan of fighting will no more be adopted, than mine of treating. This is more humiliating to me than giving the presents would be...

Source: *WJA*, 8:410-12, John Adams to Thomas Jefferson, London, 31 July, 1786.

Appendix 6

Proposals for Concerted Operation among the Powers at War with the Piratical States of Barbary (1786)

1. It is proposed, that the several powers at war with the piratical States of Barbary, or any two or more of them who shall be willing, shall enter into a convention to carry on their operations against those States, in concert, beginning with the Algerines.
2. This convention shall remain open to any other power, who shall, at any future time, wish to accede to it; the parties reserving the right to prescribe the conditions of such accession, according to the circumstances existing at the time it shall be proposed.
3. The object of the convention shall be, to compel the piratical States to perpetual peace, without price, and to guaranty that peace to each other.
4. The operations for obtaining this peace, shall be constant cruizes on their coast, with a naval force now to be agreed on. It is not proposed, that this force shall be so considerable as to be in convenient to any party. It is believed that half a dozen frigates, with as many Tenders or Xebecs, one half of which shall be in cruize, while the other half is at rest, will suffice.
5. The force agreed to be necessary, shall be furnished by the parties, in certain quotas, now to be fixed; it being expected, that each will be willing to contribute, in such proportion as circumstances may render reasonable.
6. As miscarriages often proceed from the want of harmony among officers of different nations, the parties shall now consider and decide, whether it will not be better to contribute their quotas in money, to be employed in fitting out and keeping on duty, a single fleet of the force agreed on.
7. The difficulties and delays, too, which will attend the management of these operations, if conducted by the parties themselves separately, distant as their courts may be from one another, and incapable of meeting in consultation, suggest a question, whether it will not be better for them to give full powers, for that purpose, to their Ambassadors, or other Ministers resident at some one court of Europe, who shall form a Committee, or Council, for carrying this convention into effect; wherein, the vote of each member shall be computed in proportion to the quota of his sovereign, and the majority so computed, shall prevail in all questions within the view of this convention. The court of Versailles is proposed, on account of its neighborhood to the Mediterranean,

and because all those powers are represented there, who are likely to become parties to this convention.

8. To save to that Council the embarrassment of personal solicitations for office, and to assure the parties that their contributions will be applied solely to the object for which they are destined, there shall be no establishment of officers for the said Council, such as Commissioners, Secretaries, or any other kind, with either salaries or perquisites, nor any other lucrative appointments but such whose functions are to be exercised on board the said vessels.

9. Should war arise between any two of the parties to this convention, it shall not extend to this enterprize, nor interrupt it; but as to this they shall be reputed at peace.

10. When Algiers shall be reduced to peace, the other piratical States, if they refuse to discontinue their piracies, shall become the objects of this convention, either successively or together, as shall seem best.

11. Where this convention would interfere with treaties actually existing between any of the parties and the said States of Barbary, the treaty shall prevail, and such party shall be allowed to withdraw from the operations against that state.

Source: Jefferson, *Memoir*, 1:53-4.

Appendix 7

Sidi Hassan to Congress (1787)

I cannot omit writing to your Excellencies, to inform you the Mr. Lamb has been here at Algiers, and having treated and spoken on certain points respecting Peace and Captives, went away and has not returned; and to assure you that he is a Gentleman of good Deportment, and I really like and esteem him for his good qualities, as I have also written to Mr. Carmichael at Madrid; and I shall be well content with the said Mr. Lamb in preference to any other person, whenever it shall be proposed to treat on any point. And this I have the Honor to communicate to your Excellencies for you information and Satisfaction.

May god preserve your Excellencies many years.

Sidji Assan Nickilange

(Superintendent) of the Marine of Algiers

Source: *EN*, 3:435, Sidi Hassan to Congress, February 25, 1787.

Appendix 8

Hassan Dey of Algiers to George III (1794)

Your late Consul having announced to us that the Queen of Portugal had interceded with Your Majesty to become a mediator in order to obtain a Peace or a truce with us the Algerines and he the Consul was commanded by You to notify us that it would give your Majesty pleasure if we consented to make a Peace with the Portuguese or a Truce for one year, that during that time a Peace might be Negotiated between us and them. To this we answered that to oblige our good Friend the King of England we consented to make a peace upon those terms, through the mediation of England. After we had agreed to this a Portugese vessel arrives some days past from Portugal and notifies us that all the articles agreed upon between us, and your consul, the Court of Portugal will not accept of, as the English made them to please themselves, that they have no idea of such proposals, are not contented with or will admit them. If your consul had not announced to us, that You was mediator, and requested it of us in Your Name, we never should have thought of give [sic] any answer respecting a peace with Portugal.

The object that led us to resolve on this peace was to Revenge ourselves on yours and our Enemies the Americans in the open seas by harassing and destroying them in such a manner as to reduce them to the necessity of submitting to be your subjects again. The utility of this was more for your convenience than ours.

If Portugal according to the report of your Consul is not contented with and will not accept a Peace, Henceforward according to ancient custom, we do not permit the Portuguese ship to enter the Port of Gibraltar or block up the Strait. But if you should say that the Portuguese are your Friend and that you will not [sic] their entrance into Gibraltar and being supplied with the necessities they want, are we not your Old Friend and have an equal right to impartiality, the Friends ought not to wish for or promote injury to their Friends, those that do so are not to be named Friends, as they act contrary to Friendship.

The Portuguese some Years past Burnt and Destroyed One of Our Cruisers, at another time One of Your Cruisers fired Shott into one of Our Vessels and damaged her, and not long ago One of Your Ships with English Colours having fired Shott into one of Our Vessels, upon being asked why they did so, answered for their pleasure.

All this we have suffered from Our friendship toward you being immutable.

Let us now leave what has passed. But [if] after the accept of the reasoning before you, You are to receive in the Port of Gibraltar the Portuguese Ships of war or supply them with the Necessaries if they come send them away. And if they have any enmity with us they may follow us into the High Seas. But if you say that as Christians you will Absolutely Protect them Your Friendship becomes useless to us. And if after the arrival of the present [i.e., after receipt of this letter] we newly learn that the Portuguese Ships have entered Your Port We will break the Peace and send away Your Consul...

Source: Parker, *Uncle Sam in Barbary*, pp. 231-32.

Appendix 9

Treaty of Peace and Amity between the Dey and the United States of America (1795)

ARTICLE 1 From the date of the Present Treaty there shall subsist a firm and Sincere Peace and Amity between the President and Citizens of the United States of North America and Hassan Bashaw Dey of Algiers his Divan and Subjects the Vessels and Subjects of both Nations reciprocally treating each other with Civility Honor and Respect

ARTICLE 2 All Vessels belonging to the Citizens of the United States of North America Shall be permitted to enter the Different ports of the Regency to trade with our Subjects or any other Persons residing within our Jurisdiction on paying the usual duties at our Custom-House that is paid by all nations at Peace with this Regency observing that all Goods disembarked and not Sold here shall be permitted to be reimbarcked without paying any duty whatever either for disembarking or embarking all naval & Military Stores Such as Gun-Powder Lead Iron Plank Sulphur Timber for building far pitch Rosin Turpentine and any other Goods denominated Naval and Military Stores Shall be permitted to be Sold in this Regency without paying any duties whatever at the Custom House of this Regency.

ARTICLE 3 The Vessels of both Nations shall pass each other without any impediment or Molestation and all Goods monies or Passengers of whatsoever Nation that may be on board of the Vessels belonging to either Party Shall be considered as inviolable and shall be allowed to pass unmolested.

ARTICLE 4 All Ships of War belonging to this regency on meeting with Merchant Vessels belonging to Citizens of the United States shall be allowed to Visit them with two persons only beside the rowers these two only permitted to go on board said vessel without obtaining express leave from the commander of said Vessel who shall compare the Pass-port and immediately permit said Vessel to proceed on her Voyage unmolested All Ships of War belonging to the United States of North America on meeting with an Algerine Cruiser and Shall have seen her pass port and Certificate from the Consul of the United States of North America resident in this Regency shall be permitted to proceed on her cruise unmolested no Pass-port to be Issued to any Ships but such as are Absolutely the Property of Citizens of the United States and Eighteen Months Shall be the term allowed for furnishing the Ships of the United States with Pass-ports.

ARTICLE 5 No Commander of any Cruiser belonging to this Regency shall be allowed to take any person of whatever Nation or denomination out of any Vessel belonging to the United States of North America in order to Examine them or under presence of making them confess any thing desired neither shall they inflict any corporal punishment or any way else molest them.

ARTICLE 6 If any Vessel belonging to the United States of North America shall be Stranded on the Coast of this Regency they shall receive every possible Assistance from the Subjects of this Regency all goods saved from the wreck shall be Permitted to be Reimbarked on board of any other Vessel without Paying any Duties at the Custom House.

