WERE THE BARBARY PIRATES, PIRATES?

Americans often have difficulty describing the menace posed by the Barbary States. Were the ships they sent against western merchantmen pirates, privateers, corsairs, or state-sponsored terrorists? Actually, none of these terms adequately describes the threat the United States confronted in the Mediterranean in the late eighteenth and early nineteenth centuries. The United States and the Barbary States operated within distinct intellectual worlds. This asynchronicity lies at the root of our misunderstanding of the problem.

The United States was a product of the rise of the West, the European Enlightenments, and a concept of statehood rooted in political assumptions and developments that had evolved since 1648 and the Treaty of Westphalia, which ended the tumultuous and bloody Thirty Years' War. Westphalia established the foundations for the sovereign nation-state, with its fixed boundaries and clearly defined political responsibilities. The savagery of the war, rooted largely in sectarian divisions, reduced the population of central Europe by as much as a fifth and convinced most Europeans that conflict offered little in the way of a solution to religious disagreements. Moreover, the outrages committed by mercenary units, which comprised a major element of the armies of the Thirty Years' War, sparked a widespread revulsion that led the strengthened state to rely increasingly on regular, better-disciplined, national armies.

After 1648, European warfare evolved toward the form that Carl von Clausewitz attempted to define in *On War*, published posthumously in 1832, but which Martin van Creveld described in 1991 as "trinitarian." The "trinity" in question consisted of the state, its military, and its people. The trinitarian state sought to monopolize the use of war — defined by Michael Howard as "armed conflict between organized political groups"—to serve its political ends. For example, in the maritime arena, as the trinitarian state evolved after 1648, it worked to eliminate random violence at sea—piracy—and ultimately public participation—privateering. Ashore, the state moved away from reliance on mercenaries and toward regular armies. By fielding more regular forces the state could avoid the spoliation of the countryside and violence against civilian populations, be they friendly or enemy. This monopolization of warfare by the state precluded the civilian population from joining the fight. Ashore those civilians who ignored such restrictions in wartime—partisans, *francs-tireurs*, guerillas—opened themselves to retaliation and potential execution.

The distinction that we in the West make between soldiers and "innocent civilians" is a construct of recent historical vintage. Throughout the five millennium of recorded human history, the notion of such a clear divide between civilians and the military is a western development of the past four centuries, and one never entirely adhered to even within Europe, and less so without. Historically, civilians generally have been considered fair game for plunder, rape, slavery, and slaughter. In the seventh-century, Islam, with its clearly defined rules for the treatment of a conquered population, marked an improvement on contemporary practices.

In the West, we prefer to believe that it is we who wage "total war." Conflict before the rise of the great civilizations was somehow "primitive"—a lesser form of the art. But, as Lawrence H. Keeley argued in his *War before Civilization* (1996), "primitives" waged true "total war":

> Primitive war was not a puerile or deficient form of warfare, but war reduced to its essentials: killing enemies with a minimum of risk, denying them the means of life via vandalism and theft (even the means of reproduction by the kidnapping of their women and children), terrorizing them into either yielding territory or desisting from their encroachments and aggressions. At the tactical level, primitive warfare and its cousin, guerrilla warfare, have also been superior to the civilized variety. It is civilized warfare that is stylized, ritualized, and relatively less dangerous. When soldiers clash with warriors (or guerrillas), it is precisely these "decorative" civilized tactics and paraphernalia that must be abandoned by the former if they are to defeat the latter.

In the eighteenth century the Islamic domains had neither accepted nor been incorporated into the trinitarian world of the West. The Muslim view had formalized in the ninth century as the age of the initial conquests came to an end and Islam found itself confronting its surviving infidel neighbors. The term to describe the areas ruled by Muslim leaders and Islamic laws was *Dar al-Islam*, the house or the abode of Islam. Beyond those borders lay the *Dar al-Harb*, the house or abode of war. There were also other "abodes," for example *Dar al-Sulh* and *Dar al-Ahd*, which defined non-Islamic areas where the rulers were either in a state of truce or under some form of tributary status short of direct rule. Inherent in this worldview were several assumptions: the continued existence of non-Islamic abodes was temporary; the ultimate goal was to spread Islam to the entire world community; and, in the interim, Muslims retained duties related to the spread of their faith, both by preaching and by fighting.

