

AN INQUIRY INTO THE SIGNIFICANCE OF THE RAISING OF THE AMERICAN FLAG AT YERBA BUENA, JULY 9, 1846

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HISTORICAL EVENTS of great importance are not always signalized by battles won, nor by the formal signing of elaborately engrossed treaties. There are occasions where the pivotal act itself is regarded as having only local interest; mere routine, as it were, in the accomplishment of some seemingly larger purpose. Such has been the attitude toward the raising of the American flag by Commander John Barry Montgomery on the morning of Wednesday, July 9, 1846, in the Plaza at Yerba Buena, the village which was later to become the city of San Francisco.

On the other hand, the triumphal entry of General Winfield Scott with his American forces into the City of Mexico has been hailed as the culmination of the Mexican War. It is true that this American victory had far-reaching results; one of which was the Treaty of Guadalupe Hidalgo, by which California, New Mexico, and all the vast territory between, from the 42nd parallel south to the new boundary set by that treaty, passed into the permanent possession of the United States.

Has the American conquest of Mexico overshadowed an event of even greater importance than itself; an event that marks an era in world history? Can the flag raising at Yerba Buena be shown to be that epochal event? Such is the purpose of this inquiry.

A brief statement of what took place on July 9, 1846, will be necessary. Shortly after eight o'clock on that morning, Commander J. B. Montgomery landed some seventy marines and sailors from the U. S. sloop-of-war *Portsmouth*, then at anchor in Yerba Buena Cove in San Francisco Bay, and marched them up what is now Clay Street to the Yerba Buena Plaza. There by the raising of the American flag he took possession in the name of the United States of America. He likewise read aloud the proclamation of Commodore J. D. Sloat, commanding the American fleet in California waters, and posted copies of the document in both Spanish and English upon the flagstaff. Later that same day, Lieutenant John S. Missroon, accompanied by an armed escort, was dispatched to the ruinous San Francisco Presidio and the deserted Castillo de San Joaquin, at the entrance of San Francisco Bay, and at both places planted the national colors in token of possession.

It is difficult to believe that these routine incidents in the seizure of California have a world-wide significance; and to advance the claim that they are hardly less momentous than the Battle of Tours where Charles Martel

overcame the Mohammedans in 732 A.D., or the defeat of the Spanish Armada in 1588, would seem downright folly. Yet it is the aim of this inquiry to endeavor to make clear that such might be the case.

In the days that ushered in the Christian Era, Rome's sovereign, Augustus, was the ruler of an empire extending from the Euphrates to the Pillars of Hercules and from north Africa to the vast forests which belted Europe from the course of the Rhine to that of the Danube. To the north of that forested area the Emperor was not acknowledged, and to the Roman world the inhabitants of that region were known as barbarians.

Within the Roman Empire authority filtered from the capstone of the pyramid, the Emperor himself, downward until it reached the lowest classes and the slaves whose only right was to obey the commands of their superiors.

Among the Teutonic barbarians, however, this process was reversed. Power and authority came from the individual units of the clans and tribes and was delegated by them to temporary leaders of their own choosing.

Success of the Roman arms in a northward movement of the Imperial legions would have meant a subjugation of the Teutonic peoples and their subsequent Romanization, consequences which followed when victory crowned the Roman eagles in Spain, France, Illyria and elsewhere.

Europe in the year A.D. 9 harbored two distinct systems of polity: the one autocratic and highly centralized, the other democratic and self-governing. And it was in this same year that Imperial Augustus unleashed the Roman legions under Varus in the attempt to crush the tribesmen beyond the Rhine. But victory failed to crown the soldiery of Rome, for Arminius (the name, of course, is the Latinized form of Herman) gathered his forces in defense of the homeland and met the enemy in the Teutoberger Wald, the still-existing forest near today's Detmold in the former principality of Lippe. The defeat Arminius inflicted that day upon the legions of Varus was so complete that germs of Teutonic free institutions were saved to become the heritage of nations yet to be born; centuries later they were to attain full growth and be the foundation stones upon which the laws and governments of both England and the United States were to be built.

Following Julius Caesar's landing in Britain in the first century B.C., the Romanization of its inhabitants, the original Britons, went forward with characteristic energy. A glance at the map of modern England will disclose the extent of the armed Roman occupation which continued for nearly five hundred years. Wherever a place-name ending in "chester" is found it is a reminder of legionary camps, for the Anglo-Saxon "chester" is but the perverted rendering of the Latin *castra* or camp.

The Angles, Jutes and Saxons who descended upon Britain in the Fifth Century of our era wrested the land from the crumbling Roman Empire and obliterated the thin veneer of Italian law, customs and civilization that had been forced upon the conquered Britons. These invaders brought with them

the heritage of free institutions which Arminius had saved from extinction by his defeat of Varus and which were destined to develop into our common law and our popular self-government. A thousand years were to pass before the English began their settlements in America, bringing with them those precious fundamentals of polity which were to flower into our own Constitution and what we term today the American system of government.