ARTICLE 7 The Algerines are not on any presence whatever to give or Sell any Vessel of War to any Nation at War with the United States of North America or any Vessel capable of cruising to the detriment of the Commerce of the United States.

ARTICLE 8 Any Citizen of the United States of North America having bought any Prize condemned by the Algerines shall not be again captured by the Cruisers of the Regency then at Sea altho they have not a Pass-Port a Certificate from the Consul resident being deemed Sufficient until such time they can procure such Pass-Port.

ARTICLE 9 If any of the Barbary States at War with the United States of North America shall capture any American Vessel & bring her into any of the Ports of this Regency they shall not be Permitted to sell her but Shall depart the Port on Procuring the Requisite Supplies of Provision.

ARTICLE 10 Any Vessel belonging to the United States of North America, when at War with any other Nation shall be permitted to send their Prizes into the Ports of the Regency have leave to Dispose of them with out Paying any duties on Sale thereof All Vessels wanting Provisions or refreshments Shall be permitted to buy them at Market Price.

ARTICLE 11 All Ships of War belonging to the United States of North America on Anchoring in the Ports of ye Regency shall receive the Usual presents of Provisions & Refreshments Gratis should any of the Slaves of this Regency make their Escape on board said Vessels they shall be immediately returned no excuse shall be made that they have hid themselves amongst the People and cannot be found or any other Equivocation.

ARTICLE 12 No Citizen of ye United States of North America shall be Obligated to Redeem any Slave against his Will even Should he be his Brother neither shall the owner of A Slave be forced to Sell him against his Will but All Such agreements must be made by Consent of Parties. Should Any American Citizen be taken on board an Enemy-Ship by the Cruisers of this Regency

having a Regular pass-port Specifying they are Citizens of the United States they shall be immediately Set at Liberty. On the Contrary they having no Passport they and their Property shall be considered lawful Prize as this Regency Know their friends by their Passports.

ARTICLE 13 Should any of the Citizens of the United States of North America Die within the Limits of this Regency the Dey & his Subjects shall not Interfere with the Property of the Deceased but it Shall be under the immediate Direction of the Consul unless otherwise disposed of by will Should their be no Consul, the Effects Shall be deposited in the hands of Some Person worthy of trust until the Party Shall Appear who has a Right to demand them, when they Shall Render an Account of the Property neither Shall the Dey or Divan Give hindrance in the Execution of any Will that may Appear.

ARTICLE 14 No Citizen of the United States of North America Shall be obliged to purchase any Goods against his will but on the contrary shall be allowed to purchase whatever it Pleaseth him. The Consul of the United States of North America or any other Citizen shall not be answerable for debts contracted by any one of their own Nation unless previously they have Given a written Obligation so to do. Should the Dey want to freight any American Vessel that may be in the Regency or Turkey said Vessel not being engaged, in consequence of the friendship subsisting between the two Nations he expects to have the preference given him on his paying the Same freight offered by any other Nation.

ARTICLE 15 Any disputes or Suits at Law that may take Place between the Subjects of the Regency and the Citizens of the United States of North America Shall be decided by the Dey in person and no other, any disputes that may arise between the Citizens of the United States, Shall be decided by the Consul as they are in Such Cases not Subject to the Laws of this Regency.

ARTICLE 16 Should any Citizen of the United States of North America Kill, wound or Strike a Subject of this Regency he Shall be punished in the Same manner as a Turk and not with more Severity should any Citizen of the United States of North America in the above predicament escape Prison the Consul Shall not become answerable for him.

ARTICLE 17 The Consul of the United States of North America Shall have every personal Security given him and his houshold he Shall have Liberty to Exercise his Religion in his own House all Slaves of the Same Religion shall not be impeded in going to Said Consul's House at hours of Prayer the Consul shall have liberty & Personal Security given him to Travel where ever he pleases within the Regency. He Shall have free licence to go on board any Vessel Lying in our Roads when ever he Shall think fit. The Consul Shall have leave to Appoint his own Drogaman & Broker.

ARTICLE 18 Should a War break out between the two Nations the Consul of the United States of North America and all Citizens of Said States Shall have leave to Embark themselves and property unmolested on board of what Vessel or Vessels they Shall think Proper.

ARTICLE 19 Should the Cruisers of Algiers capture any Vessel having Citizens of the United States of North America on board they having papers to Prove they are Really so they and their property Shall be immediately discharged and Should the Vessels of the United States capture any Vessels of Nations at War with them having Subjects of this Regency on board they shall be treated in like Manner.

ARTICLE 20 On a Vessel of War belonging to the United States of North America Anchoring in our Ports the Consul is to inform the Dey of her arrival and She shall be Saluted with twenty one Guns which she is to return in the Same Quantity or Number and the Dey will Send fresh Provisions on board as is Customary, Gratis.

ARTICLE 21 The Consul of ye United States of North America shall not be required to Pay duty for any thing he brings from a foreign Country for the Use of his House & family.

ARTICLE 22 Should any disturbance take place between the Citizens of the United States & the Subjects of this Regency or break any Article of this Treaty War shall not be Declared immediately but every thing shall be Searched into regularly. The Party Injured shall be made Reparation.

On the 21st of ye Luna of Safer 1210 corresponding with the 5th September 1795 Joseph Donaldson Junr on the Part of the United States of North America agreed with Hassan Bashaw Dey of Algiers to keep the Articles Contained in this Treaty Sacred and inviolable which we the Dey & Divan Promise to Observe on Consideration of the United States Paying annually the Value of twelve thousand Algerine Sequins in Maritime Stores Should the United States forward a Larger Quantity the Over-Plus Shall be Paid for in Money by the Dey & Regency any Vessel that may be Captured from the Date of this Treaty of Peace & Amity shall immediately be delivered up on her Arrival in Algiers.

Note: Signed at Algiers September 5, 1795 (21 Safar, A. H. 1210). Submitted to the Senate February 15, 1796. Resolution of advice and consent March 2, 1796. Ratified by the United States March 7, 1796. Proclaimed March 7, 1796.

Source: *SaL*, 8:133-137.

Appendix 10

A. Dey Hassan to George Washington (1796)

Vizir Hassan Bashaw, Dey of the City and Regency of Algiers, to George Washington, President of the United States of America.

Health Peace and Prosperity

Whereas, peace and harmony has been settled between our two nations through the medium of two agents of the United States, Joseph Donaldson and Joel Barlow, and as eight months have elapsed without one article of their agreement being complied with, we have thought it expedient to dispatch James Leander Cathcart, formerly our Christian secretary, with a note of such articles as are required in this Regency, likewise with a form of a Mediterranean passport, in order that you may furnish your Consul resident here with such as fast as possible. For further intelligence I refer you to your Consul resident here, and to the said James Leander Cathcart, and I pray you whatever they may inform you of to forward our negotiation, may be fully credited and that said Cathcart may be dispatched with such part of the articles specified in our negotiation as are ready with all possible expedition, for which purpose we have granted said Cathcart a Mediterranean passport commencing the date thereof from the first of May, in the year of your Lord, one thousand seven hundred and ninety-six.

Done in the Dey's palace by our order and sealed with the great seal of this Regency, the 26th of the Luna of Carib, in the year of the Hegira, 1210, which corresponds with the 5th of May, 1796.

Source: Cathcart, "Diplomatic Journal and Letter Book," p. 400.

