

INDIANA WESLEYAN UNIVERSITY

THE BARBARY CORSAIRS: CONQUERORS OF  
UNITED STATES COMMERCE AND  
THE ARTICLES OF CONFEDERATION

A THESIS SUBMITTED TO  
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Great injury results from an unstable government.

Madison, "Federalist 62."

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## CHAPTER 1

### INTRODUCTION AND THESIS

Piracy became a problem for the American colonies as soon as the first settlers landed in Massachusetts and Virginia. From ca. 1620 to ca. 1720, piracy along the shores of colonial America enjoyed a "golden age" in which its terrorism and looting wreaked havoc on colonial commerce.<sup>1</sup> Later, after securing nationhood from Great Britain and losing Britain's protective "shield" over foreign commerce, the young United States, under the Articles of Confederation, found itself at the mercy of pirates in other parts of the world as well.<sup>2</sup> The pirates of the North African states of Algiers, Morocco, Tripoli, and Tunis, known as the Barbary states, plagued United States commerce in the Mediterranean Sea region,<sup>3</sup> creating a crisis for the new Confederacy, and perhaps posing the worst threat to the commerce of the Confederation.

Under the Articles of Confederation, the young United States faced this humiliating crisis but failed to coordinate an effective response. According to Bailey, "The feebleness of America under the Articles of Confederation was nowhere more glaringly revealed than in dealings with the Barbary pirates."<sup>4</sup>

The purpose of this paper is to show that this failure to respond effectively to the depredations was due to the weaknesses of the Articles of Confederation. The Articles, by their nature, made an effective response difficult, if not impossible. To this end, this paper will show that the United States' response to the depredations on commerce was inadequate because the

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<sup>1</sup>Simon Smith, "Piracy in Early British America," *History Today* 46, no. 5 (May 1996): 29.

<sup>2</sup>Thomas A. Bailey, *A Diplomatic History of the American People*, 10th ed. (Englewood Cliffs: Prentice Hall, 1980), 64.

<sup>3</sup>Michael L. S. Kitzen, *Tripoli and the United States at War: A History of American Relations with the Barbary States, 1785-1805* (Jefferson, NC: McFarland, 1993), 1.

<sup>4</sup>Bailey, 64.

response failed to follow the criteria for an effective response. Furthermore, this paper will show that the criteria for an effective response could not have been met due to the inherent weaknesses of the Articles of Confederation. Therefore, the United States' response to the piratical depredations of the Barbary corsairs failed due to the weaknesses of the Articles of Confederation.

## CHAPTER 2

### DEFINITION OF TERMS

Before developing the thesis of this paper, it is first necessary to define the terms of the thesis. This chapter discusses the following terms and concepts: Articles of Confederation, Barbary corsairs, depredations of the corsairs, crisis caused by the depredations, and the humiliating nature of the crisis. These terms are defined here to provide sufficient background with which to develop the thesis of this paper.

#### *Articles of Confederation*

In order to fully understand the magnitude and multitude of the deficiencies of the Articles of Confederation that led to an ineffective United States response to the problem with the Barbary corsairs, it is first necessary to examine the intricacies of the Articles of Confederation.

Soon after the Declaration of Independence, the Continental Congress drafted and approved the Articles of Confederation. The states ratified its thirteen articles, which established

the name, "The United States of America,"<sup>5</sup> and created a confederacy in which the sovereign states agreed to enter into "a firm league of friendship with each other."<sup>6</sup> The choice of the words, "league of friendship," was intentional on the part of the founding fathers, who did not want to produce a well-ordered, central government. In their opinion, the sovereign states were "order-centered" in themselves.<sup>7</sup> The intent was to form a government that contrasted the tyrannical, central authority of Great Britain. The Declaration of Independence, by its very nature, formed the colonies into a nation that abandoned such potentially tyrannical government. So, it is quite understandable that the founders were eager to avoid any great similarities to the British system, choosing instead to form a weaker central government.<sup>8</sup>

In the Articles of Confederation, the states were considered "the soul of [the] confederation."<sup>9</sup> Therefore, the intentionally weak, "confederal" government, run by an elected congress without a strong chief executive, dealt with a very limited range of concerns common to the sovereign states.<sup>10</sup> Relying heavily on the voluntary cooperation of the states,<sup>11</sup> the Confederation, according to James Madison, gave each state the right to "dissolv[e] the Union altogether" if any state "breach[ed] . . . any of the articles of the Confederation."<sup>12</sup> This encouraged the idea of a "league of friendship," rather than the idea of a unified "nation."

Besides the emphasis on voluntary cooperation and the right of the states to dissolve the

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<sup>5</sup>Articles of Confederation, art. 1.

<sup>6</sup>Ibid., art. 3.

<sup>7</sup>Robert W. Hoffert, *A Politics of Tensions: The Articles of Confederation and American Political Ideas* (Niwot: University of Colorado Press, 1992), 40.

<sup>8</sup>Merrill Jensen, *The Articles of Confederation: An Interpretation of the Social-Constitutional History of the American Revolution, 1774-1781* (Madison: University of Wisconsin Press, 1940), 109.

<sup>9</sup>Herbert J. Storing, *What the Anti-Federalists Were For* (Chicago: University of Chicago Press, 1981), 12.

<sup>10</sup>Ibid., 9.

<sup>11</sup>Ibid.

<sup>12</sup>William Dudley, ed., *The Creation of the Constitution: Opposing Viewpoints*, American History (San Diego: Greenhaven Press, 1995), 40.