Spain on the other hand had become so completely Romanized by colonization and military occupation that the Imperial system survived even the invasions of the Visigoths from the north and the swarming into the Iberian peninsula of the Mohammedan cohorts from Africa. Long after the Roman Empire had vanished, Spain continued to be Roman both in thought and practice, the effect, doubtless, of the introduction of Christianity from Rome where the Church had fallen heir to what remained of Imperial power. When Granada fell and the last of the Moors were expelled, just before Columbus sailed from Palos on August 3, 1492, Spain was again free to extend its sway under Ferdinand and Isabella over the whole of the former Roman provinces of Hispania. The system of government then imposed upon its people was none other than the old Imperial system, modified by time and existing conditions.

Roman law and military control, joined with Papal organization, which had assimilated many of the old Imperial functions, were transplanted to America at the beginning of Spain's expanding colonial occupation. The expeditions of explorers and adventurers that overwhelmed the islands of the Caribbean, conquered Mexico, and, turning south, swallowed Peru and most of South America, carried with them institutions grounded upon principles diametrically opposed to those revered by the emigrants from England who settled the Atlantic shores of North America. Power and authority imposed from above was the Spanish ideal: the Roman system; the English colonists relied upon their heritages of free assembly and the rights of the individual to choose those who should exercise authority.

In the course of the two hundred and fifty years following the conquest of Mexico by Cortez in 1521, Spain had spread its dominion southward to the Argentine and to Chili and northward to the Bay of San Francisco. At this latter point, on September 17, 1776, there was laid the foundation of her most northerly and westerly permanent stronghold in North America: the Presidio of San Francisco. It was a Roman outpost, Roman in form, Roman even in name—for the Spanish *presidio* is the equivalent of the Latin *praesidium*, the fortified camp or *castra* which the Roman legions built wherever they were in possession.

From the first feeble English settlement at Jamestown in Virginia in 1607, and from the colonies at Plymouth and Massachusetts Bay, founded in 1620 and 1630, there was destined to grow a population which eventually occupied the Atlantic shoreline from Maine to Florida. These settlers fol-

lowed their inherited system of self-government, the forms of which differed slightly from place to place, but which in large measure were based upon self-determination: the rights of individuals to meet in free assembly and choose representatives to act for them.

Thus again we find confronting each other, this time in the Western Hemisphere, the two ancient systems of polity which had struggled for supremacy in A.D. 9 in the German forestlands. Like two mighty streams pouring into the vast unknown interior of the continent, each of these armies of newcomers pursued its way toward the west. The years to come would see them in conflict, but where the one or the other would bow to the vanquishing foe, no man could know.

In time the descendants of the English settlers crossed the Appalachians. From Virginia and North Carolina, Kentucky received its pioneers. Down the Ohio the invading army took its march, carrying with it its Anglo-Saxon methods of governmental organization. It is true that at times the beginnings of democratic government planted in the wilderness were crude in pattern, but they were always based upon the fundamental principles from which the original thirteen States were erected. Wherever some group halted to clear the forest and build cabins, automatically the individuals composing it met to choose their leaders and to put into practice the rules of self-government from which in time new States were to be born.

The conquest of the North American continent by hardy English-speaking people was neither hurried nor spectacular. Whatever advance was made by the onward-moving pioneers was consolidated so that each new advance pressed forward from organized bases inhabited by men and women whose aims and ideals were identical with theirs. This made for unity and solidarity. A nation of free men was being built.

Destiny decreed that the people of Spanish speech and the Spanish-Roman system of government should clash with the English-speaking polity. Here and there on the westward march to the Pacific they had come into contact with varying results, but it was reserved for California to be the scene which would end the conflict. Mexico, having thrown off the rule of the mother country but continuing to exercise sovereignty in the only way it knew, inherited Spain's most northerly and westerly stronghold, the Presidio of San Francisco, under the shadow of whose ruined fortifications the village of Yerba Buena came into being in 1835.

Here the two streams of opposing polities met. Here, with the lowering of the Mexican ensign and the hoisting of the American flag on July 9, 1846, the conquest of government imposed from above by government deriving its power and authority from the full choice of the people was complete as far as the continental area of the United States of America was concerned. Thus after a lapse of eighteen hundred and thirty-seven years it was here that the Roman system, the system Imperial Augustus had striven to impose

upon the unconquered Teutons led by Arminius, fell before the advance of the descendants of the defenders of old who fought to preserve the right of the individual to be governed by those of his own choosing.

The raising of the American flag over Yerba Buena's Plaza and the planting of the national banner at the Castillo de San Joaquin and the Presidio of San Francisco would therefore appear to take on a deeper significance and to become an event of world import.