

Tripoli

PEACE AND FRIENDSHIP

Treaty signed at Tripoli November 4, 1796, and at Algiers January 3, 1797

Senate advice and consent to ratification June 7, 1797

Ratified by the President of the United States June 10, 1797

Entered into force June 10, 1797

Proclaimed by the President of the United States June 10, 1797

*Superseded April 17, 1806, by treaty of June 4, 1805*¹

8 Stat. 154; Treaty Series 358²

[TRANSLATION OF 1796]³

TREATY OF PEACE AND FRIENDSHIP BETWEEN THE UNITED STATES OF AMERICA AND THE BEY AND SUBJECTS OF TRIPOLI OF BARBARY

ARTICLE 1

There is a firm and perpetual Peace and friendship between the United States of America and the Bey and subjects of Tripoli of Barbary, made by

¹ TS 359, *post*, p. 1081.

² For a detailed study of this treaty, see 2 Miller 349.

³ This translation from the Arabic by Joel Barlow, Consul General at Algiers, has been printed in all official and unofficial treaty collections since it first appeared in 1797 in the Session Laws of the Fifth Congress, first session. In a "Note Regarding the Barlow Translation" Hunter Miller stated: "... Most extraordinary (and wholly unexplained) is the fact that Article 11 of the Barlow translation, with its famous phrase, 'the government of the United States of America is not in any sense founded on the Christian Religion,' does not exist at all. There is no Article 11. The Arabic text which is between Articles 10 and 12 is in form a letter, crude and flamboyant and withal quite unimportant, from the Dey of Algiers to the Pasha of Tripoli. How that script came to be written and to be regarded, as in the Barlow translation, as Article 11 of the treaty as there written, is a mystery and seemingly must remain so. Nothing in the diplomatic correspondence of the time throws any light whatever on the point." (2 Miller 384.)

The Miller edition also contains an annotated translation from the original Arabic made in 1930 by Dr. C. Snouck Hurgronje of Leiden; for text, see p. 1075.