Confederation at any time, the Articles of Confederation carried other provisions that reflected the consideration that the states were the “soul” of the Confederacy. One particular provision was the direct tax of citizens. The Articles encouraged voluntary taxation of the states to pay for "expenses that [were] incurred for the common defence [*sic*] or general welfare,"<sup>13</sup> but made no provision for directly taxing citizens to fund the central government.<sup>14</sup> Also, the Articles provided no standing army or navy, fearing that such a military force would become "tools of the tyrant."<sup>15</sup> According to the sixth article, "No vessels of war shall be kept up in time of peace by any state . . . nor shall any body of forces be kept up by any state, in time of peace." This provision of the Articles, regarding a peacetime military, reflects the widespread isolationist view of the day,<sup>16</sup> influencing the writers of the Articles of Confederation. As John Adams wrote in a letter to the president of Congress on April 18, 1780, "Let Us above all things avoid as much as possible Entangling ourselves with [Europe's] Wars or Politicks [*sic*] . . . America has been the Sport of European Wars and Politicks [*sic*] long enough."<sup>17</sup>

### *Barbary Corsairs*

The Articles of Confederation formed a "league of friendship" relying on voluntary cooperation, with no reliable revenue source, and no standing army or navy. While the writers of the Articles had understandable rationale for forming such a government, the Confederacy encountered foreign enemies who took advantage of the weak central government of the United

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<sup>13</sup>Articles of Confederation, art. 8.

<sup>14</sup>Hoffert, 84.

<sup>15</sup>A. B. C. Whipple, *To the Shores of Tripoli: The Birth of the U.S. Navy and Marines* (New York: William Marrow, 1991), 23.

<sup>16</sup>William Harlan Hale, "'General' Eaton and His Improbable Legion," *American Heritage* 11, no. 2 (1960): 26.

<sup>17</sup>John Ferling, "John Adams, Diplomat," *William and Mary Quarterly* 51, no. 2 (April 1994): 252.

States.

This was the situation into which the Barbary corsairs of North Africa entered. The word "corsair" comes from the Latin word for "run" or "course,"<sup>18</sup> and is simply a pirate based in the Mediterranean Sea region.<sup>19</sup> Tucker describes the typical corsair as having been "decked out in a broad crimson sash worn over the left shoulder, and display[ing] a heavy gold chain. He [or she] wore a lace cap, ornate jacket, and white knickerbockers, and carried three or four handy pistols around his belt."<sup>20</sup> To frighten their intended victims, these corsairs flew flags from the mainmasts of their ships, which depicted the familiar skull and crossbones, bleeding hearts, hourglasses, cutlasses, and whole skeletons.<sup>21</sup> Upon attacking, the pirates boarded the European ships to kidnap the crew and/or commandeer the vessel.

The term "Barbary" derives either from the ancient Berbers, or from the references to "barbarians" by the ancient Romans.<sup>22</sup> In either event, the term applied to a 2,000 mile geographical area, stretching from the Atlantic Ocean in the West to Egypt in the East, and from the Mediterranean Sea in the North to the Sahara in the South. The region is also known as the Levant because of the easterly winds known as "levanters."<sup>23</sup> The four principle Barbary states during the late 1700's were Morocco, Algiers (present day Algeria,) Tunis (present day Tunisia,) and Tripoli (present day Libya.)<sup>24</sup> Morocco was ruled by a sultan or emperor, Algiers by a dey, Tunis by a bey, and Tripoli by a pasha (also "basha" or "bashaw".)<sup>25</sup>

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<sup>18</sup>American Heritage College Dictionary, 3rd ed., s.v. "Corsair."

<sup>19</sup>David Cordingly, *Under the Black Flag: The Romance and the Reality of Life Among the Pirates* (New York: Random House, 1995), xviii.

<sup>20</sup>Glenn Tucker, *Dawn Like Thunder: The Barbary Wars and the Birth of the U.S. Navy* (Indianapolis: Bobbs-Merrill, 1963), 61.

<sup>21</sup>Ibid., 116.

<sup>22</sup>Kitzen, *Tripoli and the United States*, 1.

<sup>23</sup>Gardner W. Allen, *Our Navy and the Barbary Corsairs* (Boston: Houghton Mifflin, 1905), 1-2.

<sup>24</sup>Kitzen, *Tripoli and the United States*, 1.

<sup>25</sup>Donald Barr Chidsey, *The Wars in Barbary: Arab Piracy and the Birth of the United States Navy* (New York: Crown, 1971), 2.

These rulers were very loosely controlled, if at all, by the Ottoman Empire, and they practiced the religion of Islam. This religious practice greatly affected their foreign relations with other nations, especially Christian nations. Through the guise of a jihad, and to make a hefty profit on the side, the Barbary potentates sent vessels to capture and to loot Christian ships. Muslim-owned ships were spared, of course.<sup>26</sup> In a June 8, 1786 letter from Richard O'Brien in Algiers to Thomas Jefferson in Paris, O'Brien reported that the Barbary states did not have their own merchant vessels, but made money by attacking the vessels of Christian countries.<sup>27</sup> Using fast, maneuverable, oar-powered galley ships, which were rowed by slaves captured during their attacks, the corsairs preyed on the wind-driven ships of the Christian Europeans.<sup>28</sup> The captives were either ransomed or enslaved, depending on their "value." High ranking officers and diplomats were well treated and held for a high ransom, while common sailors were ill treated and forced into hard labor.<sup>29</sup>

This form of "controlled" piracy<sup>30</sup> netted the Barbary powers a great deal of income. They gained from the increased labor force due to the capturing of slaves, they received money from concerned family members who paid ransom for the captives, and they collected tribute or protection money from those countries that could afford the high price of freedom of the seas.<sup>31</sup> Like a bully collecting milk money, the Barbary corsairs became "blackmailers on an international scale," declaring war on anyone who tried to use the Mediterranean without paying

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<sup>26</sup>Whipple, 5.

