

A large three-masted sailing ship with white sails is shown on a blue sea. The ship is viewed from a low angle, looking up at the masts and sails. The sky is clear and blue. The ship's hull is yellow and black. The text is overlaid on the image.

Free Trade, Privateering and the Treaty of Amity and Commerce

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Roots of Revolutionary Diplomacy

Benjamin Franklin (1706-1790)



Continental Congress

- 1775: “Secret Committee” (later Foreign Affairs) initiates European negotiations.
- May 2, 1776: Vergennes to Louis XVI, “furnish a million livres for the use of the English colonies.”
- 1776: Three envoys named: Silas Deane, Arthur Lee, and eventually Franklin.

Revolutionary Envoys– Spring 1776

Arthur Lee (1740-1792)



Silas Deane (1738-1789)



Declaring Independence

Lee's Resolution

- June 7, 1776
- “that measures should be immediately taken for procuring the assistance of foreign powers.”
- “Model Treaty” of 1776.

Richard Henry Lee (1732-1794)



Model Treaty, 1776

John Adams (1735-1826)



Diary, Mar.-April 1776

“1st. No Political Connection.
2nd. No military connection.
Receive no Troops from her.
3rd. Only a commercial
connection, i.e. make a Treaty,
to receive her ships in our
Ports. Let her engage to
receive our Ships into her
Ports—furnish us with Arms,
Cannon, Salt Petre [sic],
Powder, Duck, Steel.”

Model Treaty, 1776: Provisions

- Commercial Treaty, thirty articles.
- “that free ships shall also give a freedom to goods, and that everything shall be deemed to be free and exempt . . . contraband goods being always excepted.”
- Substantial economic benefits.
- No need for political/military entanglements.
- Free Trade vs. Winning the War.

Treaties with France, 1778

Treaty of Alliance

- 13 articles.
- If Britain attacks France, they will aid America.
- Separate Bourbon alliance with Spain.

Treaty of Amity and Commerce

- 31-articles
- Art. 17 and Art. 22: Gives French and American privateers full access to one another's ports.
- Article 23: "And it is hereby stipulated that free Ships shall also give a freedom to Goods."
- Model for free trade agreements with the Netherlands (1782), Sweden (1783), Prussia (1785).

Privateering and the Age of Sail

“Consolato del Mare”

- Absence of navies; rely on armed, private ships to seize valuable cargos.
- Letters of Marque/Admiralty courts.
- Merchant ships as wartime targets.
- Ships’ “bottoms,” not its nationality.
- Originated in 12th century; practiced as late as 1850s.

Sir Francis Drake



Privateering in American colonies

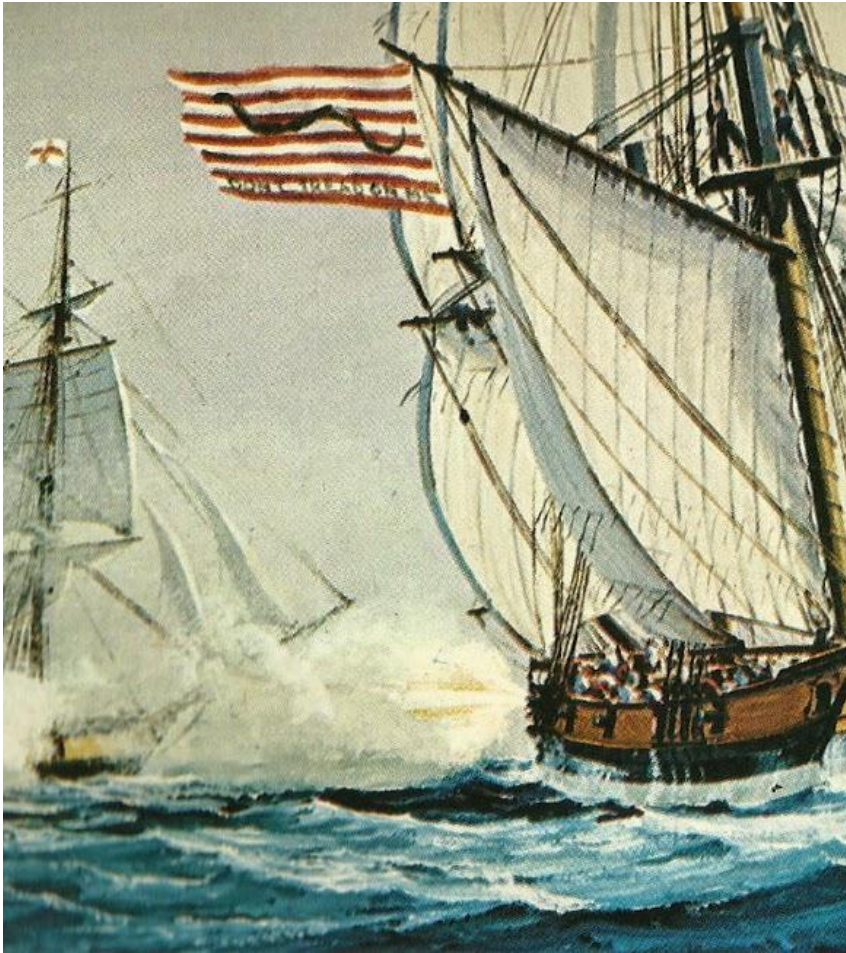
Thomas Hancock



Surviving Wartime Economy

- Colonial subjects converted merchant ships to privateers during British wars.
- Widespread in American port cities, post-1740s.
- Letters of marque or “commissions” from British government.
- Vice admiralty courts for “condemned” ships and cargos.

Revolutionary Privateering



- Very small Continental Navy: 57 vessels.
- Continental Congress authorizes privateers. Issues letters of marque.
- 2000-3000 privateers.
- Harass British merchant ships. 2,200 seized.

Origins of Free Trade

Free Trade

- Enlightenment concept: Vattel, Grotius. Trade as a positive interaction rather than a tool of war.
- “Free ships make free goods,” contraband excluded.
- American “Model Treaty” of 1776 and Treaty of Amity and Commerce, 1778.
- Armed Neutrality of 1780, Russian-led effort.

Catherine II, “the Great”



Winning the War, Keeping the Peace

- Necessity of revolutionary alliances.
- Post-war: Commercial approach to foreign affairs.
- Neutrality Proclamation, 1793: pursue free/ “neutral” trade.
- Farewell Address: “no permanent alliances.”