**B. Account of the Stores demanded by the Dey for our Annual presents,
Deys Pallace, May the 2nd 1796**

Nails	Inches	Cables	Inches
100 CWt of Nails in length	13 ½	4 Cables of	18
100 CWt of Nails	12	6 Cables of	15
100 CWt of Nails	10	6 Cables of	14
100 CWt of Nails	9	6 Cables of	13
100 CWt of Nails	7 ½	6 Cables of	12
100 CWt of Nails	6	6 Cables of	11
100 CWt of Nails	5		
= 35 Tons of Nails		= 34 Cables	

Bombs	Inches Diameter	Calibre
500 Bomb Shells of	5 1/10	16
500 Bomb Shells of	5 8/10	24
500 Bomb Shells of	6 ½	32
500 Bomb Shells of	6 9/10	42
= 2000 Bomb Shells		

White Rope:

4 Coils of White rope of 10 Inches
 4 Coils of White rope of 9 Inches
 4 Coils of White rope of 8 Inches
 = 12 Coils of White Rope

Oars:

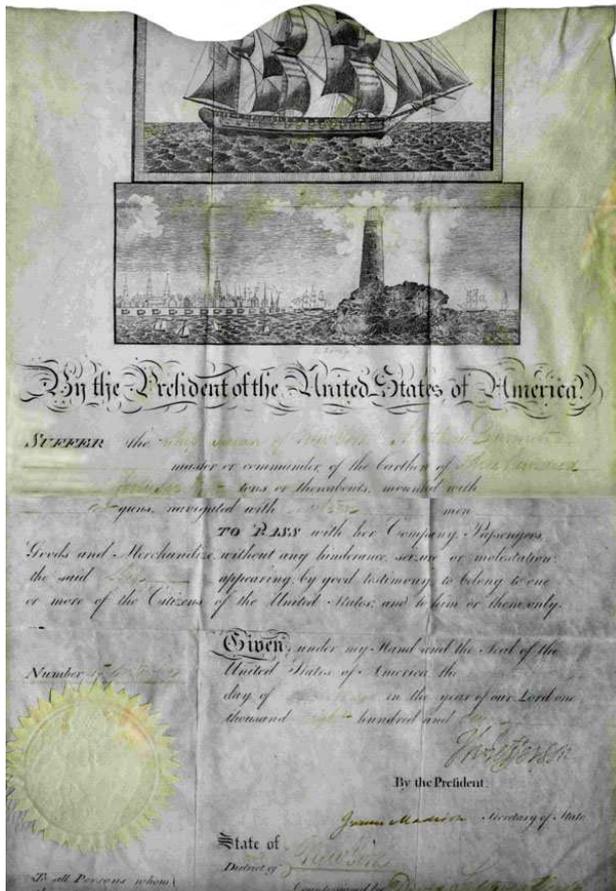
1000 long Oars for Frigates and Xebeques
 500 of a smaller sorte
 = 1500 Oars

1000 CWt of Gunpowder
 1000 Pine planks from 22 to 24 long and 6 inches thick
 1000 Oak planks from 22 to 24 long and 6 inches thick
 2000 Pipe Staves
 1000 Bolts of Canvas
 50 CWt of Lead in Sheets
 100 Dozen of long tar brushes
 100 CWt of White Rope yarns
 3000 Pine Planks or Boards of 3 inches thick

Source: Cathcart, "Diplomatic Journal and Letter Book," pp. 398-399.

Appendix 11

Mediterranean Passport (1807)



By The President of the United States of America

SUFFER the ship *Sarah* of New York Matthew Dunnitt master or commander of the burthen of three hundred forty-six 74/146 tons or thereabouts with no guns, navigated with thirteen men

TO PASS with her Company, Passengers, Goods and Merchandise without any hindrance, seizure or molestation: the said ship appearing by good testimony to belong to one or more of the Citizens of the United States; and to him or them only.

GIVEN under my Hand and the Seal of the United States of America, the 24th day of September in the year of our Lord one thousand eight hundred and seven

/s/ Thomas Jefferson

Note: The document is a 'Mediterranean passport' as distinguished from a 'letter of marque.' This type of passport, written in English only and with an engraving cut at the top so that it could be examined and compared with a counterpart furnished to Algerine warships, resulted from a requirement in the 4th article of the treaty of 5 September 1795.

Source: Adapted from Department of the Navy, Naval Historical Center.
<http://www.history.navy.mil/library/manuscript/jefferson1807.htm>

Appendix 12

A. Message from Madison Recommending War with Algiers (1815)

Congress will have seen, by the communication from the consul general of the United States at Algiers, laid before them on the 17th November, 1812, the hostile proceedings of the dey against that functionary. These have been followed by acts of more overt and direct warfare against the citizens of the United States trading in the Mediterranean, some of whom are still detained in captivity, notwithstanding the attempts which have been made to ransom them, and are treated with the rigour usual on the coast of Barbary.

The considerations which rendered it unnecessary-and unimportant to commence hostile operations on the part of the United States, being now terminated by the peace with Great Britain, which opens the prospect of an active and valuable trade of their citizens within the range of the Algerine cruisers, I recommend to Congress the expediency of an act declaring the existence of a state of war between the United States and the dey of Algiers; and of such provisions as may be requisite for a vigorous prosecution of it to a successful issue.

B. Report, Relative to Protection of American Commerce against Algerine Cruisers (1815)

The committee to whom has been referred the bill “for the protection of the commerce of the United States against the Algerine cruisers,” with instructions to inquire and report in detail the facts upon which the measure contemplated by the bill is predicated, report:

That in the month of July, 1812, the dey of Algiers, taking offence, or pretending to take offence, at the quality and quantity of a shipment of military stores made by the United States in pursuance of the stipulation in the treaty of 1795, and refusing to receive the stores, extorted from the American consul general at Algiers, by threat of personal imprisonment, and of reducing to slavery all Americans in his power, a sum of money claimed as the arrearages of treaty stipulations, and denied by the United States to be due; and then compelled the consul and all citizens of the United States at Algiers abruptly to quit his dominions. It further appears to the committee, that on the 25th of August following, the American brig Edwin, of Salem, owned by Nathaniel

Silsbee, of that place, while on a voyage from Malta to Gibraltar, was taken by an Algerine corsair, and carried into Algiers as prize. The commander of the brig, captain Geo. Campbell Smith, and the crew, ten in number, have ever since been detained in captivity, with the exception of two of them, whose release has been effected under circumstances not indicating any change of hostile temper on the part of the dey. It also appears, that a vessel, sailing under the Spanish flag, has been condemned in Algiers as laying a false claim to that flag, and concealing her true American character. In this vessel was taken a Mr. Pollard, who claims to be an American citizen, and is believed to be of Norfolk, Virginia, and who as an American citizen is kept in captivity. The government, justly solicitous to relieve these unfortunate captives, caused an agent (whose connexion with the government was not disclosed) to be sent to Algiers, with the means and with instructions to effect their ransom, if it could be done at a price not exceeding three thousand dollars per man. The effort did not succeed, because of the dey's avowed policy to increase the number of his American slaves, in order to be able to compel a renewal of his treaty with the United States on terms suited to his rapacity. Captain Smith, Mr. Pollard, and the master of the Edwin, are not confined, nor kept at hard labour; but the rest of the captives are subjected to the well known horrors of Algerine slavery. The committee have not been apprized of any other specifick outrages upon the persons or property of American citizens besides those stated; and they apprehend that the fewness of these is attributable to the want of opportunity and not of inclination in the dey, to prey upon our commerce and to enslave our citizens. The war with Britain has hitherto shut the Mediterranean against American vessels, which it may be presumed will now shortly venture upon it. The committee are all of opinion upon the evidence which has been laid before them, that the dey of Algiers considers his treaty with the United States as at an end, and is waging war against them. The evidence upon which this opinion is founded, and from which are extracted the facts above slated, accompanies this report, and with it is respectfully submitted.

Source: *ASP/FA*, 3: 436, Message from the President of the United States to Congress, Feb. 23, 1815.

Appendix 13

Monroe to the Peace Commissioners to Algiers (1815)

Gentlemen,—The unprovoked war which the Dey and Regency of Algiers have declared against the United States excited that degree of resentment in their Government and People which it justly merited. Congress at their last session manifested their sense of this Act, by declaring war against power, and authorizing the equipment of such a force as would secure the desired effect. The largest squadron that ever sailed from this country is now ordered against Algiers under the command of officers of great experience and talents from whose judgment and gallantry the happiest result is anticipated. For the conduct of the war instructions will be given to the Commander of the Squadron by the Secretary of the Navy. This letter will prescribe the conditions of peace which you are authorized by the President to conclude, and for which you will receive herewith a commission signed by him.

An honorable and lasting peace is the great object of this expedition. An early one would be agreeable but none must be made unless it be honorable. Whenever such a peace can be obtained you will conclude it. The spirit in which this war has been declared by the government of Algiers, with its well-known policy and character, forbid the hope of obtaining such a peace, by other means than the dread or success of our arms. If a just punishment should be inflicted on those people for the insult and injuries we have received from them, the peace might be more durable than if it should be concluded at the first approach of our squadron. Let not this however form any motive of your conduct, especially in delaying the peace. It is the duty of the government to terminate the war as soon as it may be done on just and honorable conditions. We may, it is presumed, rely on the credit already acquired by our arms and the known gallantry of our people, for the faithful execution of the treaty, and future respect from that power. Should we however be disappointed in this reasonable expectation, as the United States are rapidly increasing in their population and rising in their importance as a commercial and maritime nation they will, every year, have it more in their power to inflict the punishment on them which for the present may be spared.

Without a strong force presented before the town of Algiers, or collected in the Mediterranean at some advantageous point or station, prepared to act, it is believed that such a treaty as the United States ought to accept cannot be obtained. Whether it will be better to proceed directly with the squadron in front of the town, before an attempt is made to negotiate, or to remain at some distance, your own judgments aided by the intelligence you may obtain of the enemy's force, the state of the city, and other circumstances will be your best guides.