<sup>27</sup>U.S. Office of Naval Records and Library, *Naval Documents Related to the United States Wars with the Barbary Powers*, vol. 4, *Naval Operations Including Diplomatic Background from 1785 through 1801* (Washington, D.C.: Government Printing Office, 1939), 2.

<sup>28</sup>Cordingly, 158-9.

<sup>29</sup>Gaddis Smith, "The U.S. vs. International Terrorists: A Chapter from Our Past," *American Heritage* 28, no. 5 (1977): 37.

<sup>30</sup>Chidsey, 1.

<sup>31</sup>Kitzen, *Tripoli and the United States*, 8.

tribute.<sup>32</sup>

### *Depredations of the Corsairs*

Once free from British rule, the American colonies, now states, were no longer protected under England's peace treaties with the Barbary rulers. Essentially, the United States, under the Articles of Confederation, "was at the mercy of any power which might choose to rob it."<sup>33</sup> Taking advantage of the critical position of the weak Confederacy, the Barbary corsairs followed the "laws of prey, as practiced by wild animals,"<sup>34</sup> and devastated the Mediterranean commerce of the young nation. One example of this occurred in March of 1783, when corsairs from Algiers attacked United States ships sailing out of Marseilles.<sup>35</sup> Then in 1784, the emperor of Morocco ordered the capture of USS *Betsey*, and detained the crew. This was a pivotal moment for the Confederacy, because the Moroccan potentate officially recognized the United States and requested an envoy. The crew was then promptly released.<sup>36</sup> However, three months later, the less cooperative state of Algiers captured the crews of USS *Maria* and USS *Dauphin*, enslaving the crews and holding them for ransom.<sup>37</sup> By 1788, the number of American slaves in the Barbary states had risen to twenty-one.<sup>38</sup> However, as Naval Historian Michael Palmer notes, "Although the number of ships and seamen actually lost were few, the psychological effect on

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<sup>32</sup>R. C. Anderson, *Naval Wars in the Levant, 1559-1853* (Princeton: Princeton University Press, 1952), 393.

<sup>33</sup>Henry Adams, *History of the United States of America During the Administrations of Thomas Jefferson* (New York: The Library of America, 1986), 164.

<sup>34</sup>Livingston Hunt, "Bainbridge under the Turkish Flag," *United States Naval Institute Proceedings* 52 (June 1926): 1147.

<sup>35</sup>James A. Field, *America and the Mediterranean World, 1776-1882* (Princeton: Princeton University Press, 1969), 32.

<sup>36</sup>Whipple, 25.

<sup>37</sup>*Ibid.*, 26.

<sup>38</sup>Samuel Flagg Bemis, "John Jay," in *The American Secretaries of State and Their Diplomacy*, ed. Samuel Flagg Bemis, vol. 1 (New York: Knopf, 1928; reprint, New York: Pageant, 1958), 268 (page citations are to the reprint edition).

Americans was marked."<sup>39</sup> Thus, the United States, under the Articles of Confederation, was forced into a precarious position--the first diplomatic crisis of its nationhood.

### *Crisis Caused by the Depredations*

The depredations of the Barbary corsairs on American commerce devastated the Confederacy and thrust it into a crisis. The new nation, with its weak central government, faced grave danger at the hands of the corsairs.

Maritime trade was a primary source of revenue for the thirteen colonies,<sup>40</sup> and continued to be a primary revenue source after the United States was established as an independent nation. Furthermore, as Thomas Jefferson pointed out to Congress on December 28, 1790, most of the United States' trade was with ports along the Mediterranean Sea.<sup>41</sup> During that year, nearly one-sixth of the United States' wheat and flour exports and one-fourth of dried and pickled fish exports went to countries in and around the Mediterranean Sea region.<sup>42</sup>

Immediately after the Revolutionary War, however, the states were not so successful with overseas trade. Most of their trade had been the result of British contacts with foreign countries. After the war, however, the British shield of protection and clout had vanished, and the Confederacy faced the daunting task of reclaiming the lost foreign trade.<sup>43</sup> This task was complicated by a 1783 British Order in Council, which banned United States trade with the West

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<sup>39</sup>Michael A. Palmer, "The Navy: The Continental Period, 1775-1890," in *A History of the U.S. Navy* [database on-line] (Washington, D.C.: Department of the Navy--Naval Historical Center, 1996, accessed 3 February 1998); available from <http://www.history.navy.mil/history/history2.htm>; Internet.

<sup>40</sup>Kitzen, *Tripoli and the United States*, ix.

<sup>41</sup>U.S. Office of Naval Records and Library, 22.

<sup>42</sup>Whipple, 32.

<sup>43</sup>Richard W. Van Alstyne, *American Diplomacy in Action: A Series of Case Studies*, Stanford Books in World Politics (Palo Alto: Stanford University Press, 1947), 432.