If conditions did not permit full-scale warfare against non-believers, Muslim rulers nevertheless had a duty to raid the bordering regions of the *Dar al-Harb*. These raids, akin to those launched by the Prophet against the Byzantines and Persians in the seventh century, served several purposes. They allowed a leader to gauge the strength of an enemy preparatory to a larger attack and weakened the *harbis* along the frontier. The punishment—death, destruction, pillage, and slave-taking—that accompanied raids was often sufficient to demonstrate the wisdom of accepting the protection of Islam that came with subject—*dhimma—*status.

The Muslim frontier warriors who conducted these raids were known as *gazis* (in Turkish; in Arabic *ghazis*). Their life was harsh and they supported their operations through the taking of booty and slaves. They occasionally gained great wealth and power, although always at the risk of death. Fellow Muslims, especially during the Ottoman age, accorded *gazis* a special status because of their willingness to sacrifice their lives for their faith in combat with the non-believers.

The activities of the *gazis* were not restricted to the territorial frontiers; they operated on the seas as well. *Gazi* bases generally developed along the cultural fault lines between Islam and Christendom, initially in the Aegean basin.

In the mid-fifteenth century, when the Ottomans began an effort to build up a naval force, they relied primarily on their Greek Christian *millet* for much of the shipbuilding expertise and manpower. For leadership the Turks turned to the *gazi* captains of the Aegean.

At the end of the century, as Islamic rule drew toward a close in the Iberian Peninsula, the Spanish expanded their attacks to include the coastal regions of the Maghreb—the coastal regions of northwest Africa. The sea-*gazis* of the eastern Mediterranean migrated westward and ultimately established themselves in what would become Algeria, Tunisia, and Libya.

Perhaps the most famous was Khair ad-Din, better known in the West as Barbarossa. He was one of four sea-*gazi* brothers born on the island of Lesbos of a *Sipahi* or *Devshirme* father and the widow of a Greek priest. In 1505 Khair ad-Din's older brother, Aruj, set up a base in Djerba, an island off the coast of Tunisia. From there the sea-*gazis* attacked Christian commerce and smuggled Muslims from the Iberian Peninsula to the Maghreb. In 1516 they captured Algiers, driving out the local Muslim ruler. Following Aruj's death in 1518 in combat against the Christian Iberians, Khair ad-Din, fearing that the Spanish were about to extend their rule into North Africa, sent appeals to the Ottoman sultan for help. In return for accepting Ottoman suzerainty (and agreeing to pay tribute) Barbarossa received the support of Turkish troops and assistance and received the title *beylerbey*, regent for the sultan in Algiers. The combination of Ottoman power ashore and Barbarossa's forces at sea were sufficient to defeat the Spanish attempts to extend their power to the south.

The successes of the sea-*gazis* gained them notoriety and legitimacy within the Islamic world. In 1533 Sultan Suleiman the Magnificent named Khair ad-Din the commander of the Ottoman navy. Turks, Arabs, Spanish Muslims, Berbers, and even "renegade" Christians flocked to the "Barbary" coast to join the fray. Both Suleyman Reis (De Veenboer), an admiral in the Algerian fleet in the early seventeenth century, and Murad Reis, (Jan Janszoon van Haarlem) were Dutch converts. While Islam may have motivated most of the sea-*gazis*, a desire for booty drove others, particularly the Christian "renegades."

In the latter part of the reign of Suleiman (1520–1566), the sultan's focus shifted to his campaigns in the Balkans. He left the sea-*gazis* to their own devices. The Barbary city-states, situated as they were along the frontier between Christianity and Islam, had to compete not only with the galley fleets of the Mediterranean basin, but also with the Atlantic Europeans. The Barbary corsairs could not afford to remain wedded to the galley, as could the Ottoman navy in the east. The corsairs made the transition to the new European style of naval warfare, based on the evolving round ships. Nevertheless, they lacked the requisite infrastructure and remained heavily dependent on western technicians (more renegades) and captured or purchased technology. Despite this dependency, the Barbary city states—Algiers, Tunis, Tripoli, and Morocco—avoided destruction by exploiting existing European differences (e.g., between France and Spain) and adroitly playing the Europeans against each other. The sea-*gazis* raided as far a field as Ireland, where they seized the entire population of an unfortunate town in Cork; Iceland, where one raid netted eight hundred slaves; and the Newfoundland Banks.