In coming before the town it is usual to hoist the flag of a neutral friendly power to invite negotiation with a view to peace, before proceeding to extremities. The Consul of that nation then comes on board in an Algerine boat and he is made the organ of a message to the Dey, such as the power thus circumstanced may think proper to send him. Should this be done, as the Consul of Sweden, M. Nordeling, has been friendly to the United States, the flag of Sweden is preferred. Supposing it possible that you may take this course, the President has thought proper to address a letter to the Dey which is enclosed to be used by you should you find it expedient so to do. This letter will, of course, be delivered to a discreet and confidential messenger who will be authorized and instructed to give such answers to the enquiries of the Dey and to make such communications to him as you may deem most likely to accomplish the objects in view.

At whatever time the negotiation is opened, whether it be before or after proceeding to extremities, the conditions must be such as are honorable to the United States. No tribute will be paid; no biennial presents made;—the United States must hold the high ground with that power which they ought to hold. They must stand on the footing of the powers of Europe who are most respected there,—such as England, France and Russia. Complimentary attentions and presents, when Consuls are presented, or at other times, such as those powers make, the United States are willing to make ; but none other. These must be voluntary, not compulsory or stipulated by Treaty. That point being secured the United States will not fail to make such as may suit their rank as a nation, having in view the good disposition manifested towards them by the government of Algiers, on which they will depend.

The discharge of our citizens so unjustly captured will be a necessary consequence of peace. The payment of any money for their liberation, especially by way of ransom, would countenance the late unwarrantable declaration of war by the Dey, and might invite another war with a view to a like claim. It is the object of the United States to put an end to these odious practices, as to themselves so far as circumstances will admit, and in which they cannot fail to succeed if the undertaking is favored by the powers who are supposed to have a common interest in it. Should this however appear to be a formidable obstacle to a peace, which might otherwise be obtained on honorable and satisfactory conditions, it is presumed that it may be removed by an informal understanding that it is not the mere question of the sum demanded, that prevents a provision for it in the Treaty, but the recognition of the principle. In the way of a present, after the conclusion of the Treaty a reasonable sum may be given to him gratuitously.

The honorable termination of the war with England, with which the Government of Algiers is doubtless well informed and the complete liberation of our forces for this service, must satisfy he Dey that he has much to dread

from the continued hostility of the United States. From the formidable force ready to assail him, he must anticipate the most serious disasters, and when he recollects how rapidly we have grown to the present height, a sure presage of the high destiny which awaits us, he will find no cause to hope for any change in his favor. Great confidence is therefore entertained that you will readily succeed in accomplishing the important objects of the expedition. . . .

Source: *WJMPPP*, 5:377-80, To the Peace Commissioners to Algiers, April 10, 1815.

Appendix 14

Treaty of Peace and Amity Concluded between the United States of America and his Highness Omar Bashaw, Dey of Algiers (1815)

ARTICLE 1 There shall be from the Conclusion of this treaty, a firm inviolable and universal peace and friendship between the President and Citizens of the United States of America on the one part, and the Dey and Subjects of the Regency of Algiers in Barbary, on the other, made by the free consent of both parties and upon the terms of the most favored nations; and if either party shall hereafter grant to any other nation, any particular favor or privilege in navigation or Commerce it shall immediately become common to the other party, freely when freely it is granted to such other nation; but when the grant is conditional, it shall be at the option of the contracting parties to accept, alter, or reject such conditions, in such manner as shall be most conducive to their respective interests.

ARTICLE 2 It is distinctly understood between the Contracting parties, that no tribute either as biennial presents, or under any other form or name whatever, shall ever be required by the Dey and Regency of Algiers from the United States of America on any pretext whatever.

ARTICLE 3 The Dey of Algiers shall cause to be immediately delivered up to the American Squadron now off Algiers all the American Citizens now in his possession, amounting to ten more or less, and all the Subjects of the Dey of Algiers now in the power of the United States amounting to five hundred more or less, shall be delivered up to him, the United States according to the usages of civilized nations requiring no ransom for the excess of prisoners in their favor.

ARTICLE 4 A just and full compensation shall be made by the Dey of Algiers to such citizens of the United States, as have been Captured, and detained by Algerine Cruizers, or who have been forced to abandon their property in Algiers in violation of the 22d article of the treaty of peace and amity¹ concluded between the United States and the Dey of Algiers on the 5 September 1795.

And it is agreed between the contracting parties, that in lieu of the above, the Dey of Algiers shall cause, to be delivered forthwith into the hands of the American Consul residing in Algiers the whole of a quantity of Bales of Cotton left by the late Consul General of the United States in the public magazines in Algiers; and that he shall pay into the hands of the said Consul the sum of ten thousand Spanish dollars.

ARTICLE 5 If any goods belonging to any nation with which either of the parties are at war should be loaded on board of vessels belonging to the other party, they shall pass free and unmolested, and no attempt shall be made to take or detain them.

ARTICLE 6 If any Citizens or subjects belonging to either party shall be found on board a prize vessel taken from an Enemy by the other party, such Citizens or subjects shall be liberated immediately, and in no case or on any pretence whatever shall any American Citizen be kept in Captivity or Confinement, or the property of any American Citizen found on board of any vessel belonging to any nation with which Algiers may be at War, be detained from its lawful owners after the exhibition of sufficient proofs of American Citizenship, and American property, by the Consul of the United States residing at Algiers.

ARTICLE 7 Proper passports shall immediately be given to the vessels of both the Contracting parties, on condition that the vessels of war belonging to the Regency of Algiers on meeting with Merchant Vessels belonging to Citizens of the United States of America, shall not be permitted to visit them with more than two persons besides the rowers; these only shall be permitted to go on board without first obtaining leave from the (commander of said vessel, who shall compare the passports and immediately permit said vessel to proceed on her voyage; and should any of the subjects of Algiers insult or molest the Commander or any other person on board a vessel so visited, or plunder any of the property contained in her, on complaint being made to the Consul of the United States residing in Algiers, and on his producing sufficient proofs to substantiate the fact, the Commander or Rais of said Algerine ship or vessel of war, as well as the offenders shall be punished in the most exemplary manner.

All vessels of war belonging to the United States of America, on meeting with a Cruizer belonging to the Regency of Algiers, on having seen her passports, and Certificates from the Consul of the United States residing in Algiers shall permit her to proceed on her Cruise unmolested, and without detention. No passport shall be granted by either party to any vessels but such as are absolutely the property of Citizens or subjects of the said contracting parties, on any pretence whatever.

ARTICLE 8 A Citizen or subject of either of the contracting parties having bought a prize Vessel condemned by the other party, or by any other nation, the Certificates of Condemnation and bill of sale shall be a sufficient passport for such vessel for six months, which, considering the distance between the two countries is no more than a reasonable time for her to procure passports.

ARTICLE 9 Vessels of either of the contracting parties putting into the ports of the other and having need of provisions, or other supplies shall be

furnished at the market price, and if any such Vessel should so put in from a disaster at sea and have occasion to repair, she shall be at liberty to land, and re-embark her Cargo, without paying any customs, or duties whatever; but in no case shall she be compelled to land her Cargo.

ARTICLE 10 Should a vessel of either of the contracting parties be cast on shore within the Territories of the other all proper assistance shall be given to her, and to her crew; no pillage shall be allowed. The property shall remain at the disposal of the owners, and if reshipped on board of any vessel for exportation, no customs or duties whatever shall be required to be paid thereon, and the crew shall be protected and succoured until they can be sent to their own Country.

ARTICLE 11 If a vessel of either of the contracting parties shall be attacked by an enemy within Cannon shot of the forts of the other, she shall be protected as much as is possible. If she be in port she shall not be seized, or attacked when it is in the power of the other party to protect her; and when she proceeds to sea, no Enemy shall be permitted to pursue her from the same port within twenty four hours after her departure.

ARTICLE 12 The Commerce between the United States of America and the Regency of Algiers, the protections to be given to Merchants, masters of vessels, and seamen, the reciprocal right of establishing Consuls in each country, the privileges, immunities and jurisdictions to be enjoyed by such Consuls, are declared to be upon the same footing in every respect with the most favored nations respectively.

ARTICLE 13 On a vessel or vessels of war belonging to the United States of America anchoring before the City of Algiers, the Consul is to inform the Dey of her arrival when she shall receive the Salutes, which are by treaty or Custom given to the ships of war of the most favored nations on similar occasions, and which shall be returned gun for gun: and if after such arrival so announced, any Christians whatever, Captives in Algiers make their escape and take refuge on board of the said ships of war, they shall not be required back again, nor shall the Consul of the United States, or commander of the said Ship be required to pay anything for the said Christians.