Indies. Because the West Indies had been a profitable avenue of trade, the United States was forced to seek other markets. The region of the Mediterranean became increasingly popular and profitable.<sup>44</sup>

England's 1783 Order in Council was not the only example of European hostility to United States commerce. In his letter to Thomas Jefferson, Richard O'Brien stated that no "commercial nation" was interested in assisting the United States with its trade problems. The Europeans were much more interested in securing commercial wealth for themselves,<sup>45</sup> even at the expense of the United States. The result was a diplomatic crisis in which the United States, under the Articles of Confederation, was at the mercy of both the Barbary corsairs and many of the countries of Europe. In a July 25, 1783 letter from Benjamin Franklin to Secretary of Foreign Affairs, R. R. Livingston, Franklin summed up European thoughts concerning the Barbary corsairs. He wrote,

I think it not improbable that those rovers may be privately encouraged by the English to fall upon us and to prevent our interfering in the carrying of trade; for I have in London heard it is a maxim among the merchants, that if *there were no Algiers, it would be worth England's while to build one.*<sup>46</sup>

Lord Sheffield of England would probably have concurred with Franklin's assessment. In 1783, He spoke rather highly of the ability of the Barbary corsairs to injure United States commerce. In his work, *Observations on the Commerce of the American States*, Sheffield noted, "The Barbary states are useful."<sup>47</sup>

The diplomatic crisis with the Barbary powers caused many problems for the

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<sup>44</sup>Whipple, 25.

<sup>45</sup>U.S. Office of Naval Records and Library, 2.

<sup>46</sup>Allen, 27.

<sup>47</sup>Ray W. Irwin, *The Diplomatic Relations of the United States with the Barbary Powers* (Chapel Hill: University of North Carolina Press, 1931), 25.

Confederacy. In December of 1777, the sultan of Morocco declared peace with the English people, except for the Americans. He felt that the Americans were rebels, and did not want to treat with them.<sup>48</sup> Likewise, Algiers was uninterested in treating with the Confederacy. According to Tucker, Algiers always kept one or two enemies with which it would not make peace. This insured that Algiers would always have someone to plunder.<sup>49</sup> So, after having secured treaties with several European powers, Algiers sought out United States commerce to generate revenue.<sup>50</sup>

### *Humiliating Nature of the Crisis*

The crisis caused by the depredations of the Barbary corsairs humiliated the United States under the Articles of Confederation. In "Federalist 15," Alexander Hamilton commented that the United States may "be said to have reached almost the last stage of national humiliation."<sup>51</sup> This national humiliation was amplified by Europe's dim view of the new Confederacy, and by the inability of the United States to mount effective opposition to the corsairs.

Besides the humiliation regarding Europe, the Confederacy also faced internal humiliation due to the crisis posed by the corsairs. Saying, "It is humiliating to treat with these enemies of the human race,"<sup>52</sup> Thomas Jefferson summed up the national feeling concerning United States-Barbary relations. One particularly humiliating episode of treaty negotiations

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<sup>48</sup>Jerome B. Weiner, "Foundations of U.S. Relations with Morocco and Barbary States," *Hesp ris-Tamuda* [Morocco] 20-21 (1982-1983): 166.

<sup>49</sup>Tucker, 62.

<sup>50</sup>Anderson, 396.

<sup>51</sup>Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*, edited and with an introduction by Clinton Rossiter (New York: Mentor, 1961), 106.

<sup>52</sup>Joel S. Sorkin, "The Piratical Ensigns of Mahomet," *National Review*, 28 March 1986, 50.

occurred in 1785 when Jefferson and John Adams authorized John Lamb to treat with Algiers for the release of the crews of USS *Dauphin* and USS *Maria*. The negotiations failed miserably because of Lamb's inexperience in diplomacy, and because he could speak neither Arabic nor French (a language often spoken in the Barbary states.)<sup>53</sup> This diplomatic disaster caused the Confederacy to "fall into despair; a despair aggravated by the humiliatingly foolish figure the first United States diplomat had cut in Algiers."<sup>54</sup> The reputation for weak diplomacy stuck with the United States, and of the twenty-one American hostages in Algiers, six died before effective negotiations secured their release.<sup>55</sup> Frustrated with the failed diplomacy, the American people resorted to forming private organizations to raise money to ransom the hostages.<sup>56</sup> These humiliating circumstances continued until "General" William Eaton, who had studied the Islamic people and could speak Arabic,<sup>57</sup> and Joel Barlow, who negotiated the release of American captives in Algiers in 1796,<sup>58</sup> improved the reputation of the United States under the Constitution of 1787.

Besides diplomacy, the United States, under the Articles of Confederation, was humiliated by the ineptness of its government. In a July 31, 1786 letter from John Adams in London to Thomas Jefferson in Paris, Adams said that he did not foresee a remedy to the humiliating situation, because the states were so "backward."<sup>59</sup> This backwardness forced

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<sup>53</sup>John M. Taylor, "Adams and Jefferson in the Middle East," *Manuscripts* 33, no. 3 (Summer 1981): 238.

<sup>54</sup>H. B. Barnby, *The Prisoners of Algiers: An Account of the Forgotten American-Algerian War, 1785-1797* (London: Oxford University Press, 1966), 83.

<sup>55</sup>Kitzen, *Tripoli and the United States*, 13.

<sup>56</sup>Michael L. S. Kitzen, "Money Bags or Canon Balls: The Origins of the Tripolitan War, 1795-1801," *Journal of the Early Republic* 16, no. 4 (Winter 1996): 604.

<sup>57</sup>Charles H. Jenrich, "The Schoolmaster General," *Daughters of the American Revolution Magazine* 109, no. 7 (1975): 759.

<sup>58</sup>Milton Cantor, "A Connecticut Yankee in a Barbary Court: Joel Barlow's Algerian Letters to His Wife," *William and Mary Quarterly* 19, no. 1 (January 1962): 89.

<sup>59</sup>U.S. Office of Naval Records and Library, 12.