The Barbary corsairs were thus neither pirates nor privateers. They were sea-going *gazi* warriors—a manifestation of the Islamic impulse for raiding, as a prelude to, or in the temporary absence of, a fighting jihad.

Americans had foreseen the possibility that they would have problems with the Barbary States as early as 1776. The "Model Treaty" drafted by the Continental Congress to guide the negotiators in Paris included a clause asking for French help to avoid

Barbary attacks on American commerce. Article Eight of the Treaty of 1778 provided for French assistance, but only with Morocco.

Morocco was one of the states of the Barbary Coast, but it was an independent kingdom, and not a tributary to the Ottoman sultan. In the late eighteenth century its ruler, Sultan Sidi Muhammad ibn Abdullah, sought to make the transition for his country from reliance on commerce raiding to trade. When he learned of the revolt in the British American colonies, he saw an opportunity and in December 1777 declared his ports open to American ships. His decree was the first formal recognition of the United States by a foreign power.

Despite the fact that the Americans, understandably focused on issues closer at hand, failed to respond to his gestures, the determined sultan continued his overtures for several years. Finally, following the strategic seizures of a few American merchant ships, he gained that attention and in 1787 the United States and Morocco signed their first trade treaty. The Americans and Moroccans have had a virtually continuous treaty relationship ever since.

Unfortunately for the Americans, the corsairs of the other Barbary States remained sea-*gazis*—interested in tribute and booty, not a transition into the western commercial structure. In July 1785, Algiers declared war and began to attack American shipping.

Americans, after achieving independence, found themselves with limited economic opportunities. The mercantilist empires, especially those of Britain and France, continued to lock out most Yankee traders. The economies of the thirteen now independent republics nevertheless recovered, but more slowly than expected. In an effort to find new markets, Americans looked to those areas of the world not yet under mercantilist control: Russia, China, and the Mediterranean basin (including the Ottoman Empire).

The United States faced a dilemma with the Barbary attacks. John Adams, our minister to Britain, thought the best course was to pay tribute, a response cheaper in the long run than fighting. Moreover, he doubted the willingness of Americans to shoulder the burdens of another war so soon after the Revolution. Thomas Jefferson, the minister to France, disliked the notion of paying tribute to "pirates" and considered the smallish Barbary states weak enough for even the fledgling United States to handle.

These debates were nevertheless moot. Under the terms of the Articles of Confederation, Congress lacked the power either to raise military forces or levy taxes. The debt-ridden Congress depended on the contributions of the states for its funding. But the states were short of cash and saddled with debt themselves. In 1785 the Confederation Congress sold off the last of the remaining ships of the Continental Navy—the *Alliance*—and lacked the means to respond with force. Nor did the Congress have the money to pay the tribute demanded by the Algerians. An effort to raise $50,000 from the states to ransom twenty-one Americans failed. The United States was powerless; the only hope was that the Barbary States would consider the Americans so weak and so poor that they would judge the seizure of American vessels pointless.

That was not the Barbary response in the face of United States weakness. Tribute or not, ransom or not, there was still money to be had in seizing ships, cargos, and Americans. As the years passed the number held in the Maghreb steadily rose. The seizures in the Mediterranean remained an embarrassment and evidence of the weakness

of the Confederation. Such evident incapacity under the Articles contributed to the growing sentiment in the states that the Confederation needed either to be significantly strengthened or perhaps even replaced with a new form of government.

Under the new national Constitution that went into effect in March 1789, the Federal government possessed the power to tax, to regulate commerce, and to raise military forces. Nevertheless, during the early years of the fledgling republic the administration of George Washington still lacked the resources to tackle the problem with the Barbary States.

The situation changed dramatically in 1793. Europe went to war against revolutionary France and the prospects for gain by a neutral United States beckoned. Trade increased along with government revenues drawn from commercial duties.