ARTICLE 14 The Consul of the United States of America shall not be responsible for the debts Contracted by the Citizens of his own Country unless he gives previously written obligations so to do.

ARTICLE 15 As the Government of the United States of America has in itself no character of enmity against the laws, religion, or tranquility of any nation, and as the said States have never entered into any voluntary war, or act of hostility, except in defence of their just rights on the high seas, it is declared by the Contracting parties that no pretext arising from religious opinions shall

ever produce an interruption of Harmony between the two nations; and the Consuls and agents of both nations, shall have liberty to Celebrate the rights of their respective religions in their own houses.

The Consuls respectively shall have liberty and personal security given them to travel within the territories of each other, both by land, and by sea, and shall not be prevented from going on board of any vessel they may think proper to visit; they shall likewise have the liberty of appointing their own Dragoman, and Broker.

ARTICLE 16 In Case of any dispute arising from the violation of any of the articles of this Treaty no appeal shall be made to arms, nor shall war be declared, on any pretext whatever; but if the Consul residing at the place where the dispute shall happen, shall not be able to settle the same, the Government of that country shall state their grievance in writing, and transmit the same to the government of the other, and the period of three months shall be allowed for answers to be returned, during which time no act of hostility shall be permitted by either party; and in case the grievances are not redressed, and war should be the event, the Consuls, and Citizens, and subjects of both parties respectively shall be permitted to embark with their families and effects unmolested, on board of what vessel or vessels they shall think proper, reasonable time being allowed for that purpose.

ARTICLE 17 If in the Course of events a war should break out between the two nations, the prisoners Captured by either party shall not be made slaves, they shall not be forced to hard labor, or other confinement than such as may be necessary to secure their safe keeping, and they shall be exchanged rank for rank; and it is agreed that prisoners shall be exchanged in twelve months after their Capture, and the exchange may be effected by any private individual, legally authorized by either of the parties.

ARTICLE 18 If any of the Barbary powers, or other states at war with the United States shall Capture any American Vessel, and send her into any port of the Regency of Algiers, they shall not be permitted to sell her, but shall be forced to depart the port on procuring the requisite supplies of provisions; but the vessels of war of the United States with any prizes they may capture from their Enemies shall have liberty to frequent the ports of Algiers for refreshment of any kinds, and to sell such prizes in the said ports, without paying any other customs or duties than such as are customary on ordinary Commercial importations.

ARTICLE 19 If any Citizens of the United States, or any persons under their protection, shall have any disputes with each other, the Consul shall decide between the parties, and whenever the Consul shall require any aid or assistance from the Government of Algiers to enforce his decisions it shall be immediately granted to him. And if any dispute shall arise between any citizens

of the United States, and the citizens or subjects of any other nation having a Consul or agent in Algiers, such disputes shall be settled by the Consuls or agents of the respective nations; and any dispute or suits at law that may take place between any citizens of the United States, and the subjects of the Regency of Algiers shall be decided by the Dey in person and no other.

ARTICLE 20 If a Citizen of the United States should kill wound or strike a subject of Algiers, or on the Contrary, a subject of Algiers should kill wound or strike a Citizen of the United States, the law of the country shall take place, and equal justice shall be rendered, the consul assisting at the trial; but the sentence of punishment against an American Citizen, shall not be greater or more severe, than it would be against a Turk in the same predicament, and if any delinquent should make his escape, the Consul shall not be responsible for him in any manner whatever....

Note: Treaty of Peace, signed Algiers June 30 And July 3, 1815. Original in English. Submitted to the Senate December 6, 1815. Resolution of advice and consent December 21, 1815. Ratified by the United States December 26, 1815.

Source: *SaL*, 8:224-27.

Appendix 15

Letter from the Dey of Algiers [Umar Agha] to the President of the U. S. (1816)

With the aid and assistance of Divinity, and in the reign of our Sovereign, the Asylum of the world, powerful and great monarch, transactor of all good actions, the best of men, the shadow of God, Director of the Good Order, king of kings, supreme ruler of the world, emperor of the earth, emulator of Alexander the Great, possessor of great forces, sovereign of the two worlds, and of the seas, king of Arabia and Persia, emperor, son of an emperor, and conqueror, Mahmoud Kan, (may God end his life with prosperity, and his reign be everlasting and glorious,) his humble and obedient servant, actual sovereign, governor, and chief of Algiers, submitted forever to the order of his imperial Majesty's noble throne, Omar Pasha (may his government be happy and prosperous).

To his Majesty the emperor of America, its adjacent and dependent provinces arid coasts, and wherever his government may extend, our noble friend, the support of kings of the nations of Jesus, the pillar of all Christian sovereigns, the most glorious amongst the princes, elected amongst many lords and nobles, the happy, the great, the amiable James Madison, emperor of America, (may his reign be happy and glorious, and his life long and prosperous,) wishing him long possession of the seat of his blessed throne, and long life and health, amen ;—hoping that your health is in good state, I inform you that mine is excellent (thanks to the Supreme Being,) constantly addressing my prayers to the Almighty for your felicity.

After many years have elapsed, you have at last sent a squadron, commanded by Admiral Decatur, your most humble servant, for the purpose of treating of peace with us. I received the letter of which he was the bearer, and understood its contents; the enmity which was between us having been extinguished, you desired to make peace as France and England have done. Immediately after the arrival of your squadron in our harbour, I sent my answer to your servant the Admiral, through the medium of the Swedish Consul, whose proposals I was disposed to agree to, on condition that our frigate and sloop of war, taken by you, should be returned to us, and brought back to Algiers; on these conditions we would sign peace according to your wishes and request. Our answer having thus been explained to your servant the Admiral by the Swedish Consul, he agreed to treat with us on the above mentioned conditions; but having afterwards insisted upon the liberation of all American citizens, as well as upon a certain sum of money, for several merchant vessels made prizes of by us, and of other objects belonging to the Americans, we did not hesitate a moment to comply with his wishes, and in consequence of which we have restored to the

said Admiral, your servant, all that he demanded from us. In the mean time, the said Admiral having given his word to send back our two ships of war, and not having performed his promise, he has thus violated the faithful articles of peace which were signed between us, and by so doing a new treaty must be made.

I inform you, therefore, that a treaty of peace having been signed between America and us, during the reign of Hasan Pashaw, twenty years past, I propose to renew the said treaty on the same basis stipulated in it, and if you agree to it, our friendship will be solid and lasting. I intended to be on higher terms of amity with our friends the Americans than ever before, being the first nation with whom I made peace; but as they have not been able to put into execution our present treaty, it appears necessary for us to treat on the above mentioned conditions. We hope that with the assistance of God you will answer this our letter, immediately after you shall have a perfect knowledge of its contents. If you agree, according to our request, to the conditions specified in the said treaty, please to send us an early answer. if on the contrary, you are not satisfied with my propositions, you will act against the sacred duty of man, and against the laws of nations.

Requesting only that you will have the goodness to remove your Consul as soon as possible, assuring you that it will be very agreeable to us, these are our last words to you, and we pray God to keep you in his holy guard.

Source: Shaler, *Sketches of Algiers*, pp. 276-78.

Appendix 16

The President to the Dey of Algiers (1816)

I have received your letter, bearing date the twenty-fourth of April last. You represent that the two vessels of war captured by the American squadron were not restored, according to the promise of its Commodore, Decatur, and inferring that his failure violated the treaty of peace, you propose as an alternative, a renewal of the former treaty made many years ago, or a withdrawal of our Consul from Algiers. The United States being desirous of living in peace and amity with all nations, I regret, that an erroneous view of what has passed, should have suggested the contents of your letter.

Your predecessor made war without cause on the United States, driving away their Consul, and putting into slavery the captain and crew of one of their vessels, sailing under the faith of an existing treaty. The moment we had brought to an honourable conclusion our war with a nation the most powerful in Europe on the sea, we detached a squadron from our naval force into the Mediterranean, to take satisfaction for the wrongs which Algiers had done to us. Our squadron met yours, defeated it, and made prize of your largest ship, and of a small one. Our commander proceeded immediately to Algiers, offered you peace, which you accepted, and thereby saved the rest of your ships, which it was known had not returned into port, and would otherwise have fallen into his hands. Our commander, generous as brave, although he would not make the promise a part of the treaty, informed you that he would restore the two captured ships to your officer.

They were accordingly so restored. The frigate, at an early day, arrived at Algiers. But the Spanish government, alleging that the capture of the brig was so near the Spanish shore as to be unlawful, detained it at Carthage, after your officer had received it into his possession. Notwithstanding this fulfilment of all that could be required from the United States, no time was lost in urging upon that government a release of the brig, to which Spain could have no right, whether the capture were or were not agreeable to the law of nations. The Spanish government promised that the brig should be given up, and although the delay was greater than was expected, it appears that the brig, as well as the frigate, has actually been placed in your possession.