Thomas Barclay, in 1786, to offer only "the Friendship of the United States" to the sultan of Morocco, instead of a treaty. Needless to say, the sultan was not impressed.<sup>60</sup> Adams lamented the humiliating feebleness of the Confederacy, saying that if nothing was done to remedy the situation, "the miserable depression of the reputation of the United States, the cruel embarrassment of all our commerce, and the intolerable burthen [*sic*] of insurance, added to the cries of our countrymen in captivity," would surely increase.<sup>61</sup>

### CHAPTER 3

#### MAIN ARGUMENT/DEFENSE OF THESIS

After having defined the terms of the thesis of this paper, it is now apropos to examine the thesis itself. This chapter will evaluate the United States' response to the Barbary crisis against the criteria for an effective response, showing that the response failed the criteria. Furthermore, this chapter will show that the criteria for an effective response were not met due to the weaknesses of the Articles of Confederation. Finally, this chapter will show that the United States' response to the Barbary crisis failed due to the weaknesses of the Articles.

#### *Criteria for an Effective Response*

As this paper has already begun to show, the Barbary crisis forced the United States to respond to the depredations in order to protect its commerce and its national dignity. However, was this response effective? What standard of comparison is used to judge the effectiveness of a

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<sup>60</sup>Weiner, 172.

<sup>61</sup>Allen, 33.

response to a national crisis? The former cannot be answered without first answering the latter. So, this section will endeavor to show the standard by which to evaluate the effectiveness of the United States' response to the Barbary crisis.

The first criterion for an effective response to a national crisis is good government. Without good government, the other criteria become rather academic. According to James Madison in "Federalist 62," good government has two components. The first is "fidelity to the object of government, which is the happiness of the people." The second component is "a knowledge of the means by which that object can be best attained."<sup>62</sup> Without these two components, a government does not fulfill the needs of its citizens, and is therefore ineffective. Conversely, however, a government that seeks the happiness of its people and knows how to attain this happiness, is an effective one.

The second criterion for an effective response is a clear knowledge of what is to be gained by the response. There are many different types of responses, ranging from diplomacy to war. Regarding war, military theorist, Karl von Clausewitz, states, "No war should be begun . . . without first finding an answer to the question: what is to be attained by and in war?"<sup>63</sup> Whether conquest or defense is the goal of the response, it is necessary to reconcile this second criterion with the first. Is the goal of the response true to the object of government--happiness of the people? If so, then the goal is an expression of the second component of the first criterion--having knowledge of what the response is to attain.

After meeting the first two criteria for an effective response to a national crisis, one must

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<sup>62</sup>Hamilton, Madison, and Jay, 380.

<sup>63</sup>Karl von Clausewitz, *War, Politics, and Power: Selections from "On War" and "I Believe and Profess,"* trans. and ed. with an introduction by Edward M. Collins (Washington, D.C.: Regnery, 1997), 139.

employ the response in order to reach a successful end. What are the ends of a successful response? When is a response successful? Clausewitz offers three answers to these questions, comprising the third criterion for an effective response. According to Clausewitz, the first end of a successful war is the "destruction of the enemy's military forces." The second is the capture of the enemy's country to prevent it from raising new forces. Finally, the third end of a successful war is to destroy the enemy's will to fight.<sup>64</sup> The successful accomplishment of these ends is critical.

While it is important to reach the ends of a successful and effective response, it is impossible to do so without effective means to those ends. According to Drew Barrett, an effective response to a crisis is composed of three main avenues to the successful ends. The first is "a clearly defined political purpose or objective for the operation." This is similar to Clausewitz's notion of a goal for what is to be gained through the response. The second avenue or means is "credibility for the show of force that is being undertaken." There are two requirements for credibility that must be satisfied. First, the country employing the show of force or response must have a force adequate to accomplish the "political purpose or objective." Second, the enemy needs to know that the force will actually be used. Hence, national character is important. A country has no credibility if it threatens force, but is unable or unwilling to carry out the threat. The track record of a country is also an important component of credibility. Barrett states, "The customary behavior of the nation initiating action, and its actions just preceding a period of tension, can serve as a valid indication of its resolution and intent." The third avenue or means to the ends of an effective response is "the requirement for close

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<sup>64</sup>Ibid., 57-8.

coordination of military and political activities in the conduct of show of force actions.”<sup>65</sup>

Thus, following the criteria for an effective response to a national crisis, it is possible to outline an effective response. An effective response is a response that is initiated by a good government, dedicated to the happiness of the people, and aware of how to make the people happy. This government, acting with regard to public happiness, has a clear goal or objective for the response. To reach its goal, it seeks to destroy its enemy's forces, destroy the enemy's capacity to raise new forces, and ultimately destroy the enemy's will to fight. These ends are achieved through the credibility of the country initiating the response to apply an adequate force, and to make sure the enemy knows that the force will be used. Finally, the successful ends are achieved through close coordination of military and political activities.

#### *Response Failed Criteria*

Scrutinizing the criteria for an effective response to a national crisis, it quickly becomes apparent that the United States’ response to the Barbary depredations was inadequate, given the criteria.

Regarding the first criterion, good government, the inability of the United States under the Articles of Confederation to free the enslaved Americans "testified to the diplomatic weakness of the confederation."<sup>66</sup> It also testified to the fact that the government was unable to provide for the happiness of its citizens. After the establishment of the Department of Foreign Affairs in 1781,<sup>67</sup> there was, however, a great deal of effort expended individually by Thomas

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<sup>65</sup>Drew J. Barrett, "Show of Force in Foreign Policy," *Military Review* 47, no. 8 (August 1967): 3, 4, 6.

<sup>66</sup>Field, 33.