In October 1793 the British struck the Americans an indirect blow. London negotiated a truce between Portugal, Britain's ally in the Iberian Peninsula, and Algiers. For the several years the Portuguese navy had contained the depredations of the Algerians to the Mediterranean. Now the cork was out of the bottle and the Algerine sea-*gazis* sailed into the Atlantic. They captured several United States merchant ships. In weeks, the number of Americans held in Algiers rose to about 150.

Americans, especially in the seaports, were well aware of the fate of these captives. Popular plays and songs called attention to their plight. Organizations raised money for ransom and signed petitions demanding action from the government. Most, though not all, Americans ignored the irony evident in Africans selling white Americans into slavery.

By late 1793 Congress had decided to act. It pursued what would become a familiar track, one rooted in the policies of the Roman Republic: "if you want peace, prepare for war." Congress sent an emissary to Algiers to negotiate a treaty while simultaneously, in March 1794, passed a naval act to construct six powerful frigates to form a core of a new navy.

The result was the Algerian Treaty of 1796. The accord, and its 1797 revision, was a landmark event in American relations with the Middle East and the Islamic world. The treaty was the first American "arms-for-hostage" agreement. We paid money; they released their hostages. Of the 150 Yankee captives, about 112 eventually returned. The others had either died or disappeared. The treaty also marked the beginning of our arms trade with the Middle East. The United States agreed to construct, fully outfit as warships, and deliver to Algiers several men-of-war, including the frigate *Crescent*. The Algerian Treaties also set the standard for American relations with the other Barbary States. American negotiators signed deals with Tripoli in 1796 and Tunis in 1797.

Shortly thereafter, the United States became embroiled in an undeclared naval war with France, known as the Quasi-War (1798–1801). The six frigates constructed to fight Algiers soon found themselves operating in the Caribbean, with good success, against the French.

But as this, the United States' first foreign (and undeclared) war drew to a successful conclusion, the Barbary Deys decided that it might be the right time to get a better deal from the Americans. When Captain William Bainbridge, in the U.S. Navy ship-of-war George Washington, anchored in the harbor of Algiers, the Dey threatened the Americans with destruction and forced Bainbridge to carry assorted human, animal, and material tribute to Istanbul for the sultan.

Despite the embarrassment, Bainbridge's visit to the Ottoman capital established a new connection between the United States and the empire that would later prove valuable and lessened the immediate chances of the Algerines attacking the Americans. But to the east relations between the Americans and the Tripolitans worsened and in 1801 their Dey sent a few of his soldiers to chop down the flagpole that stood in front of the United States mission. Tripoli had declared war.

Thomas Jefferson, as president in 1801, remained as determined to use military force against the Barbary States as he had been as minister to France in the 1780s. Although he did not ask Congress for a formal declaration, in the spring of 1801 Jefferson dispatched a naval squadron to the Mediterranean and began to wage war against Tripoli. The president's strategy for the conflict evolved over the next several years as the Tripolitans refused to see the wisdom of cutting a better deal with the United States. At first U.S. Navy warships escorted American ships and attacked those of Tripoli, be they commercial or military. When that failed, Jefferson directed the navy to blockade and bombard Tripoli, which it did with some difficulty. When that, too, failed, Jefferson undertook "regime change." His representatives located the deposed brother of the existing Dey, promised him military and financial support, raised and trained an army of mercenaries in the Western Desert of Egypt, and launched this force, strengthened by a small detachment of U.S. Marines, and supported by the U.S. Navy into Cyrenaica. After a short siege, the eastern outpost of the Tripolitan realm, Derna, fell.

The Dey decided it was time to deal. In June 1805 the Americans and the Tripolitans negotiated a new treaty. Jefferson promptly jettisoned the Dey's brother and his mercenary army in the desert. But he kept his naval squadron in the Mediterranean until 1807, when he withdrew it as relations between the United States and Great Britain began to deteriorate following the Chesapeake-Leopard affair.

In 1815, as the War of 1812 wound down, Algiers repeated the Tripolitan mistake and attacked the Americans again. President James Madison promptly dispatched Captain Stephen Decatur with a naval squadron to bombard Algiers. Soon thereafter, the Americans signed a new treaty. But the squadron remained in the Mediterranean until the outbreak of the American Civil War in 1861.