It is not without great surprise, therefore, that we find you, under such circumstances, magnifying an incident so little important as it affects the interests of Algiers, and so blameless on the part of the United States, into an occasion for the proposition and threat contained in your letter. I cannot but persuade myself, that a reconsideration of the subject will restore you to the

amicable sentiments towards the United States which succeeded the war so unjustly commenced by the Dey who reigned before you.

I hope the more that this may be the case, because the United States, whilst they wish for war with no nation, will buy peace with none. It is a principle incorporated into the settled policy of America, that as peace is better than war, war is better than tribute.

Our Consul, and our naval Commander, Chauncey, are authorized to communicate with you, for the purpose of terminating the subsisting differences by a mutual recognition and execution of the treaty lately concluded. And I pray God that he will inspire you with the same love of peace and justice which we feel, and that he will take you into his holy keeping.

Source: *LWJM*, 3:15-17, To the Dey of Algiers, August, 1816.

Appendix 17

The American Commissioners to the Dey of Algiers (1816)

The undersigned have the honour to transmit herewith to his Highness the Dey of Algiers, a letter addressed to him from the President of the United States, and to inform him that they have been appointed by the President Commissioners to treat of the renewal of the relations of peace and amity between the United States and Algiers.

Pursuant to these instructions, they have lost no time in proceeding to this bay, in the hope of adjusting the differences subsisting between the two countries by a treaty of peace, subject to the ratification of the President, by and with the advice and consent of the Senate.

As the promise of Commodore Decatur, to restore the ships captured from the Regency by the squadron under his command, previous to the negotiations for peace in June, 1815, has been fulfilled by the delivery of the vessels in question into the possession of officers of the Regency sent to Carthagenia for that purpose, and by the actual return of those vessels to Algiers, the undersigned are instructed not to admit the unfounded claim, which has been brought forward by the Regency of Algiers upon that question, to a discussion. But, in order to demonstrate to his Highness that the American government has not been remiss in effecting the fulfilment of that promise of their naval commander in a manner the most scrupulously punctual, they herewith transmit copies of a correspondence between the Secretary of State, and the Minister of his Majesty the King of Spain, in America, upon that subject. This preliminary being agreed to, they are instructed to propose to his Highness the renewal of the relations of peace and amity between the two States, upon the following conditions, viz.

1st. The renewal of the treaty of peace of June, 1815, in the exact form and terms in which the same was concluded with the Regency by the Consul General, and Commodore Decatur; but as a proof of the conciliatory policy of the President, they are instructed to propose gratuitously to his Highness a modification of the eighteenth article of that treaty by adding the following, explanatory of it; viz. "The United States of America, in order to give the Dey of Algiers a proof of their desire to maintain the relations of peace and amity between the two powers, upon a footing the most liberal, and in order to withdraw any obstacle which might embarrass him in his relations with other States, agree to annul so much of the eighteenth article of the foregoing treaty, as gives to the United States any advantage, in the ports of Algiers, over the most favoured nations having treaties with the Regency."

2d. The Regency of Algiers having misunderstood the liberal principles upon which the treaty of June, 1815, was concluded, and, contrary to a distinct

understanding between them and the American Commissioners, having introduced into the translation of that treaty an obligation on the part of the United States, to pay to the Regency a present on the presentation of their Consuls, the same is formally denied; and the undersigned declare in the most distinct and formal manner, that no obligation binding the United States to pay any thing to the Regency or to its officers, on any occasion whatsoever, will be agreed to.

The undersigned believe it to be their duty to assure his Highness that the above conditions will not be departed from; thus leaving to the Regency of Algiers the choice between peace and war. The United States, while anxious to maintain the former, are prepared to meet the latter.

In order to facilitate to the government of Algiers the understanding of this note, the undersigned here with transmit to his Highness an informal translation of it into the Arabic language, and they expect that his Highness will cause a reply to be made to this communication in writing, in either the English, French, Spanish, or Italian language; or by a foreign Consul, authorized by him to vouch for the same. And they avail themselves of this occasion to offer to his Highness the homage of their high consideration and profound respect.

NOTE OF THE AMERICAN CONSUL GENERAL.

The undersigned, Consul General of the United States to the States of Barbary, and their Commissioner to treat of the renewal of peace with Algiers, has the honour to declare to his Highness the Dey, that in conference with him on the nineteenth instant, the proposition of his Highness to delay the negotiation for eight months and a day, was repeatedly rejected; the undersigned always replying that he could not depart from the tenor of the note, which he had the honour to address to his Highness, conjointly with his colleague, under date of the ninth, current, and that if those propositions were rejected, he should consider himself in duty bound to embark immediately, leaving the Regency of Algiers in the predicament of declaring war.

The undersigned avails himself of this occasion to reiterate to his Highness the Dey of Algiers, the assurance of his high consideration and profound respect.

Source: Shaler, *Sketches of Algiers*, pp. 297-300.

Appendix 18

A Portrait of Rais Hamidou (1859)

Il est assez d'usage, en biographie, de tracer un portrait quelconque du héros et de parler longuement de son physique avant d'entreprendre le récit de ses prouesses. Je regrette que les usages musulmans m'aient enlevé les moyens d'employer le crayon au lieu de la plume: n'eût été plus court et plus ressemblant. Tout ce que je puis dire de mon raïs, c'est qu'il était de taille moyenne mais bien prise, et qu'il avait le teint blanc, les yeux bleus et le poil blond. Conformément à la mode immémoriale des raïs, il se rasait toute la barbe et ne gardait que les moustaches, auxquelles, par compensation, il donnait toute liberté de croître. Pour moi, c'est bien ainsi que je me représente invariablement un raïs : une figure rasée, des moustaches assez longues pour pouvoir être nouées derrière la tête, plus une énorme pipe.

J'ajouterai que Hamidou n'était ni turc, ni coulougli il appartenait à cette classe d'arabes fixés dans les villes depuis plus ou moins longtemps, que les indigènes appellent citadins et nous maures. C'était, pour me servir de l'expression pittoresque des Algériens, un enfant d'Alger. Voilà pour le physique. Quant au moral, il est bien entendu que je n'ai recueilli que des renseignements favorables. Hamidou était hardi, courageux, généreux, beau parleur, élégant dans sa mise, et avenant avec tout le monde, les petits comme les grands, ce qui le faisait généralement aimer. Prompt à la répartie, il était légèrement hâbleur et fanfaron, mais n'en avait-il pas le droit, — puisque ses actions ne démentaient jamais ses bravades.

Il résulte de nombreuses et pénibles recherches que j'ai effectuées dans des milliers de documents, et dont la seule énumération ferait fuir tous les lecteurs, que le père de Hamidou s'appelait Ali. Mais, me dira-t-on, que nous importe ce détail, et pourquoi se donner tant de mal pour un résultat si insignifiant? Ayant prévu la question, j'ai préparé la réponse....

Bientôt rais Hamidou allait trouver la mort sur cette mer qu'il parcourait depuis si longtemps, mais cette mort fut glorieuse et digne d'un brave; il expira sur son banc de commandement, calme et intrépide, sous le feu d'une division américaine, qui l'avait surpris et enveloppé, et à laquelle il tenait honorablement tête, malgré une disproportion de forces qui ne laissait aucun espoir de salut....

La première fois que les raïs algériens aperçurent au bout de leurs lunettes d'approche un pavillon à bandes rouges et blanches, au coin bleu parsemé d'étoiles, ils furent certainement bien embarrassés de lui assigner une nationalité. Mais ils n'étaient pas hommes à se préoccuper de si peu: pour eux ce pavillon annonçait la présence de chrétiens, c'est-à-dire d'ennemis, car tout chrétien est l'ennemi des musulmans; donc, le nouvel et mystérieux étendard

était d'aussi bonne prise que les autres, car tout mécréant est né dans le seul et unique but de devenir la proie des croyants. Telles étaient la logique et la politique de ces braves forbans. Et sans plus de cérémonies, ils traitèrent les nouveaux venus à l'égal des autres chrétiens, leurs frères....