<sup>67</sup>Warren I. Cohen, ed., *The Cambridge History of American Foreign Relations*, vol. 1, *The Creation of a Republican Empire, 1776-1865*, by Bradford Perkins (New York: Cambridge University Press, 1993), 55.

Jefferson to free the captives, but to no avail.<sup>68</sup> For example, Jefferson contacted the Order of the Holy Trinity and Redemption of Captives.<sup>69</sup> This French religious order existed solely to ransom and rescue captives, especially from the hands of the Barbary powers.<sup>70</sup> Although Jefferson's efforts failed to produce freedom for the captives, the stalemated government of the United States under the Articles of Confederation did not know how to free the captives either.

Regarding the second criterion for an effective response to a national crisis, that of a clear objective or goal for the response, the government of the Articles of Confederation again failed. In the mid-1780's, the primary concerns of the Confederacy were along the western frontier,<sup>71</sup> so North Africa was not considered to be the Confederacy's top priority. As the piratical depredations intensified, however, the nation turned its focus to the Barbary problem. Some Americans, including John Adams, preferred to pay tribute as opposed to declaring war on the corsairs. Adams, in particular, thought war would be unwise since the Barbary powers had no commerce to risk, but the United States had a great deal to lose.<sup>72</sup> Tribute seemed to be a safe and guaranteed alternative to war. Alexander Hamilton and Thomas Jefferson did not agree with Adams' assessment. Hamilton calculated that the inflation of the cost of goods due to piracy totaled six times the cost of a Mediterranean squadron.<sup>73</sup> Jefferson concurred, and said, "When peace becomes more losing than war, we may prefer the latter on principles of pecuniary calculation."<sup>74</sup> So, there was a disparity in the ranks of the Articles government leadership, and

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<sup>68</sup>David A. Carson, "Jefferson, Congress, and the Question of Leadership in the Tripolitan War," *Virginia Magazine of History and Biography* 94, no. 4 (October 1986): 424.

<sup>69</sup>Hunt, 1149-50.

<sup>70</sup>Kitzen, "Money Bags or Canon Balls," 603.

<sup>71</sup>Palmer, Internet.

<sup>72</sup>Irwin, 46-7.

<sup>73</sup>Whipple, 43.

<sup>74</sup>Cohen, 113.

there was no clear political purpose, objective, or goal.

The third criterion for an effective response is composed of three components. These components are, the destruction of the enemy's forces, the destruction of the enemy's capacity to raise new forces, and the destruction of the enemy's will to fight.<sup>75</sup> These ends of a successful response were certainly not met by the Articles government. John Paul Jones sought to destroy the forces of the corsairs, but Congress would not requisition funds for his fleet.<sup>76</sup> It was not until 1794 that Congress, under the Constitution of 1787, passed the first Navy bill, leading to the construction of USS *Constitution*.<sup>77</sup>

So, as for the Confederacy, there was no possibility of destroying the Barbary forces, much less destroying the capacity of the corsairs to raise new forces. All that was left of the third criterion was the destruction of the enemy's will to fight. Here was perhaps the greatest failure of the United States' response. Despite Jefferson's call for war, Congress decided to pay tribute to the corsairs.<sup>78</sup> It seemed, however, that despite the amount that the United States offered, the Barbary corsairs requested more.<sup>79</sup> On May 12, 1784, Congress appropriated \$80,000 for tribute money.<sup>80</sup> A few years later, Thomas Barclay reached an agreement with Morocco, the first United States treaty with a non-European power,<sup>81</sup> for \$30,000 to secure the release of the captives of USS *Betsey*.<sup>82</sup> Thus, it is quite clear that the United States did not destroy the Barbary powers' will to fight. Actually, the Confederacy fueled the corsairs' will by

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<sup>75</sup>Clausewitz, 57-8.

<sup>76</sup>Whipple, 22.

<sup>77</sup>T. A. Heppenheimer, "Build-down," *American Heritage* 44, no. 8 (December 1993): 35.

<sup>78</sup>Whipple, 26.

<sup>79</sup>Samuel Flagg Bemis, *A Diplomatic History of the United States* (New York: Henry Holt, 1942), 68.

<sup>80</sup>Bemis, "John Jay," 267.

<sup>81</sup>James A. Carr, "John Adams and the Barbary Problem: The Myth and the Record," *American Neptune* 26, no. 4 (1966): 234.

<sup>82</sup>Bemis, "John Jay," 268.

offering so much tribute money.

Having failed all three criteria to this point, the United States' response to the Barbary crisis must now face the last of the four criteria. This criterion is composed of two components, credibility and close coordination of military and political activities.<sup>83</sup> The criterion of credibility is composed of two components, "adequate force" and "national character."<sup>84</sup> At this point in our nation's history, the United States had neither. In 1786, Jefferson had underestimated the naval force that would be needed to take care of the Barbary problem.<sup>85</sup> The small force of naval vessels that the United States did have was used almost exclusively to attack British transport ships during the Revolutionary War.<sup>86</sup> After the war, however, and even after the inception of the Department of the Navy in 1799, the United States had every intention of abolishing the Navy until the Barbary problems became increasingly severe after the turn of the century.<sup>87</sup> Regarding the issue of national character, the Confederacy failed just as miserably. After independence from England, the United States sought assistance from England and France, but was stymied on both counts.<sup>88</sup> In 1782, John Adams negotiated a treaty with the Netherlands, but this offered little relief from the Barbary crisis.<sup>89</sup> Hence, the United States had no adequate force and no credible national character to convince the Barbary powers that it would use a force if it had one to use.

The final component of the fourth criterion of an effective response was another

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<sup>83</sup>Barrett, 3, 8.

<sup>84</sup>Barrett, 4, 6.