The Barbary wars were far more than forgotten, undeclared, but nonetheless traditional military conflicts. They represented the *initial* clash between two entirely different worldviews. The Americans, as children of the Enlightenment, sought the source of their laws not in revealed text, but in concepts drawn from Jefferson's "the Laws of Nature and of Nature's God," revealed through the application of science and reason. The founders believed in the sanctity of reason and the sovereignty of the people and the laws they choose to create. Islam has always taken a very different view. Sayyid Qutb, in his *Milestones*, stressed the centrality of the idea that Allah's will, and not natural law, makes the world what it was, is, and shall be: "This capability belongs solely to the Creator of the universe and of men, Who not only controls the universe but also human affairs, and Who implements a uniform law according to His will." Nor is such an approach limited to modern jihadists. The spring of "Wahabbism," Muhammad ibn Abd al-Wahhab al-Tamimi (1703–1792), in his *Kitab Al Tawhid*, wrote that the *Quran* warns Muslims, "against worshipping those who are blessed with the power of thinking and logic. . . ."

In 1801, of course, neither Americans nor Muslims grasped the fundamental philosophical differences that divided them. Nevertheless, the American interaction with

the sea-*gazis* of the Maghreb at the end of the eighteenth and the beginning of the nineteenth centuries marked an important, if not fully appreciated, asymmetrical moment in the history of the United States. The depredations of the Algerines in the 1780s served as a catalyst for the creation of a strong American federal republic. The spoliations in the 1790s led directly to the re-establishment of an American navy. Whereas the Americans had come to the Mediterranean interested solely in trade, the Tripolitan attacks in 1801 prompted the United States to dispatch a naval force across the ocean and to maintain it in the Middle Sea. Of course, the non-trinitarian behavior of the sea-*gazis* did little to foster a positive view of Islam in the early American mind.

Robert Allison, in *The Crescent Obscured* (1995), noted that the first set of lyrics that Francis Scott Key wrote to be sung to the tune of “To Anacreon in Heaven,” the theme of London’s Anacreontic Society (music best known today as “The Star Spangled Banner”), celebrated the American victory over Tripoli.

Columbians! a band of your brothers behold,
Who claim the reward of your hearts’ warm emotion,
When your cause, when your honor, urged onward the bold,
In vain frowned the desert, in vain raged the ocean:
To a far distant shore, to the battle’s wild roar,
They rushed, your fair fame and your rights to secure:
Then, mixed with the olive, the laurel shall wave,
And form a bright wreath for the brows of the brave.

In the conflict resistless, each toil they endured,
‘Till their foes fled dismayed from the war’s desolation:
And pale beamed the Crescent, its splendor obscured
By the light of the Star Spangled flag of our nation.
Where each radiant star gleamed a meteor of war,
And the turbaned heads bowed to its terrible glare,
Now, mixed with the olive, the laurel shall wave,
And form a bright wreath for the brows of the brave.

Perhaps, had it not been for the War of 1812, the national anthem of the United States would celebrate the nation’s first clash with Islam. One can only wonder if Muslims would stand and listen to the lyrics with the same forbearance as our British allies, or would the demands of “political correctness” force us to adopt a new anthem.

Nonetheless, the war against Tripoli, and the effort made to oust the Dey, reflected the novel nature of American policy. Whereas the Europeans had learned to live with the depredations of the Barbary sea-*gazis*, the Americans proved to be less accommodating. In that sense, the United States, despite its military weakness and distance apart, set an example for the old world. A few decades later the European powers finally decided that enough was enough. In 1830, fifteen years after Commodore Stephen Decatur bombarded Algiers, French invaded Algeria, colonized it, and ultimately made it part of metropolitan France.

The struggle with the sea-*gazis* was also the Americans’ first foreign asymmetrical conflict. The Barbary States were not part of the Westphalian system. They

did not differentiate between civilians and soldiers. They took slaves, not prisoners of war. They fought for their faith, or perhaps for booty, but certainly not for *raison d'état*. In so doing, they forced the Americans to interact with the Islamic world not only on economic terms, but also on political and military terms. The young American republic demonstrated that it was capable of playing the game, of responding forcibly, and of engaging in an early form of asymmetrical warfare.