Les Algériens s'étaient laissés surprendre et l'arrivée inopinée d'une escadre américaine, alors que tous leurs croiseurs étaient en course, compromettait singulièrement leur marine. Dans la vie des peuples, comme dans celle des individus, la chance joue un grand rôle, et les Américains, heureux joueurs d'ordinaire, avaient encore la chance pour eux cette fois-là. Ils arrivaient dans un moment propice; la marine algérienne, disséminée dans la Méditerranée, se trouvait à leur merci. Prévenus de cette agression, et ils auraient certainement été avertis par leurs espions si la décision eût été prise par une puissance européenne, les Algériens l'auraient incontestablement accueillie d'une toute autre manière. Leur marine se composait alors de plus de vingt gros navires dont cinq frégates et plusieurs corvettes; réunie sous la protection de ses forts, elle aurait pu braver les Américains. La division légère du commandant Decatur n'aurait pu en effet réduire les fortifications d'Alger par une attaque de vive force, car, pour obtenir ce résultat l'année suivante, lord Exmouth, qui pourtant avait surpris une position favorable, n'a pas eu trop de cinq vaisseaux, dont deux à trois ponts et trois de 80 canons, de six frégates de 44, de cinq corvettes, de cinq bombardes et de six frégates ou corvettes hollandaises. Sans chercher à amoindrir le mérite incontesté de la marine américaine, on est donc fondé à supposer que, si les Algériens eussent eu vent de cette expédition, les événements auraient pris une autre tournure....

Après quelques jours de navigation, les vigies signalèrent une escadre dans l'Ouest, venant à contre-bord. Lorsque la distance fut un peu diminuée, Hamidou annonça que la flotte en vue était espagnole et qu'il n'y avait rien à craindre puisqu'on était en paix avec cette nation. Son second, croyant reconnaître des navires américains, le pressait vainement de prendre chasse. Bientôt, la flotte signalée se trouva dans les eaux de la frégate algérienne, et quand il fut trop tard pour fuir, on reconnut le pavillon des États-Unis.

Il est bien entendu que cette relation est celle des Algériens. Je n'en connais pas d'autre, et mieux vaut celle-là que rien.

— Eh bien, Seigneur, dit le second à Hamidou, j'avais raison! Ce sont des Américains.

— Je le savais aussi bien que toi, répondit le raïs, mais je ne pouvais fuir honteusement devant l'ennemi quand je suis sorti pour le braver.

Et, après avoir ordonné le branle-bas de combat, il dit en particulier à cet officier:

— Quand je serai mort tu me feras jeter à la mer. Je ne veux pas que les mécréants aient mon cadavre.

Lorsque les navires furent à petite portée de canon, une lutte des plus inégales s'engagea; mais l'heure de Hamidou avait sonné, et la première bordée de l'ennemi le renversa inanimé, à son poste de combat. Conformément à ses instructions, son corps eut la mer pour tombeau.

Après la mort du commandant, le combat continua, mais la frégate algérienne, démâtée, criblée de boulets, désemparée, ne fut bientôt plus qu'une ruine. Les frégates américaines passaient successivement devant elle, et chacun d'elle lui lâchait sa bordée. Enfin, au bout d'une heure, un boulet coupa la corne d'artimon et le pavillon algérien tomba à la mer. Le feu cessa. Des embarcations vinrent prendre possession du navire vaincu. En montant en bord, le chef du détachement demanda le commandant. — Voici tout ce qu'il en reste, dit le second, en montrant une mare sanglante : un peu de sang! Telle fut la fin héroïque de Hamidou. Ce trépas glorieux lui épargna la douleur de rendre aux mécréants cette frégate que jamais il ne voulut échanger contre l'une de celles qu'il avait conquises.

Source : Devoulx, *Le Raïs Hamidou*, pp. 13-15, 113-125

GLOSSARY

<i>Agha</i>	Title given to high commanders in the janissaries' corps; equivalent to the rank of army general.
<i>Al-Jizya</i>	Meaning 'tribute.'
<i>Armada</i>	Spanish fleet.
<i>Beylerbey</i>	Turkish provincial administrator appointed by the Sultan; highest administrative rank. In terms of office holding, beylerbey is equivalent to the western term Governor-general or viceroy; Beylerbeys were appointed for a three-year term.
<i>Beylerbeylik</i>	Administrative division or unit; Ottoman province governed by a Beylerbey. The term was replaced by <i>eyala</i> in 1609; pl. <i>eyelet</i> .
<i>Caftan</i>	Long oriental gold-embroidered dress sent by the Sultan as symbol of investiture.
<i>Conquistador(s)</i>	Soldiers, explorers, and adventurers who took part in the conquest of the Americas from the 15 th to the 19 th centuries; it means also soldiers of the Spanish army.
<i>de facto</i>	Latin phrase meaning "in fact": as a matter of fact, even though the legal title may not be certain; <i>de facto</i> recognition: recognition of a new government because it is in power.
<i>Dey</i>	Honorary title, meaning maternal uncle, conferred upon able corsairs elected by their pairs as rulers of Algiers; appeared for the first time in 1689. Between 1671 and 1830, 30 Deys ruled Algiers in succession.
<i>Deylik</i>	Between 1671 and 1830, the Ottoman province of Algiers became a Deylik as it was ruled by Deys who were no more nominated by the Sultan but elected locally by the Odjac and Ta'ifa.

<i>Divan</i>	Turkish/Arabic term meaning high body of government; used for the first time in English in 1586. At Algiers the Divan was composed of some sixty Turkish notables who served as members of the Dey's government.
<i>El-harb fi el-bahr ex parte</i>	Warfare at sea. Latin phrase meaning "from one side": in the interest of one side only. <i>ex parte</i> , adj.: one-sided.
<i>Fetihname</i>	Letter announcing the conquest of a city.
<i>Firman</i>	Sultanic decree.
<i>Ghazi</i>	Muslim holy warrior who fights the infidels on the frontiers of Muslim land; pl. <i>ghuzat</i> .
<i>Grand Vizier</i>	Grand minister of the Sultan having great powers; equivalent to the English term prime minister.
<i>Guerre de Course</i>	Form of warfare which consisted of chasing and plundering commercial vessels at the high sea. Terms with an equivalent meaning include 'privateering' and 'corsairing'.
<i>Hostis humani generis</i>	Latin expression meaning 'enemies of humanity' or 'enemies of all mankind.'
<i>Janissaries</i>	Elite corps of the army of the Ottoman Empire from the late 14 th to 1826; Turkish soldiery of Algiers.
<i>Jihad</i>	Form of warfare against the enemies of Islam; the one who adopts this form of fighting is a <i>mujahid</i> ; pl. <i>mujahidin</i>
<i>Kaptan</i>	Admiral or supreme commander of the Algerian fleet.
<i>Kapudan Pasha</i>	Grand or Supreme Admiral of the whole Ottoman fleets.
<i>Khodja</i>	Secretary.
<i>Moriscos</i>	The Muslims of Spain who were forced into Christianity by royal edict, church, and Inquisition courts. Outwardly baptized, the Moriscos continued to practice Islam secretly.
<i>Odjac</i>	A small but powerful minority or faction composed from the janissaries.

<i>Parias</i>	Meaning ‘tribute.’
<i>Pasha</i>	Highest rank title granted to beylerbeys (provincial governors), kaptans (admirals), and Aghas (army generals). As honorary title, Pasha is roughly equivalent to ‘Lord’.
<i>Peñón</i>	Rock. Originally, <i>el Peñon d’Argel</i> —literally ‘the rock of Algiers’—was called Island of Beni-Mezr’anna.
<i>Presidio</i>	Fortress built by the Spaniards in North Africa during the 16 th century to protect their holdings and missions.
<i>Qaid</i>	High official.
<i>Rais</i>	Admiral at active service or sea captain, <i>bach-Rais</i> , his second; pl. <i>Ri’yas</i> .
<i>Rais el Bahr</i>	Admiral commanding of the fleet at active service.
<i>Realpolitik</i>	German word literally meaning ‘real politics.’ The term describes politics that are based on pragmatism or practicality rather than on ethical or theoretical considerations.
<i>Reconquista</i>	Meaning ‘reconquest.’ It was a series of military campaigns undertaken by Christian rulers against the Muslim kingdoms of Andalusia that officially began in 722 and ended in 1492.
<i>Sublime Porte</i>	In the context of western diplomacy, this term means the Ottoman government headquartered at Constantinople, Turkey.
<i>Sultan</i>	Title of Muslim sovereigns, appeared for the first time in the 11 th century.
<i>Ta’ifa</i>	A small but powerful minority or faction composed from the commanding corsairs.
<i>Tughra</i>	Seal or official signature of the Dey.
<i>Wakil khardj</i>	Minister of the marine.