<sup>85</sup>G. Smith, 42.

<sup>86</sup>Palmer, Internet.

<sup>87</sup>Herbert E. Klingelhofer, "Abolish the Navy!" *Manuscripts* 33, no. 4 (Fall 1981): 277.

<sup>88</sup>Irwin, 22-3.

<sup>89</sup>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: Princeton University Press, 1945), 22.

miserable failure for the Confederacy. This component deals with the necessity that the military and political bodies coordinate their activities. Jefferson petitioned Congress to subscribe to his idea of joining forces with the European countries to assemble a unified assault against the Barbary corsairs. Despite Jefferson's efforts, the United States did not join his "convention" of nations.<sup>90</sup> Later, Jefferson petitioned Congress again, this time to install a separate tax on European commerce to defray the Confederacy's expenses in combating the pirates. As before, Congress did not assist Jefferson in his efforts.<sup>91</sup> A final example of the lack of coordination between the military and the United States Congress occurred in 1783, when the Moroccan sultan petitioned Congress for an ambassador. Because of Congress' procrastination and lack of coordination, the sultan ordered the capture of USS *Betsey* in 1784, holding it for ransom until the arrival of a United States ambassador.<sup>92</sup>

#### *Criteria Were Not Met Due to Weaknesses of Articles*

The crisis of the Barbary depredations not only humiliated the young Confederacy, but also showcased some of the prime weaknesses of the Articles. These weaknesses profoundly affected the United States' response to the humiliating crisis, making it difficult, if not impossible, to follow the criteria for an effective response.

To properly examine the Articles of Confederation, one must consider the time in which it was written. Looking back on post-Revolutionary War America, some of the framers of the 1787 Constitution felt that the Articles were a "defective instrument of a preexisting union."<sup>93</sup>

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<sup>90</sup>U.S. Office of Naval Records and Library, 11.

<sup>91</sup>Irwin, 50-1.

<sup>92</sup>Weiner, 170-1.

<sup>93</sup>Storing, 13.

Alexander Hamilton, in particular, believed that the Articles were thrown together quickly during the war by "men of intelligence," who, "when the dangers of war were removed, . . . saw clearly what they had suffered, and what they had yet to suffer from a feeble form of government."<sup>94</sup>

One problem that the "men of intelligence" did not consider was the inability of the Articles to uphold treaties with foreign countries. In the "Virginia Plan," Edmund Randolph expressed the fact that treaties had always been upheld at the time the Articles were written.<sup>95</sup> Hence, the writers did not build safeguards into the Articles to insure that they would continue to be upheld. This was a serious concern for Americans, for as Madison pointed out in a speech at the Constitutional Convention on June 19, 1787, "A rupture with other powers is among the greatest of national calamities."<sup>96</sup>

The inability to uphold treaties was not the only flaw of the Articles. Besides not permitting a standing army or navy, the Confederation under the Articles could not afford to pay or supply the soldiers in the militia that it did permit. It could not raise adequate revenue for war due to the voluntary nature of the Confederacy.<sup>97</sup> The military, weak and virtually ineffective under these paltry conditions, suffered miserably in 1780. In a few weeks' time during that year, General Gates was soundly defeated in Canada, and word of Benedict Arnold's treason rocked the states. In "Federalist 15," Hamilton expressed the dilapidated state of the Confederacy by writing that the United States needed to make "requisitions for men and money," but the Articles had "no authority to raise either."<sup>98</sup> In fact, only one-fifth of the Continental taxes that had been

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<sup>94</sup>Dudley, 153.

<sup>95</sup>Charles C. Tansill, ed., *Documents Illustrative of the Formation of the Union of the American States*, 69th Cong., 1st sess., 1927, *House Document no. 398* (Washington, D.C.: Government Printing Office, 1927), 115.

<sup>96</sup>Tansill, 228.

<sup>97</sup>Whipple, 23.

<sup>98</sup>Hamilton, Madison, and Jay, 108.

assessed in 1783 had been received into the national treasury by mid-1785.<sup>99</sup> The young United States was without a steady source of revenue and the states did not often volunteer money for the national treasury as the Articles expected.<sup>100</sup>

In addition to the financial and military weaknesses of the Articles of Confederation, there were other problems plaguing the "league of friendship." States disputed boundary lines, and the specter of unrest loomed over the country due to Shays's rebellion.<sup>101</sup> Furthermore, in "Federalist 6," Hamilton points out revolts in North Carolina, and "menacing disturbances" in Pennsylvania, which contributed to the "extreme depression to which [the] national dignity and credit [had] sunk."<sup>102</sup>

These and other weaknesses of the Articles of Confederation made it virtually impossible for the United States to mount an effective response to the Barbary crisis. The American people were unhappy, and the government exercised little "fidelity" to the happiness of the people, and possessed little knowledge of what would make the people happy. Lack of funds made it impossible to ransom captives, and American citizens were forced to "languish in slavery."<sup>103</sup> With such an ineffective and unstable method of gathering revenue, the states were financially "backward."<sup>104</sup> The nation was also politically backward. For months at a time, the Congress of the Confederacy could not assemble the quorum of seven states necessary to conduct its business,<sup>105</sup> making it impossible for Congress to exercise on "good government."

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<sup>99</sup>Hunt, 1149.

<sup>100</sup>Thomas Wendel, "Our First Constitution: The Articles of Confederation," *National Review*, 10 July 1981, 769.

<sup>101</sup>Whipple, 24.

<sup>102</sup>Hamilton, Madison, and Jay, 59.

<sup>103</sup>Field, 34.

<sup>104</sup>Irwin, 53.

