

CALIFORNIA NEVER WAS AN INDEPENDENT REPUBLIC

By GEORGE TAYS

MUCH has been written about California as an independent republic, and many old-time Californians are wont to boast that California, along with Texas, shared the distinction of having been an independent country before becoming a part of the American Union. Our State flag commemorates the supposed republic, and the society of the Native Sons of the Golden West makes much of such a supposition. From a Californian standpoint, no doubt, it is heresy for a Californian to make this statement; but unfortunately for us, unlike Texas, California never was an independent republic.

The preceding statement is true if we accept the ordinary theory of what constitutes an independent country. That theory is to the effect that a country is independent provided that it is not subject to any other nation; that it has some established system of government; that such a government is able to perform acts of sovereignty within the boundaries of its own country, and such a country must be recognized as such by other nations. Judged by these standards, Texas won and maintained its independence for ten years, and doubtless could have maintained it indefinitely had it not voluntarily chosen to surrender it in order to join the United States. By these same standards California could not be considered an independent state for even a single minute.

The nearest California ever came to being independent was at the time of the Alvarado revolution in 1836. At that time the existing government was overthrown, and a new and effective one was put in its place. Officials were appointed and the machinery of government began to operate. A declaration of independence was published, but with certain limitations. But even under these conditions it cannot be said that California was independent. In the first place, it was not recognized as such by Mexico or any foreign country. Then, too, the majority of the people of the territory did not recognize Alvarado's rule. A counter revolution against the new government started in Los Angeles almost at once, so that Alvarado was unable to control all the territory. Therefore, it cannot be said that California achieved even *de facto* independence, and since most of the people did not submit to Alvarado's rule until he himself had submitted to the Mexican government, the independence of California did not exist *de jure*.

Now, turning to the Bear Flag revolution and the proclamation of independence at Sonoma on June 14, 1846; this movement had even fewer

grounds to claim independence than the one in 1836. It was started by a handful of foreigners who had arrived in the country the year before and were not even citizens of California, for in the majority of cases the California authorities were not even conscious that those individuals were resident in the territory. That movement, then, may be classed as a filibustering expedition. The proclamation of independence was issued in the wild and sparsely settled frontier. The recognized authorities of the territory did not know about it until after the revolution was over, as no copy was sent to them. Also, the mere fact that a proclamation of independence is issued does not necessarily mean that the country becomes independent. Independence has to be won first. Not one citizen of California was involved in the movement for independence and most of them were ignorant that such a thing was contemplated. Today, if a band of some forty foreigners went up to Lassen County and proclaimed California independent from the United States, no one would think that our State had become an independent republic. Yet such a situation would be analogous to what actually took place in Sonoma in 1846. Although a proclamation of independence was issued and a flag was raised, no officials of government were elected or appointed; no machinery of government was provided, and no acts of sovereignty were performed by any one of the revolutionists. Furthermore, the revolution never advanced outside the confines of the northern frontier. Certainly the forces of Mexico in the territory were not defeated. The capital of California was still in the hands of the legal government. Over 99 per cent. of the territory was still ruled by the legitimate authorities. The revolutionists were not even recognized as belligerents by either Mexico, the people of California, or any foreign power. And when the military forces of the United States took possession of California they ignored the existence of the Bear Flag Republic and raised the flag of the United States over Sonoma without even asking leave of the revolters. Furthermore, the control of the United States over California is dated as of July 7, 1846, when Commodore Sloat raised the American flag over Monterey. Besides, American ownership of California was acquired by military conquest and not by annexation of a free country, such as was the case in Texas. Title to California was received from Mexico by the peace treaty of Guadalupe Hidalgo, and not by a treaty with the Bear Flag Republic, as would have been the case had California been actually independent. Finally, the revolters were not even sure of their control over the small area that they held. For all these reasons, then, how can anyone imagine that there was an independent republic, when such a state did not exist either *de facto* or *de jure*?

To say that, because a handful of ignorant foreigners took possession of a frontier post and issued a preposterous declaration of independence, California automatically became an independent republic, is one of the great historical absurdities on record.