ملخص

في أعقاب أحداث التاسع من سبتمبر، ومع تزايد العداء تجاه الإسلام ، ظهر اهتمام بتاريخ أول مواجهة بين الولايات المتحدة الأمريكية ومسلمي شمال إفريقيا. بالنسبة لغالبية المؤرخين الأمريكيين تعتبر فترة "الحروب البربرية" سابقة مباشرة للمواجهة الأمريكية الحالية مع ما يسمى بإرهابيي القاعدة و أن الإرهاب الإسلامي قد وجد منذ نشوء الولايات المتحدة على اعتبار أن "قطاع البحر"¹¹²⁴ البرابرة اعتدوا على التجارة البحرية الأمريكية واستعبدوا مسيحيين أبرياء وجعلوهم يدفعون جزية وفدية. و لدعم هذه التأويلات لم يترددوا في نقل فترة نهاية القرن الثامن عشر و بداية القرن التاسع عشر إلى القرن الواحد والعشرين. و كانت النتيجة معادلة غير سليمة بحيث أصبح إرهابي اليوم مساو لقرصان الأمس، و بقلب المعادلة حول القرصان المسلم - و الذي نعت آنذاك بقطاع البحر - إلى إرهابي. على اعتبار أنه يمكننا الموافقة على فكرة أن المصالح الأمريكية يمكن أن تكون قد تضررت من القرصنة التي سادت حوض البحر الأبيض المتوسط آنذاك إلا أن هذا لا يجعل من قرصنة الأيالة العثمانية، الجزائر، لا قطاع بحر ولا إرهابيين. زيادة على هذا فإن الخلط بين فعلي القرصنة من جهة و النهب في البحر من جهة أخرى و إسناده إلى المسلمين فقط دون سائر الممارسين له في البحر المتوسط يجعل المسألة أكثر تعقيدا بحيث يجعله ينم عن أفكار صليبية كانت قد سادت في العصور الوسطى. في فترة نهاية القرن الثامن عشر أيضا أعطت أمريكا انطبعا و كأنها أجبرت على استعمال القوة العسكرية ضد مسلمين أدعت أنهم مارسوا إرهاب البحر تحت غطاء الجهاد. رغم أن السياق الذي مورست فيه العلاقات الدولية آنذاك لا يمكن مقارنته بالسياق السائد اليوم، إلا أنه بالفعل توجد تشابهات حميمة بين الاثنين غير أن هذه الأخيرة معاكسة تماما لما تؤمن به غالبية الأمريكيين اليوم. إذ أصبح واضحا الآن أن معظم الذرائع التي استعملت لتبرير "الحرب على الإرهاب" هي قصص ملفقة قصد بها تغطية برامج أخرى فإن أول مواجهة لأمريكا مع القرصنة الجزائريين إذا أخضعت للتدقيق تظهر أن نفس الذرائع كانت قد استعملت لتبرير نفس الأهداف. و ليست سياسة التخويف جديدة في التاريخ الأمريكي، فقد استعمل آنذاك مفهوم "الربح الجزائري" و دعاية قطاع البحر لقمع الانشقاق السياسي وتعزيز التماسك الداخلي للولايات المتحدة، و كذلك استعمل لتغطية عدوان الأسطول الأمريكي على الجزائر تحت قناع دفاعي لتعزيز المصالح الأمريكية الخارجية. هذا و قد نفذت تلك البرامج السياسية في تجاهل تام للقوانين و المواثيق الدولية و عقلنت تحت غطاء مهمة المسيحيين التحضيرية.

¹¹²⁴ حسب المفاهيم الإنجليزية هناك فرق واضح في المعنى بين كلمتي **corsair** و **pirate** ، و هو أحد العناصر التي تقوم عليها هذه الأطروحة. في اللغة العربية ، رغم أن كلمة **corsair** تقابلها كلمة قرصان - و هي كلمة مشتقة أصلا من اللغة الإيطالية - إلا أن كلمة **pirate** لا يوجد لها مقابل. رغم هذا هناك كلمات عدة توحى بنفس المعنى منها فب و سلب. و عليه فعبارة "قطاع البحر" تستعمل هنا للدلالة على **pirates** على الرغم من أن هذه العبارة - حسب علمي المتواضع - لا توجد أصلا في اللغة العربية.

RESUME

A la suite des événements du 11 septembre, et avec un antagonisme de plus en plus montant à l'encontre de l'Islam, est apparue une reprise d'intérêt dans le premier affront qu'eurent les Etats Unis avec les Musulmans de l'Afrique du Nord. Pour la plupart des historiens Américains, l'épisode des 'guerres de barbarie' est l'antécédent direct de la confrontation Américaine actuelle avec les soi-disant terroristes d'El-Qaida. Selon eux, l'état actuel n'est pas nouveau; le terrorisme a existé depuis la création des Etats Unis parce que les 'pirates de barbarie' ont agressé le commerce Américain, réduit en esclavage d'innocents Chrétiens, et ont exigé le paiement de tributs et de rançons. Pour soutenir leurs arguments, ils n'ont pas hésité à intervertir la fin du 18^e et le début du 19^e siècle avec le 21^e siècle. Le résultat est une équation peu solide dans laquelle le 'terroriste' d'aujourd'hui est comparé au 'pirate' d'hier, et par interversion, le corsaire Musulman, déjà vu comme un pirate, est transformé en terroriste. Même si l'on concède que les intérêts économiques d'un pays émergeant ont été négativement affectés par la pratique de *guerre de course* dans le bassin Méditerranéen, ceci ne fait pas des corsaires de la Provence Ottomane d'Alger des pirates et encore moins des terroristes. En plus, l'amalgame entre *guerre de course* et piraterie et son attribution exclusive aux Musulmans rend le problème plus complexe et dénote même une reprise des croisades du moyen age. A la fin du 18^e siècle, l'Amérique avait aussi donné l'impression qu'elle était obligée d'utiliser la force militaire contre des Musulmans qui ont prétendument légitimé la terreur de la mer au nom du *ihad*. Quoi que le contexte de l'époque ne soit en aucun cas comparable à celui des relations internationales contemporaines, il y a, en effet, une analogie étroite entre le passé et le présent mais elle est contraire à ce que la majorité des Américains croient être la vérité. Si aujourd'hui, il est devenu clair que la plupart des arguments avancés pour justifier la "guerre contre la terreur" actuelle étaient des histoires fabriquées de toute part, et qui visaient à camoufler d'autres programmes, quand l'affront de l'Amérique avec les corsaires Algériens est soumis à un examen minutieux, il apparaît que les mêmes forces étaient en action. Dans l'histoire Américaine aussi, 'la politique de la peur' n'est pas nouvelle non plus. Au début de la république, une 'terreur de l'Algerine' et une propagande anti-pirate étaient soigneusement cultivées et ont servi à réprimer le dissentiment politique et à rehausser la cohésion intérieure mais ont aussi servi à déguiser l'agression de la flotte américaine contre Alger en une opération défensive pour promouvoir les intérêts Américains outre-mer. Cet agenda politique a été orchestré avec une indifférence totale à l'égard des lois et conventions des nations, le tout rationalisé par un sens d'une mission civilisatrice Chrétienne.

ABSTRACT

Recent western writings deploying analogies between ‘Barbary piracy’ and twenty-first century ‘terrorism’ justify a reappraisal of diplomatic relations between the Ottoman regency of Algiers and the United States during the period 1776-1816. Since the 9/11 attacks, American historians have represented the ‘Barbary Wars’ as the direct forerunner of current ‘Muslim terrorism’. For the purpose, they transposed late 18th and early 19th centuries events into the 21st century; the result is an unsound equation in which the ‘terrorist’ of today is likened to the ‘pirate’ of yesterday and by reversal transposition, the Muslim corsair, already seen as a pirate, has been transformed into a terrorist. This study opted for rereading the same material on which current interpretations are built and reveals that, in many cases, documents pertaining to that period were either overlooked or were not published until recently, a fact which made this reappraisal possible. By reassessing relations between Algiers and the USA, this work replaces the issue of ‘piracy’ into its true historical context and discusses two major elements: the traditional clash between Islam and Christianity and persistence of enmity towards Algiers in American foreign policy although under a different guise. The analysis shows that allegations of Algerian aggressions against the USA were unfounded and elaborates a ‘Dey-pawn theory’ which shows how ‘power politics’ entangled Algiers in major powers rivalries and turned it into a scapegoat for Christianity. The work also investigates the amalgam between corsairing and piracy and considers that its attribution to Muslims solely denotes a renewal of medieval crusading because when America embarked on a gunboat diplomacy, it also contended that Muslim corsairing states legitimated maritime terror in the name of *jihad*. The thesis reconsiders America’s bullying past and unveils less idealistic agendas that were performed in total disregard of laws and usage of nations. The thesis concludes that Algerian seamen were not pirates but they were corsairs legitimated in their actions by the very western standards and that assertions about ‘Algerine piracy’ were fabrications that were meant for cloaking gunboat aggression in defensive disguise to promote American interests abroad.