<sup>105</sup>Carr, 237.

Regarding the second criterion, the Articles prevented the United States from developing a clearly defined political purpose or objective. In the loosely connected Confederacy, the Articles served as merely "a treaty of amity, of commerce, and of alliance, between independent and sovereign states," according to Madison.<sup>106</sup> Madison saw this as a fundamental flaw of the Articles, because it placed "ultimate sovereign power" in thirteen individual states, and not in one unified nation.<sup>107</sup> This allowed American "trade and honor" to suffer "beyond calculation,"<sup>108</sup> while the government responded to the Barbary corsairs without a clear goal or objective.

At the Constitutional Convention on May 29, 1787, Edmund Randolph presented the "Virginia Plan," and said that the Articles Congress was not "permitted to prevent a war nor to support it by [its] own authority."<sup>109</sup> This not only made it impossible to destroy the forces of the Barbary powers, but made it impossible to destroy their capacity to raise new forces as well. Further, by 1793, the United States was spending one-sixth of its annual budget on tribute to the dey of Algiers.<sup>110</sup> Hence, the weaknesses of the Articles of Confederation completely hindered the United States' response from meeting the third criterion, that of the ends of a successful response.

The Articles hindered the Confederacy's response from meeting the fourth criterion as well. Regarding credibility and its two components of "adequate force" and "national character,"<sup>111</sup> it is not difficult to see the harmful effects of the Articles of Confederation on the

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<sup>106</sup>Dudley, 39.

<sup>107</sup>Ibid., 36.

<sup>108</sup>U.S. Office of Naval Records and Library, 11.

<sup>109</sup>Tansill, 115.

<sup>110</sup>Trudy J. Sundberg, "O'Bannon and Company," *Marine Corps Gazette* 60, no. 7 (July 1976): 36.

<sup>111</sup>Barrett, 3, 8.

United States' response to the Barbary crisis. Because of the Confederacy's unstable, voluntary revenue source, it amassed a huge debt following the Revolutionary War. The debt grew so large, that Congress was forced to dismantle the Continental Navy in 1784.<sup>112</sup> Thus, the United States was without an adequate force due to the weak Articles. The Articles also hindered the United States from upholding treaties with foreign powers. Madison, during a June 19, 1787 speech at the Constitutional Convention, said that the inability to follow treaties causes friction between the United States and foreign powers. He said, "The existing Confederacy does not sufficiently provide against this evil."<sup>113</sup> The inability to follow treaties, not to mention the other diplomatic flaws of the Articles of Confederation, weakened the national character of the Confederacy, exposing the country's weakness and inability to carry out its threats against the corsairs. After all, no enemy would feel threatened by "the lowest and most obscure of the diplomatic tribe."<sup>114</sup>

Finally, regarding the criterion of close coordination of military and political activities,<sup>115</sup> Jefferson noted in his first Annual Address on December 8, 1801, that a military build-up would put the United States on "an equal footing with that of its adversaries."<sup>116</sup> Jefferson's words were equally applicable in the 1780's, but Congress opposed a navy. John Jay said of the Articles Congress on September 17, 1787:

They may make war, but are not empowered to raise men or money to carry it on. They may make peace, but without power to see the terms of it observed--They may form alliances, but without ability to comply with the stipulations on their part--They may

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<sup>112</sup>Kitzen, *Tripoli and the United States*, 10.

<sup>113</sup>Tansill, 228.

<sup>114</sup>Thomas Jefferson, quoted in Cohen, 56.

<sup>115</sup>Barrett, 8.

<sup>116</sup>Thomas Jefferson, "First Annual Message, December 8, 1801," in *Addresses, Messages, and Replies*, in *Liberty Online* [database on-line] (Procyon Publishing, 1995, accessed 5 February 1998); available from [http://libertyonline.hypermall.com](http://libertyonline.hypermall.com;); Internet.

enter into treaties of commerce, but without power to enforce them at home or abroad-- They may borrow money, but without having the means of repayment--They may partly regulate commerce, but without authority to execute their ordinances.<sup>117</sup>

His words not only sum up the hindering effects of the Articles on coordination of military and political activities, but also sum up the reasons why the criteria for an effective response were not met due to the weaknesses of the Articles of Confederation.

*Response Failed Due to Weaknesses of Articles  
Conclusions*

Under the Articles of Confederation, the Barbary corsairs inflicted many depredations on United States commerce in the Mediterranean Sea region. These depredations caused a national crisis, which humiliated the Confederacy because of its inability to deal with the pirates. Suffering in the world theater because of the humiliation, not to mention the internal economic suffering, the United States responded to the crisis in a number of ways. While the responses may have seemed logical or appropriate at the time, they proved to be ineffective against the corsairs, who continued their plunder of United States commerce in the Mediterranean.

Having assembled several criteria for an effective response to a national crisis, this paper has examined the United States' response to the depredations of the Barbary corsairs. It has also examined the response in the light of the criteria. In so doing, this paper has shown that the reason for the failure of the United States' response stemmed from the failure of the response to follow the criteria. That being the case, this paper then examined the weaknesses of the Articles

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<sup>117</sup>Dudley, 28.

of Confederation. Having been made intentionally weak by their writers, the Articles made it difficult, if not impossible, to follow the criteria for an effective response. Not being able to follow the criteria, the response failed due to the weaknesses of the Articles. This failed response left the Confederacy "a prey to every nation which [had] an interest in speculating on her fluctuating councils and embarrassed affairs."<sup>118</sup> The Barbary corsairs were certainly no exception.

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<sup>118</sup>James Madison, "Federalist 62," in Hamilton, Madison, and Jay, 381.

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